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**SOAH DOCKET NO. 473-21-0247**

**P.U.C. DOCKET NO. 51023**

**APPLICATION OF THE CITY OF SAN §  
ANTONIO TO AMEND ITS §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY FOR THE SCENIC §  
LOOP 138-KV TRANSMISSION LINE §  
IN BEXAR COUNTY §**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**DIRECT TESTIMONY OF BROOKE CHAVEZ**

**ON BEHALF OF PRIMARILY PRIMATES INC.**

**FEBRUARY 17, 2021**

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**DIRECT TESTIMONY OF BROOKE CHAVEZ  
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**DIRECT TESTIMONY OF BROOKE CHAVEZ  
ON BEHALF OF PRIMARILY PRIMATES INC.**

**I. INTRODUCTION AND BACKGROUND**

**Q. Please state your name and property address.**

A. My name is Brooke Chavez. The address of Primarily Primates Inc. is 26099 Dull Knife Trail, San Antonio, Texas 78255.

**Q. Are you familiar with the application filed by the City of San Antonio?**

A. Yes, generally, I am.

**Q. On whose behalf are you testifying?**

A. I am testifying on behalf of Primarily Primates Inc. (Primarily Primates).

**Q. What is your position?**

A. I am the Executive Director of Primarily Primates.

**Q. Can you describe Primarily Primates Inc.?**

A. Primarily Primates was founded in 1978 as the first primate sanctuary in North America. Primarily Primates provides a home for chimpanzees requiring lifetime care following medical research and care for primates rescued from unfortunate situations of being illegally smuggled, inadequately cared for as pets, and removed from inadequate and sometimes cruel captivity in roadside zoos and other situations. Primarily Primates has a devoted staff of experts and professionals that provides support for all aspects of animal life from diet to medical care to social-behavior management. All animals in the care of Primarily Primates are tended to daily for assessments, dietary and medical checkups and behavior management. Primarily Primates works to promote natural wild behaviors and ensure the highest quality of life for the animals in our care that cannot be returned to the wild.

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Primarily Primates is a non-profit organization that is sustained by supporter donations. Primarily Primates serves solely as a sanctuary for rescued animals. Primarily Primates is not a zoo and is not generally open to public visitors though it does engage with the community to share its work and provide educational opportunities when appropriate.

**Q. Have you ever testified before the Public Utility Commission (PUC or Commission) before?**

A. No, I have not.

## **II. PURPOSE AND SCOPE**

**Q. What is the purpose and scope of your testimony?**

A. My testimony provides a description of Primarily Primates and its property that may be impacted in this case. My testimony will describe how the routing of the transmission line on this property and construction of proposed Substation 1 would negatively impact it and interfere with its purpose as sanctuary for rescued animals.

**Q. How is Primarily Primates' property identified in this case?**

A. As Property Nos. A-011 and A-022, potentially impacted by proposed Substation 1 and Segment 13 of the Scenic Loop 138-kV transmission line project.

**Q. Is the depiction of the property on the Joint Applicants' maps accurate?**

A. It is generally accurate.

**Q. How long has Primarily Primates owned the property?**

A. Primarily Primates has owned parts of the property since 1978. The property has been expanded over the years as additional contiguous acreage has become available.

**Q. Do you have a position regarding the routing of the proposed transmission line in this case?**

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- A. Yes. I understand that the transmission line is needed due to the rapid growth of the area. Primarily Primates was originally established in a remote rural area with few near neighbors and is now bordered on all sides by residential subdivisions, commercial development, and continuing expansion. Primarily Primates relies on electricity to care for its animals and there are times when the increased demands for power in the area have caused issues for reliable service. That said, the study area for the transmission line project is an area of great natural beauty and high value for all interests. The transmission line should be constructed in the least disruptive manner possible, of the shortest length that will serve its purposes so that it imposes easements on as small amount of land as possible.

### **III. DESCRIPTION OF THE PROPERTY**

**Q. What are the general geographical features of Primarily Primates' property?**

- A. Primarily Primates occupies 78 acres of wooded land bordering the Texas Hill Country region. Currently 35 acres are fully developed as enclosed habitat for the animals in our care. A creek runs through the property that is generally dry but does flood during heavy rains. The pictures below were taken on the property in February, 2021, and are representative of the terrain and characteristics of the property:

