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**SOAH DOCKET NO. 473-10-1097
PUC DOCKET NO. 37448**

APPLICATION OF LCRA	§	BEFORE THE
TRANSMISSION SERVICES	§	
CORPORATION TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY FOR	§	PUBLIC UTILITY COMMISSION
THE GILLESPIE TO NEWTON 345-KV	§	
CREZ TRANSMISSION LINE IN	§	
GILLESPIE, LLANO, SAN SABA,	§	
BURNET, AND LAMPASAS	§	
COUNTIES, TEXAS	§	OF TEXAS

DIRECT TESTIMONY AND ATTACHMENTS OF

CHRIS JORDAN

ON BEHALF OF
CJ RANCH LLC AND
MOUNTAIN PLACE, INC.

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January 7, 2010

SOAH DOCKET NO. 473-10-1097
PUC DOCKET NO. 37448

APPLICATION OF LCRA TRANSMISSION SERVICES CORPORATION TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE GILLESPIE TO
NEWTON 345-KV CREZ TRANSMISSION LINE IN GILLESPIE, LLANO, SAN SABA,
BURNET, AND LAMPASAS COUNTIES, TEXAS

DIRECT TESTIMONY OF CHRIS JORDAN

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1 **I. INTRODUCTION AND BACKGROUND**
2

3 Q: PLEASE STATE YOUR NAME AND ADDRESS.
4

5 A: My name is Chris Jordan. I live at 4024 Grassmere, Dallas, Texas 75205.
6

7 Q: ARE YOU AN INTERVENOR IN THIS CCN PROCEEDING FOR THE
8 LOCATION OF A 345KV TRANSMISSION LINE FROM THE GILLESPIE TO
9 THE NEWTON SUBSTATION?
10

11 A: The companies that own the property, which are companies that I own and control,
12 are Intervenors.
13

14 Q: ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?
15

16 A: I am testifying on behalf of CJ Ranch, L.L.C., and Mountain Place, Inc. CJ Ranch and
17 Mountain Place are entities that are ultimately owned and controlled by me. CJ Ranch
18 and Mountain Place together own approximately 2,888 contiguous acres operated as
19 a single ranch known as the CJ Ranch. The CJ Ranch is crossed by segment C16,
20 which is on LCRA's preferred route GN11 and alternative routes GN2, GN3, GN4,
21 and GN5.
22

23 Q: IS THE INFORMATION CONTAINED IN YOUR TESTIMONY TRUE AND
24 CORRECT TO THE BEST OF YOUR KNOWLEDGE AND BELIEF?

1 A: Yes, it is.

2
3 **II. PURPOSE AND SCOPE OF TESTIMONY**

4
5 Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?

6
7 A: The purpose of my testimony is as follows:

8
9 (1) describe the CJ Ranch and how it could be affected by LCRA's Application;

10
11 (2) provide information that the Administrative Law Judge ("ALJ") and the Public
12 Utility Commission of Texas ("Commission" or "PUC") may find useful in
13 evaluating alternative routes for the proposed transmission line; and

14
15 (3) request that a Certificate of Convenience and Necessity ("CCN") not be issued to
16 LCRA to construct a transmission line along any route utilizing segment C16 and to
17 request that the ALJ recommend, and that the Commission approve, a route that uses
18 or parallels existing transmission lines and rights-of-way to the greatest extent
19 possible rather than a route that would cross untouched and undeveloped property in
20 this pristine Hill Country environment.

21
22 **III. DESCRIPTION OF CJ RANCH**

1 Q: PLEASE DESCRIBE CJ RANCH.

2

3 A: CJ Ranch, approximately 2,888 acres in size, is about twelve miles as the crow flies
4 northeast of Llano, Texas, in the northeast corner of Llano County and southeast
5 corner of San Saba County, straddling the county line. The acquisition of the main
6 part of CJ Ranch (the "Ranch") in 1995 and subsequent purchases to the south in
7 2004 of 433 acres and east in 2005 of approximately 455 acres fulfilled a twenty-year
8 quest to find a property unscathed by modern civilization. The Ranch is surrounded
9 by the giant Yates Ranch on three sides and rugged country on the other side. It was
10 originally called the Tow Ranch. I consider myself fortunate to have been in a
11 position to purchase this land and then square off its boundaries by acquiring adjacent
12 acreage. The boundaries of that first purchase are illustrated on Sheet 3 of 12 of the
13 series of aerial photographs entitled "Location of Directly Affected Properties"
14 attached to LCRA's CCN Application. Parcel C16-39 shows the boundaries of that
15 original tract in yellow, which consists of approximately 2,011 acres. About six years
16 ago, I purchased approximately 433 additional acres, what I call the Allen Tract. It is
17 shown as parcel C16-30 on this same aerial photograph. One year I later bought
18 approximately 455 additional acres known as the Mountain Place. After years of
19 attempting to purchase this land from the family whose roots trace back three
20 generations from nearby Tow, Texas, I was able to purchase Mountain Place, Inc. a
21 Texas C-corporation. Dean Bibbes, the family member responsible for speaking on
22 the family's behalf and also a lifelong conservation expert with the U.S. Department
23 of Interior, commented at closing that they chose to sell to someone they know will

1 not subdivide the land but rather incorporate it into the much larger adjacent Ranch.
2 This acreage abuts the southeastern boundary of the original tract (C16-39). The
3 southern boundary of Mountain Place is not shown on the LCRA's aerial photograph,
4 however. I have attached as Exhibit CJ-1 a copy of a map I had prepared that shows
5 the current boundaries of the entirety of the CJ Ranch. This map accurately depicts
6 the boundaries of the CJ Ranch, certain improvements, and various natural features.

