

BEYOND THE WIRES:

Mona to Oquirrh Transmission Line

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Environmental
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CLEAN AIR
TASK FORCE

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Project Summary

This case study is part of a broader set investigating how electricity transmission projects have integrated community benefits into their development processes. These case studies specifically explore transmission projects that have been completed and are in service. The purpose of this work is to learn more about the nature of benefits frameworks; the regulatory, logistical, and engagement processes that led to agreements; community representation in agreement negotiations; the degree to which frameworks result in demonstrable benefits to the community; and any related implications on project cost and timeline, in order to inform and improve community benefits conversations happening today. These case studies were informed by web research, document and docket review, and first-person interviews.

View the full set of case studies and summary report at:

<https://www.edf.org/beyond-wires-community-benefits-transmission-projects>

and

<https://www.catf.us/resource/beyond-the-wires-community-benefits-from-transmission-projects/>

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Glossary of Acronyms

- BLM: Bureau of Land Management
- CUP: Conditional Use Permit
- EIS: Environmental Impact Statement
- NEPA: National Environmental Policy Act
- NOI: Notice of Intent
- RMP: Rocky Mountain Power
- ROD: Record of Decision

SUMMARY

The Mona to Oquirrh transmission line, completed in 2013, is a 100-mile 345/500-kilovolt line that runs from the Clover substation near Mona in Juab County, Utah to the Oquirrh substation in Salt Lake County, passing through the new Limber substation in Tooele County. The line is part of the Gateway Central portion of the Energy Gateway transmission expansion project, led by PacifiCorp, in an endeavor to increase transmission capacity and system reliability across Utah, Wyoming, Idaho, and Oregon.

The permitting process for the Mona to Oquirrh line was characterized by significant local opposition and years of litigation following a lack of community engagement from the developer. Rocky Mountain Power (RMP), a subsidiary of PacifiCorp, decided to construct the line on the eastern edge of Tooele City (“the City”) over a ridgeline and through a valued viewshed the community desired to protect. The City only learned of the intended route, however, once RMP and the Bureau of Land Management (BLM) published the draft environmental impact statement (EIS) in the Federal Register. City officials and residents were frustrated by the lack of advance notice and early engagement around the line. While locals were not inherently opposed to the line — most agreed there was a need for more transmission infrastructure and understood the numerous benefits of the line — they wanted the line to be built behind the mountains in a way that did not impact the viewshed from downtown.