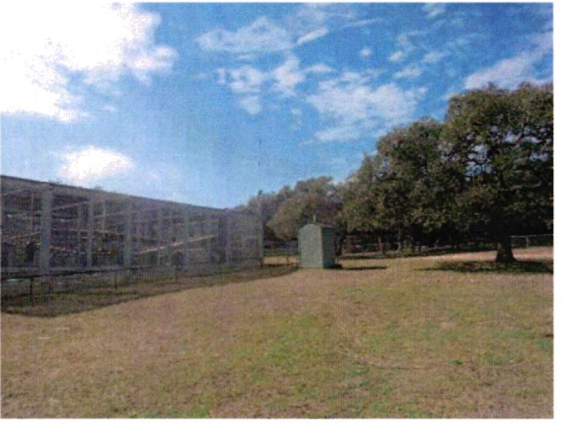
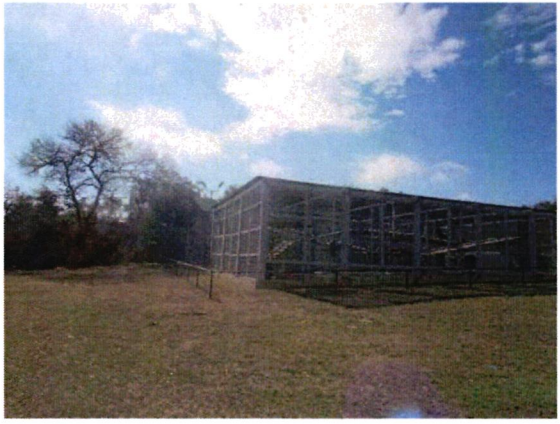
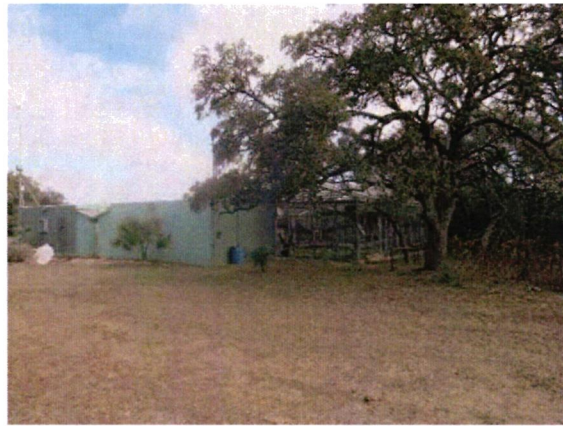




**Q. How has the property been developed?**

- A.** Primarily Primates has developed its property to serve as lifelong habitat for animals, mostly primates, that have been abused, abandoned, used for medical research, and have nowhere else to go. This has required construction of extensive structures over the years to provide housing, areas for play and social interaction, as well as appropriate facilities for the care and medical treatment of the animals in the care of Primarily Primates. Because the animals at Primarily Primates are wild and must be securely housed, the cost of building and maintaining suitably strong and spacious habitats is considerable. Particularly for the larger primates such as chimpanzees, the structures maintained Primarily Primates must be made of fortified materials, specifically engineered, and meticulously maintained to ensure that the habitats cannot be breached from within or without.

The pictures below show a number of the state-of-the-art habitats developed to house the animals in the care of Primarily Primates.



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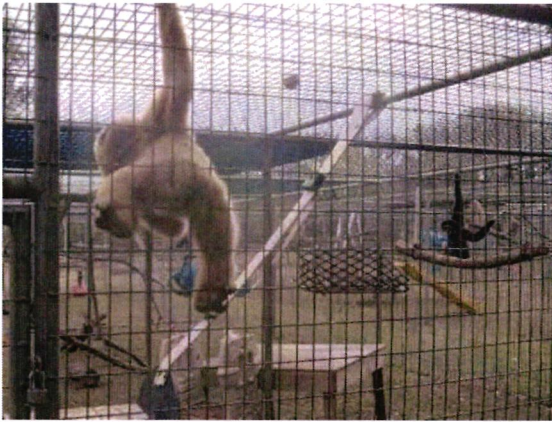


**Q. Are habitable structures present on the property?**

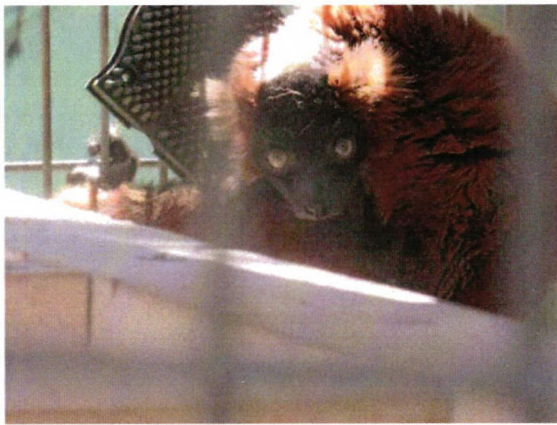
**A.** Yes. There is an office building and other buildings regularly used by the staff of Primarily Primates. A house where the director lives is also on the property. To the best of my knowledge none of these structures are within 300 feet of the proposed transmission line.