7
8 Q: PLEASE TELL US ABOUT SOME OF THE NATURAL FEATURES OF CJ
9 RANCH.

10
11 A: One of the most prominent and beautiful features is Falls Creek. It is a year-round
12 spring-fed creek that emanates and flows through the northwest corner and travels
13 easterly, past the 100-year old plus headquarters buildings still in use, continuing
14 south and east, then meandering through the Yates Ranch then back to the south
15 through the Ranch and forms a large pool where it joins a wet weather creek. The
16 Blue Hole, as we call it, is a natural pool of 10-foot depth flanked by caves large
17 enough for a man to stand up in. The next two-mile stretch of Falls Creek is lined by
18 large live oak, cottonwood, and cedar elm trees where turkeys roost and bald eagles
19 are observed frequently. Falls Creek continues to the southeast past the Pavilion (a
20 nature observation shelter which I will describe later) below 50-foot bluffs that occur
21 first on the left and then on the right. As the creek turns to the northeast, The Bluffs
22 rise 70 feet as the water forms rapids at this bend. A picture of The Bluffs is attached
23 hereto as Exhibit CJ-2. This stretch of the creek and downstream for about three-

1 quarters of a mile is where guests and visitor groups are taken to witness the most
2 scenic parts of the Ranch. Springs form pools in the cracks in the rock nourishing
3 watercress and minnows. Exposed strata and circles of flint along the waters edge
4 show signs that someone in some earlier time sought out this material. The diverse
5 aquatic life observed from the creek bank above shaded by the huge live oaks
6 resembles a giant aquarium beneath you.

7
8 The entirety of the ranch is mainly rolling, hilly terrain, with high hills such as Big
9 Top, Home Site, Mountain Place, and Old Baldy. The views from these hills are
10 beautiful. Looking north and west from Big Top, you can see miles and miles of
11 rolling Texas Hill Country. You can see more than 10 miles as you look east into
12 Burnett and Lampasas counties. The view from Mountain Place looking east toward
13 Lake Buchanan is attached as Exhibit CJ-3 as an example of one of these beautiful
14 vistas. From these hilltops there are very few manmade obstructions in the 360-
15 degree vistas. Only cellphone tower lights in the far distance are visible at night.

16
17 Q: DESCRIBE THE IMPROVEMENTS ON CJ RANCH.

18
19 A: Our primary dwelling when at the Ranch is a 100-year old ranchhouse with various
20 add-ons. It is located near the Ranch entrance at the northwest corner of the property,
21 the termination of electrical service provided by the Hamilton Electrical Cooperative.
22 Spring water fills a ground level cistern and is pumped to the house. Centuries-old
23 live oaks surround the house. The farmhouse has three bedrooms, a living room, and

1 a combination kitchen-dining room, along with a screened-in porch and "dog trot"
2 that separates the main part of the house from a bedroom and one of the bathrooms. It
3 also has a concrete patio out back where I have a barbecue pit and fire pit, around
4 which my friends and family gather to visit.

5
6 Adjacent to the house is a split rail corral containing two log homes, clearly hand-
7 hewn, dating from the 1880's and traced back to the bachelor Tow brothers, who
8 settled here. One is constructed of large post oak beams and has second floor
9 sleeping areas. The other is made of cedar beams and contains a raised floor. We
10 have covered these structures and otherwise restored them to their original condition,
11 as we want many more generations to appreciate the skill and labor involved in
12 literally building a home by hand, from felling the timber to planking the floor.

13
14 Behind these structures, I built a combination ranch shop/bunkhouse on a slab with all
15 steel construction. This area is used heavily by friends, co-workers and children's
16 groups who come on weekends to hunt, fish, hike, bike and enjoy the natural
17 environment.

18
19 One of my favorite places on the Ranch is the Pavilion. The Pavilion is a cypress
20 wood structure with a metal roof built on a pole platform. All four sides of the walls
21 have been screened-in. We keep two or three cots at the Pavilion for overnight stays.
22 It has a front porch, where we keep a couple of chairs. The Pavilion overlooks and is
23 on the banks of Falls Creek and is surrounded by large, mature live oaks, wild cherry,

1 and other hardwoods. I built the Pavilion to look out over Falls Creek and across its
2 wooded banks. Looking downstream on Falls Creek are high bluffs topped by oak
3 and juniper. The water in Falls Creek is crystal clear as it traverses a limestone
4 bottom. The creek is full of many varieties of reptiles, amphibians, fish and other
5 aquatic wildlife. I frequently see eagles and hawks hunting in this area. My family
6 and friends and I often come to the Pavilion just to sit quietly and watch the wildlife.
7 We have spent many a night in the Pavilion wrapped in a sleeping bag, listening to
8 the coyotes howl in the distance. It is a great spot to take your kids, to get away from
9 the video games, and to simply sit, listen, watch, and learn. Pictures of the Pavilion,
10 Falls Creek directly in front of the Pavilion, and a view from the porch of the Pavilion
11 are attached as Exhibits CJ-4, CJ-5, and CJ-6.

12
13 As you walk downstream along Falls Creek, past the 60-foot-high bluffs and along
14 tree-lined banks, the creek straightens out. Along this stretch, Falls Creek widens and
15 deepens in places, before it exits the property. This is where we do lots of fishing,
16 picnicking, and swimming in the clear, limestone-bottom water.

17
18 **IV. LCRA'S APPLICATION AND CJ RANCH'S POSITION**

19
20 Q: WHAT IS YOUR UNDERSTANDING OF LCRA'S APPLICATION?

21
22 A: I understand that LCRA has applied to the Public Utility Commission for a Certificate
23 of Convenience and Necessity ("CCN") to construct a 345kV transmission line from

1 the Gillespie substation near Fredricksburg to the Newton substation to be located
2 east of Lampasas. I have reviewed LCRA's Application and PBS&J's Environmental
3 Assessment and Route Selection study prepared for this project.
4

5 Q: WITH RESPECT TO THE CJ RANCH, WHAT SEGMENTS AND ROUTES WILL
6 CROSS YOUR LAND?
7

8 A: Segment C16 crosses the CJ Ranch. Segment C16 is part of the LCRA's preferred
9 route GN11 and is also part of the alternative routes GN2, GN3, GN4, and GN5.
10

11 Q: WHAT IS YOUR POSITION REGARDING LCRA'S APPLICATION?
12

13 A: LCRA should not be granted a CCN for any route that crosses Link C16 because
14 these routes traverse largely untouched and undeveloped land, like the Ranch.
15 Instead, a route that goes east of Lake Buchanan and follows to the greatest extent
16 possible existing transmission line rights-of-way or other compatible rights-of-way
17 should be selected because such a route would do much less harm to this unique
18 Texas Hill Country environment, scenery, and heritage.
19

20 V. IMPACT OF SEGMENT C16 ON CJ RANCH

21

22 Q: PLEASE DESCRIBE THE HISTORIC AND CURRENT LAND USES ON CJ
23 RANCH.

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A: As I mentioned, I bought the first and largest section of the Ranch in 1995, and have assembled the other tracts to complete the 2,888 acres that make up the Ranch. I use my ranch primarily for a family retreat, for hunting, outdoor recreation, and for cattle grazing to a limited degree. There is currently a wildlife management plan on a portion of the Ranch known as the Mountain Place. I promote and have taken numerous measures to encourage the propagation of wildlife throughout the Ranch, not just on Mountain Place. My family and our guests enjoy mountain-biking along the gravel roads, fishing in the Duck Pond, hunting, hiking all over the ranch, and generally observing wildlife and exploring this beautiful country. There are thousands of large, mature cedar elms, live oaks, broadleaf oaks, such as blackjack oak and post oak, scattered all over the ranch. There are many thickly forested areas of mature junipers and oaks together, which provide high-quality golden-cheeked warbler habitat.

Q: WHAT WILDLIFE HAVE YOU OBSERVED ON THE CJ RANCH?

A: On my hikes through my property, I have spotted whooping cranes, sandhill cranes, golden and bald eagles, a porcupine, armadillos, foxes, bobcats, red-tailed hawks, falcons, kites, buntings, tanagers, caracaras and others I cannot identify or just cannot recall right now.

1 Q: HOW WOULD AN ELECTRIC EASEMENT AND 345 KV TRANSMISSION
2 LINE IMPACT LAND USES ON CJ RANCH?

3
4 A: The line crosses what I and those who have visited CJ Ranch consider to be some of
5 the most scenic areas of the Ranch. It would enter approximately at the midpoint of
6 my southern boundary, heading in a southwest/northeast direction, cross heavily
7 wooded, rolling hills, cut across a valley that dips down to one of the wet-weather
8 creeks on the ranch, then climb up over the hill south of Falls Creek, cross directly
9 over the bluffs above Falls Creek and cut through Falls Creek just a few hundred feet
10 in front of the Pavilion, and then continue across rolling forested hill and prime
11 golden-cheeked warbler habitat, finally exiting the CJ Ranch about a third of a mile
12 from the northeast corner. The line does not parallel my property boundaries but cuts
13 through the heart of my ranch and divides it in two. It will run down the middle of
14 one creek drainage system that flows into Falls Creek, cross Falls Creek and parallel
15 the most beautiful part for one ¼ mile stretch. I scaled off the LCRA route map link
16 C16 as it bisects my property in two and have superimposed it on the map of CJ
17 Ranch, shown in Exhibit CJ-7.