**Q. What is the primary use of Primarily Primates' property?**

**A.** As previously stated, the property is used exclusively for the lifelong care of animals - mostly primates - that have been rescued from unsafe and unsuitable situations around the country. Primarily Primates is constantly asked to take in more animals and continues to expand its facilities to care for as many animals as staff and monetary resources allow. Because many species of primates live for decades once in good care the responsibility of taking on new animals is a long-term proposition. Currently there are 40 endangered lemurs, 7 endangered monkeys, 4 endangered lesser-apes (gibbons), 34 endangered great apes (chimpanzees) at the sanctuary as well as 12 endangered species of birds in our aviary. The pictures below show some of the animals that currently live at Primarily Primates.



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**Q. Is there an electric transmission line on the property?**

**A.** No.

**Q. Do any other types of easements affect the property?**

**A.** There is one easement on the property that is not currently in use. We believe that it is a water utility easement but it has no signage or markers. The proposed transmission line appears to cross this easement on proposed Segment 13.

#### **IV. IMPACTS OF THE PROPOSED TRANSMISSION LINE ON PROPERTY**

**Q. In what manner would your land be impacted by the proposed transmission line?**

**A.** Proposed Segment 13 would cross the property general parallel to its southern boundary. This would require the clear-cutting of some woods on the property. Proposed Substation

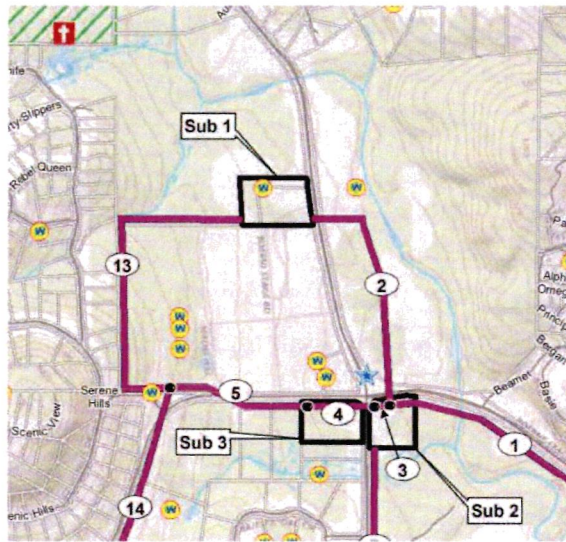
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Location 1 would not be constructed on Primarily Primates' property but would be immediately adjacent to it and in direct proximity to the habitat areas maintained on the property. The image below is an excerpt from the Intervenor Map on the City of San Antonio's web page for this project that shows the depiction of where proposed Segment 13 and proposed Substation Location 1 would be located with respect to Primarily Primates' property.



The figure below is an excerpt from the constraint map included in the City of San Antonio's Application in this case. It shows a higher view of how proposed Substation Location 1 and proposed Segment 13 would interconnect with the overall project as it proceeds southward.

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The pictures below show the area where proposed Segment 13 would be constructed on Primarily Primates' property.



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**Q. What would be the impact on Primarily Primates of proposed Segment 13 and proposed Substation Location 1?**

- A. The proposed line would have an aesthetic impact on the sanctuary as the towers for the proposed Segment 13 would be visible from many areas of the property. Proposed Segment 13 would also require removal of trees and vegetation along the southern boundary of the property. Construction of the line would likely require the presence of heavy equipment and construction personnel on the property. Although temporary this could prove disruptive to the animals living in the sanctuary. Additional fencing and security measures would be needed during construction to ensure that construction personnel were unable to have contact with the animals at the sanctuary for their own safety as well as that of the animals.

Proposed Substation Location 1 is of greater concern to Primarily Primates as its impact would be much greater in terms of aesthetics, construction, and operation as compared to the transmission line segment and it would be a permanent, ongoing impact. While the use of the property as an animal sanctuary would probably not be destroyed by the presence of the substation it would certainly be diminished as the presence and operation of such extensive industrial infrastructure in immediate proximity to the sanctuary would detract significantly from its character as a substitute natural habitat for rescued wildlife.

**V. CONCLUSION**

**Q. Are all of the pictures included in this testimony true and correct reproductions of photographs of your property taken in February 2021?**

**A. Yes, with the exception of the map excerpts as noted above.**



**Q. Does this conclude your testimony?**

**A. Yes it does.**