18
19 Falls Creek is fed by springs year-round and is used by many species of terrestrial and
20 aquatic wildlife in all seasons. These springs are believed to flow from a shallow
21 aquifer known as the Hickory Sands. I am concerned that these springs could be
22 disrupted by the drilling of footings required for the installation of towers to support
23 the transmission lines, as the water table is as shallow as 10 feet below the surface.

1
2 As I said before, the Pavilion is one of the most beautiful spots on CJ Ranch. I built
3 this wildlife shelter there to look out over Falls Creek and up across the high wooded
4 banks on the other side. The line would cut right over the bluffs above Falls Creek
5 and then through the woods next to Falls Creek, directly in front of the view off the
6 porch on the Pavilion. Rather than looking at treetops and the birds flying among
7 them, one would see ugly transmission lines and towers looming overhead and
8 dominating the view.

9
10 As the line crosses the rolling hilltops and 70-foot high bluffs, it would destroy their
11 scenic value and disrupt the patterns of birds that mate, nest, and hunt in and along
12 the bluffs and hilltops. The line also would cross a natural sinkhole/cave, another
13 unique geological feature that could be destroyed by the construction of the footings
14 required to support towers or even monopoles. The right-of-way would cross through
15 large stands of old growth hardwoods. I understand from LCRA's Application that it
16 plans to clear-cut a swath up to 150 feet wide for the right-of-way and would keep the
17 right-of-way cleared in perpetuity, forever destroying hundreds of old live oaks and
18 other mature broadleafed oaks. Other native vegetation would be mowed down, such
19 as American beautyberry, agarita, cat's-claw, huisache and Texas persimmon, to
20 name but a few. In addition, there are areas along Falls Creek that meet the criteria of
21 high archeological site potential set out in the Environmental Assessment. Even
22 though these areas have not been designated as archeological sites, I have found Indian

1 arrowheads along certain stretches of Falls Creek and ruins of old structures yet to be
2 excavated.

3
4 When these heavily wooded areas are clear-cut, it would eliminate shade trees in this
5 micro-ecosystem, possibly negatively impacting both plant and animal species living
6 there. There would be less cover for birds that live in the area, and the fragmentation
7 of habitat by the clear-cutting likely would bring in the brown-headed cowbird, which
8 invades other songbirds' nests and drives them away. From an aesthetic viewpoint,
9 the lines would scar the vistas from the hilltops and in densely forested areas,
10 replacing their untouched beauty with the scar of an electric transmission line.

11
12 Q: HAVE YOU TAKEN PHOTOGRAPHS OF WHERE THE PROPOSED
13 TRANSMISSION LINE WOULD CROSS YOUR PROPERTY?

14
15 Yes. Exhibit CJ-8 attached to my testimony was taken from a hill looking south
16 toward where the line would enter my property next to the Allen Tract. Exhibit CJ-9
17 was taken from a different vantage point looking north toward where the line would
18 exit my property. Both photos were taken by me in the last two weeks and accurately
19 portray the views of where the proposed route crosses CJ Ranch. As you can see from
20 the "before" pictures, the oaks are changing color and provide a beautiful vista. It is
21 more spectacular in person. On both pictures I had a professional superimpose the
22 graphic of the lattice towers using the same design and dimensions as shown in
23 LCRA's Application. I also had the picture of the tower size adjusted, as appropriate,

1 in the background and foreground to maintain the appropriate scale. Based upon the
2 information in LCRA's Application, I assumed towers would be 185 feet high, with
3 approximately 1,200-foot spans, and a clear-cut area 150 feet wide in the right-of-
4 way. With these criteria, I asked the professional to produce "after" pictures that
5 show what these same views will look like if LCRA were to build a line here. They
6 are attached as Exhibits CJ-10 and CJ-11. One can see that a transmission line along
7 segment C16 would scar the natural landscape and ruin the views from this and many
8 other vantage points throughout the Ranch.

9
10 Q: DO YOU HAVE OTHER "BEFORE" AND "AFTER" PICTURES THAT
11 ILLUSTRATE THE IMPACT OF THE PROPOSED TRANSMISSION LINE ON
12 YOUR RANCH?

13 A: Yes, I do. Attached as Exhibit CJ-12 is a photo I took that shows the view looking up
14 Falls Creek to the east, toward the proposed location of the line, taken from where the
15 road crosses the creek right in front of The Bluffs. It accurately depicts that view.
16 Exhibit CJ-13 shows the same view up Falls Creek if the transmission lines are built
17 there. Exhibit CJ-14 was taken by me, looking southeast from the Pavilion, accurately
18 depicts that view (you can see the fallen juniper in the foreground that also appears in
19 Exhibit CJ-6). Exhibit CJ-15 shows the same view with the transmission line
20 superimposed. These two "after" pictures were prepared in the same manner as the
21 "after" pictures of the vistas discussed above and accurately depict the visual impact
22 of the proposed transmission line on my property.

1 These pictures help to illustrate the devastating impact of the proposed 345kV
2 transmission line on the CJ Ranch.

3
4 **VI. ALTERNATIVE ROUTES AND CONCLUSION**

5
6 Q: DO YOU BELIEVE THERE ARE ONE OR MORE ALTERNATIVE ROUTES
7 IDENTIFIED BY LCRA IN ITS APPLICATION THAT BETTER MEET THE
8 CRITERIA SET OUT BY THE PUC IN SELECTING A ROUTE FOR THIS
9 TRANSMISSION LINE?

10
11 A: Yes, I do. I understand there are alternative routes to the south and east of Lake
12 Buchanan that use or parallel existing transmission line rights-of-way. In particular,
13 using Route GN6 would cause less negative impact to the aesthetics, environment,
14 and community values of this area, given the already existing presence of
15 transmission lines.

16
17 Q: ARE THERE ANY OTHER MATTERS YOU WOULD LIKE TO CALL TO THE
18 ATTENTION OF THE ALJ AND THE PUC?

19
20 A: Yes. My mission for the past 15 years has been to:
21 PROTECT the land by implementing best practices for rotational grazing in order to
22 preserve the strong native grasses. Selectively cut the cedar (mountain juniper) with
23 erosional and oak management considerations in mind.

1 PRESERVE the natural attributes of the Ranch by burning when necessary or
2 stacking cut cedar to enhance wildlife habitat. We have purposely stayed away from
3 removing any vegetation or downed trees near the riparian areas to protect these
4 sensitive zones.

5 LEARN by inviting naturalists to lead groups through the Ranch to spread an
6 appreciation of the wildlife that proliferates without human interference.

7 OBSERVE migratory songbirds as they make their seasonal journey along this major
8 flyway from north to south. Seasonal sightings of several kinds of eagles, falcons,
9 kites and many types of hawks rely upon the shallow waters of Falls Creek and the
10 vast expanses of native grasses.

11
12 The Falls Creek drainage area represents the southernmost part of the drainage zone
13 for Lake Buchanan. To pierce this delicate riparian environment resting up against
14 the Llano Uplift will forever alter this fragile environment and source of clear clean
15 water flowing into Lake Buchanan. Bulldozing a swath through this untouched
16 landscape – a landscape that has been carefully preserved by landowners like me and
17 my neighbors whose families have lived here for generations – should not be allowed.
18 If it were, a truly unspoiled Texas landscape would forever be transformed and lost.

19
20 I have visited neighboring ranches. They, too, are slated to be crossed by this same
21 line. Like the CJ Ranch, they have been untouched for many generations and
22 undisturbed by development. Like me, my neighbors have worked hard to preserve
23 the natural beauty of their land. The LCRA has noted that transmission lines should

1 avoid publicly-owned nature preserves and parks, like Enchanted Rock. I couldn't
2 agree more. But preservation of this unique natural resource known as the Hill
3 Country should not stop with public lands. The vast majority of land in the Hill
4 Country is privately-owned. Private land-owners have worked hard to be good
5 stewards of this land. That good stewardship should and must be carefully considered,
6 not disregarded, in the selection of a route if we are to preserve the Hill Country.

7
8 Q: DOES THIS CONCLUDE YOUR TESTIMONY?

9
10 A: Yes, and I want to thank the Public Utility Commission, Commission Staff, and the
11 Administrative Law Judge for their consideration.

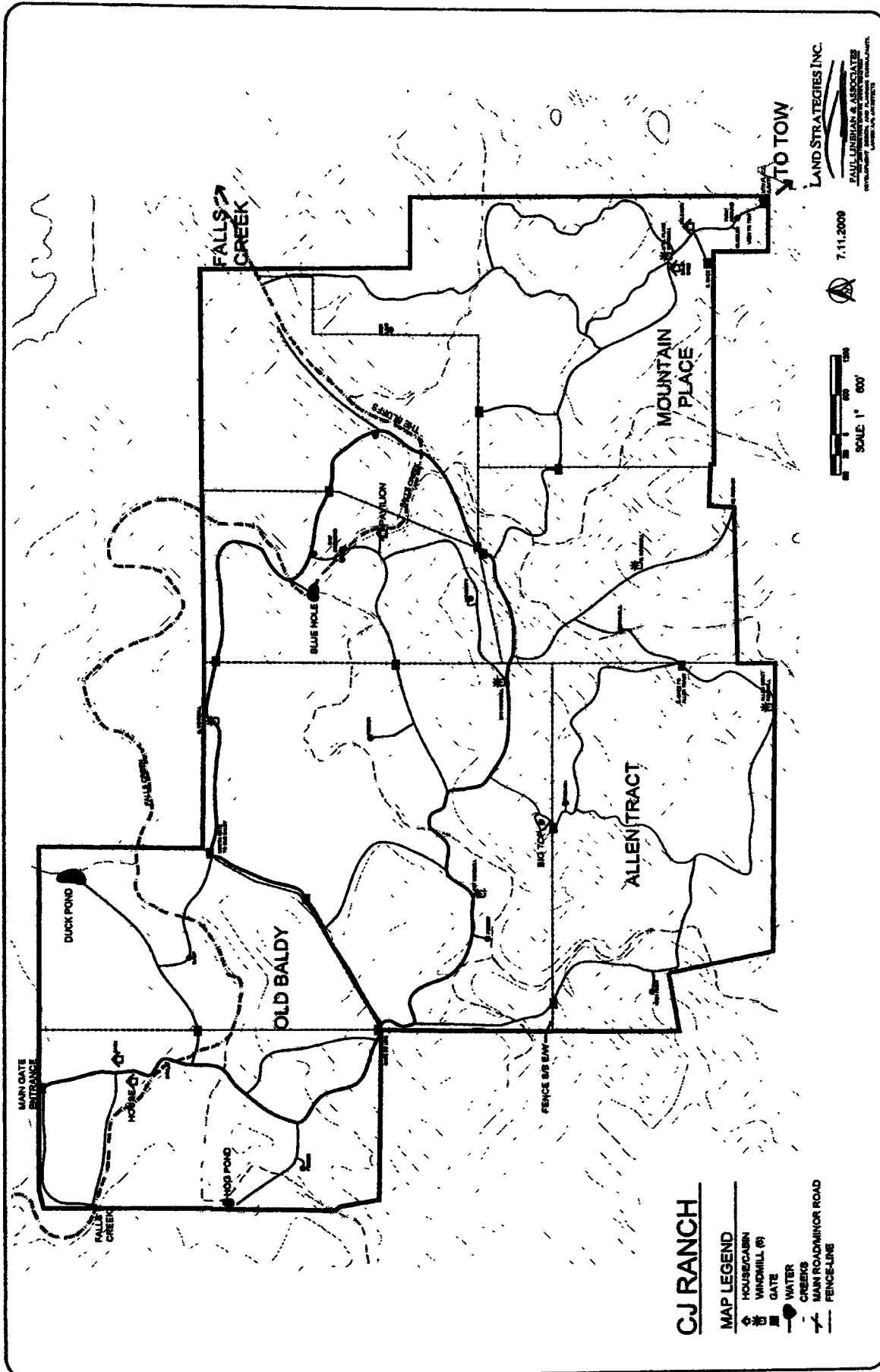
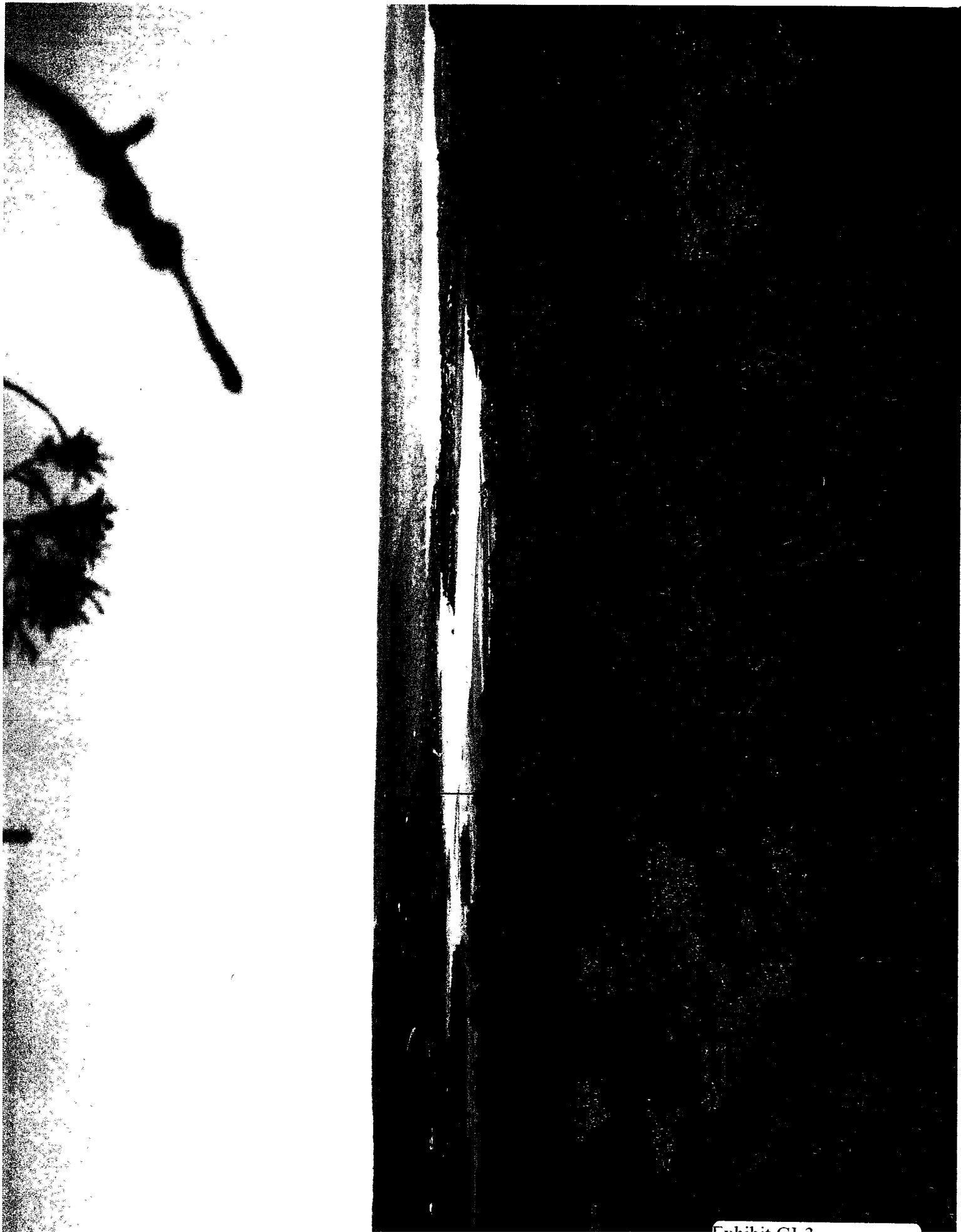


Figure 1-6a - CJ Ranch with Features











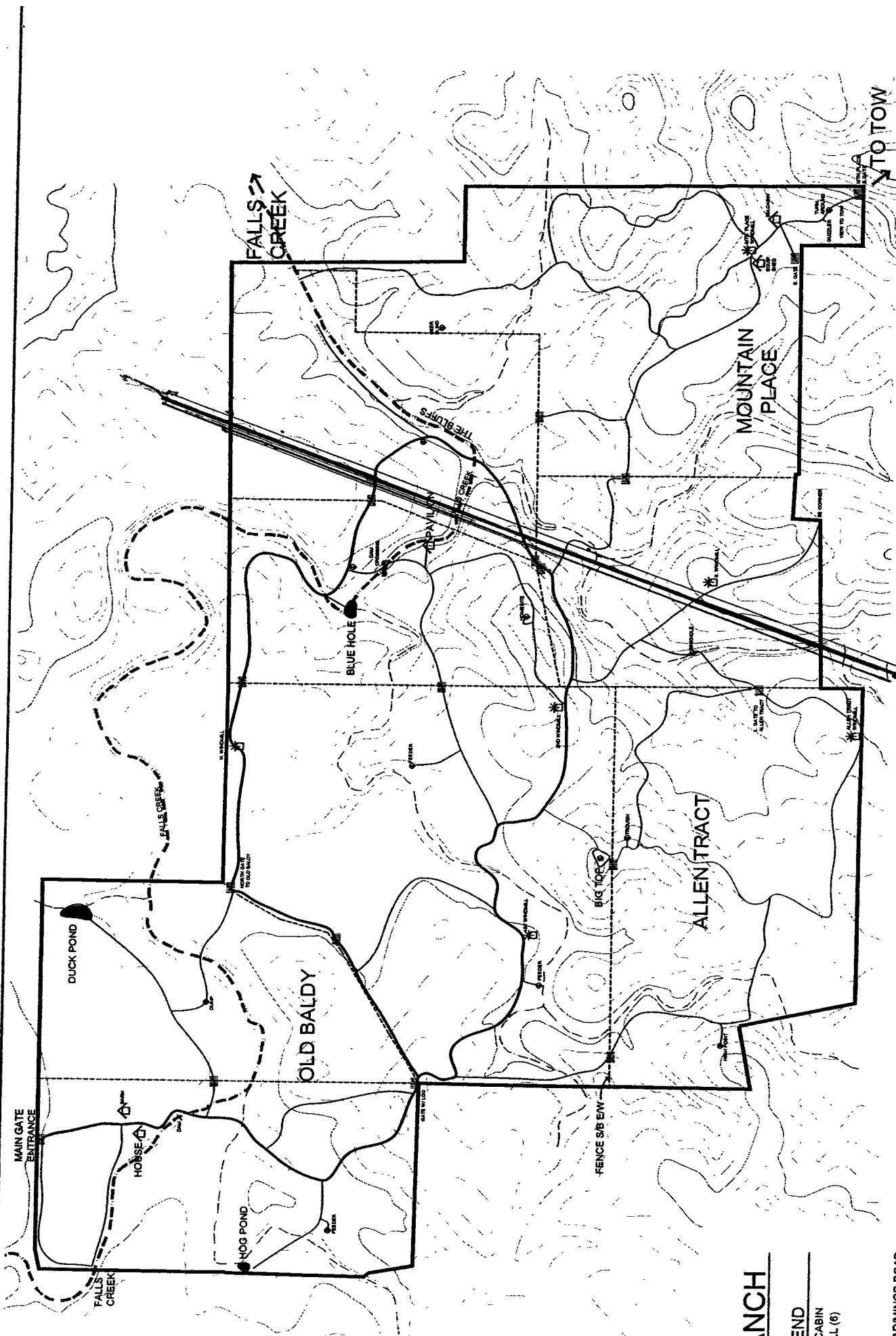


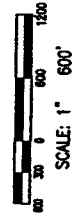
Exhibit CJ-7
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CJ RANCH

MAP LEGEND

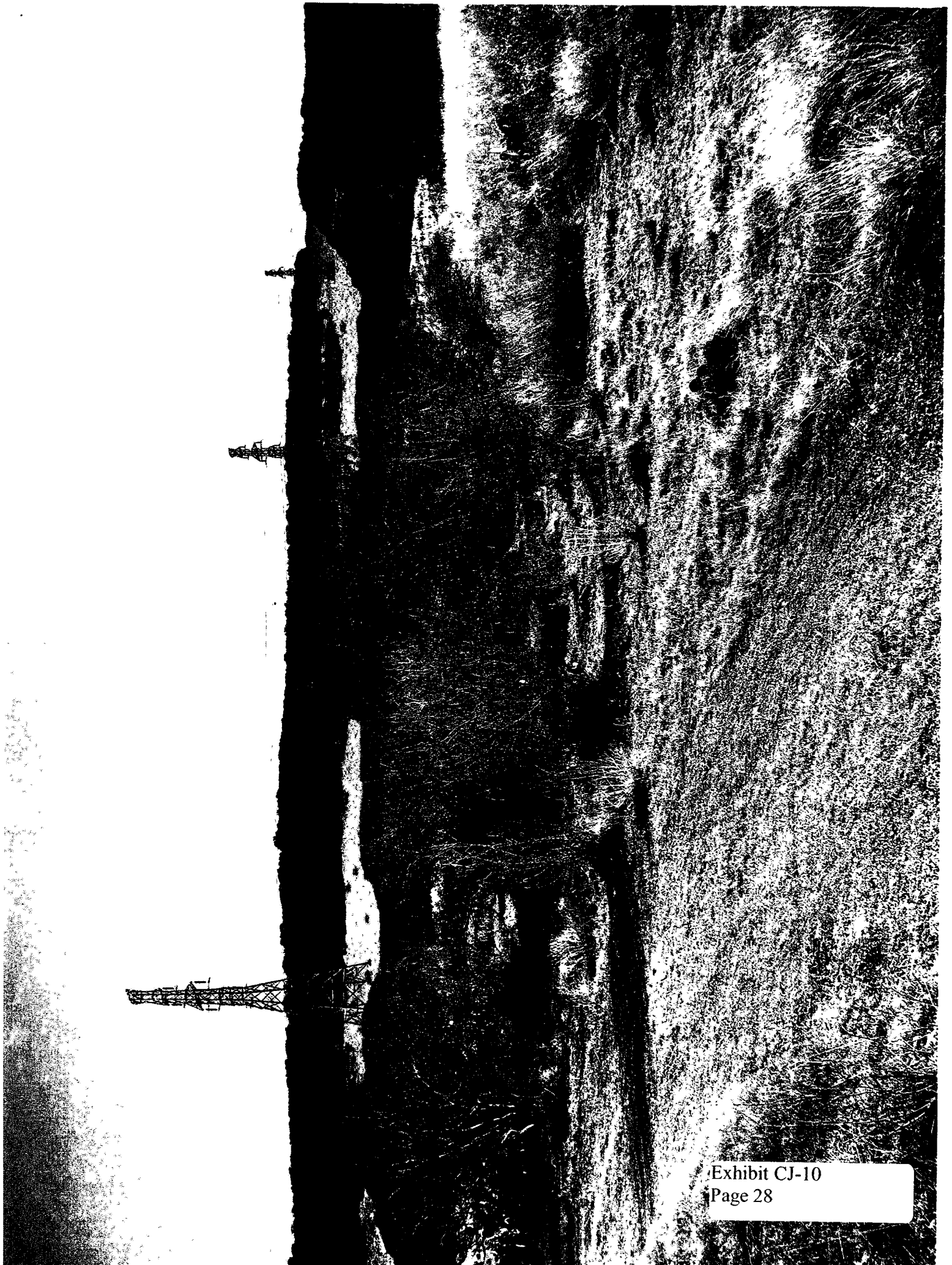
- HOUSE/CABIN
- WINDMILL (6)
- GATE
- WATER
- CRICKS
- MAIN ROAD/ MINOR ROAD
- FENCE-LINE

LAND STRATEGIES INC.
PAUL LINEHAN & ASSOCIATES
LANDSCAPE ARCHITECTS
7.11.2009



















CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record on the 7th day of January, 2010, by email, facsimile, first-class US Mail or by hand delivery.


William B. Steele III