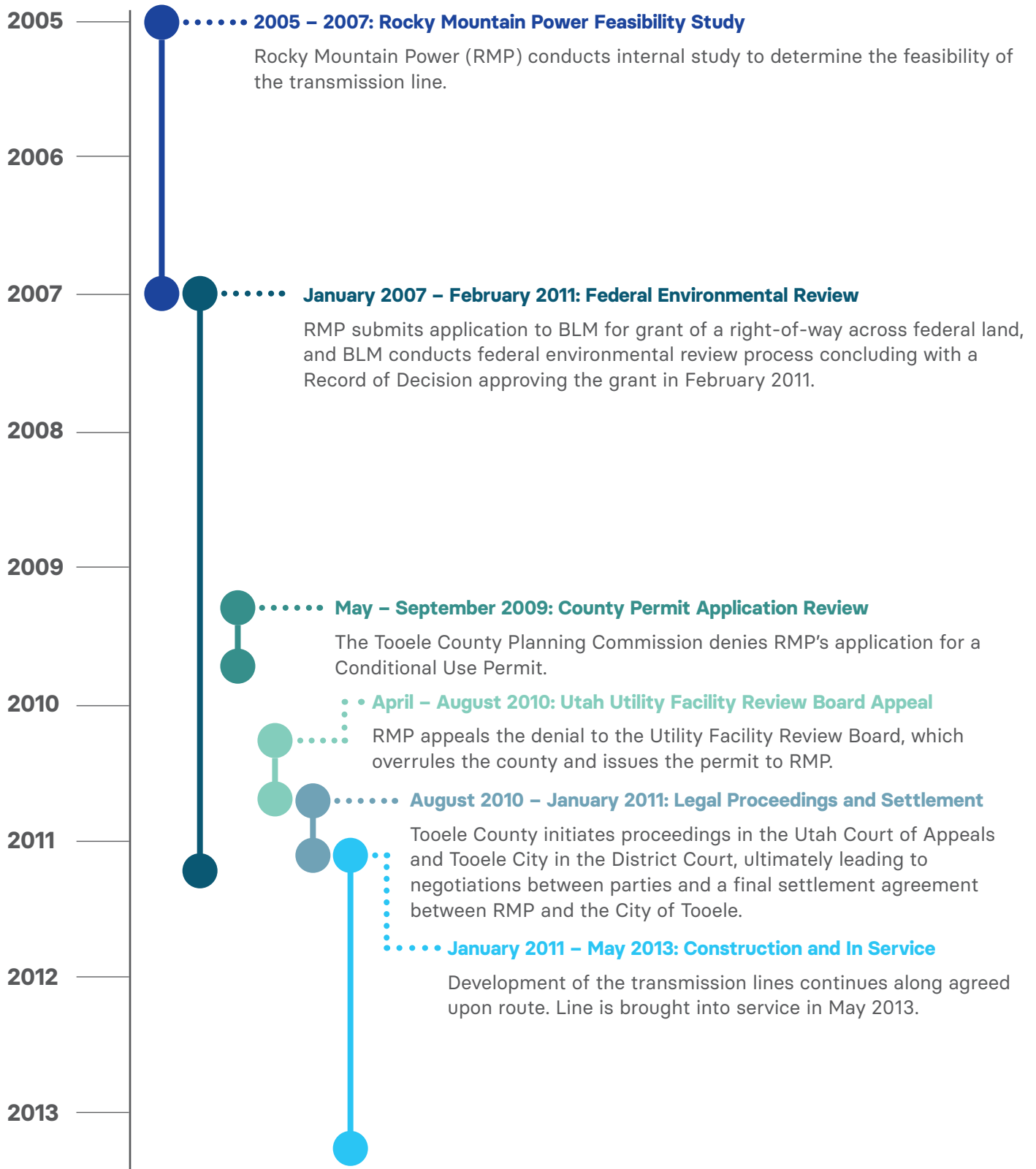
Despite local willingness and desire to work with RMP and come to a compromise on the line’s location, the utility refused to reroute the line or sufficiently engage with the City. This prompted the city government to launch a multi-pronged legal strategy to bring RMP to the table. Because part of the line traversed Tooele City borders, city officials could file a lawsuit. After multiple negotiations, RMP agreed to reroute the line behind the mountains as requested. In addition, they provided several direct community benefits to the town, namely the purchase of 250 acres of open space to be deeded to the City and a \$500,000 contribution toward the City’s first nature park.

The story of the Mona to Oquirrh line highlights the importance of early and active community engagement. It is an example of a compromise agreement including community benefits reached out of a contentious siting process that could have been streamlined (or perhaps avoided entirely) had the developer conducted better engagement with the town. The residents’ relentless opposition and the City’s location on the line’s route allowed them to pursue legal action that leveled the playing field. The Attorney of Tooele City, Roger Baker, describes this as a “David vs. Goliath” story where “Goliath did not stomp on little David, and David did not sink a hole in Goliath’s head. Rather, David and Goliath sat down at the table and worked out their differences.”

Key Takeaways

- Willingness to offer a community benefits package can help to diffuse project opposition, even where the community has a negative view of the developer and project.
- Early collaboration on route alternatives and open and honest discussion about project tradeoffs can improve project outcomes and bring communities to the table without unnecessary contention.
- Communities with the resources and capacity to engage with developers and in regulatory and legal processes are at an advantage, in terms of line routing; community engagement efforts; and the negotiation of locally-accruing economic, service, and cultural benefits.

TIMELINE



THE PROJECT

The Mona to Oquirrh line is Segment C of the Gateway Central project, under the larger umbrella of Energy Gateway projects developed by RMP to increase capacity and reliability across Utah, Wyoming, Idaho, and Oregon and to interconnect increasing amounts of renewable resources.¹ The 100-mile line links Central Utah to Salt Lake City, beginning at an existing substation near Mona, passing through a new substation in Limber, and connecting to the existing Oquirrh substation. The line crosses through 35 miles of federal land, eight miles of state land, and 26 miles of private land. The segment impacting Tooele City was the 30-mile, 345/500 kilovolt Limber to Oquirrh portion of the line.

RMP conducted a feasibility study for the transmission line from 2005 to 2006, ultimately deciding to analyze several potential routes that crossed through state land, private land, and federal land administered by the BLM, and would require a right-of-way for a new utility corridor. Crossing through BLM lands triggered federal environmental review under the National Environmental Policy Act (NEPA) and required preparation of an EIS. BLM served as the lead federal agency for the EIS. The agency released the notice of intent (NOI) in October 2007, the draft EIS in May 2009, the final EIS in April 2010, and the final record of decision (ROD) in February 2011. The project came in service in May 2013.

FIGURE 2:

Proposed Routes from Negotiation Discussions between RMP and Tooele City

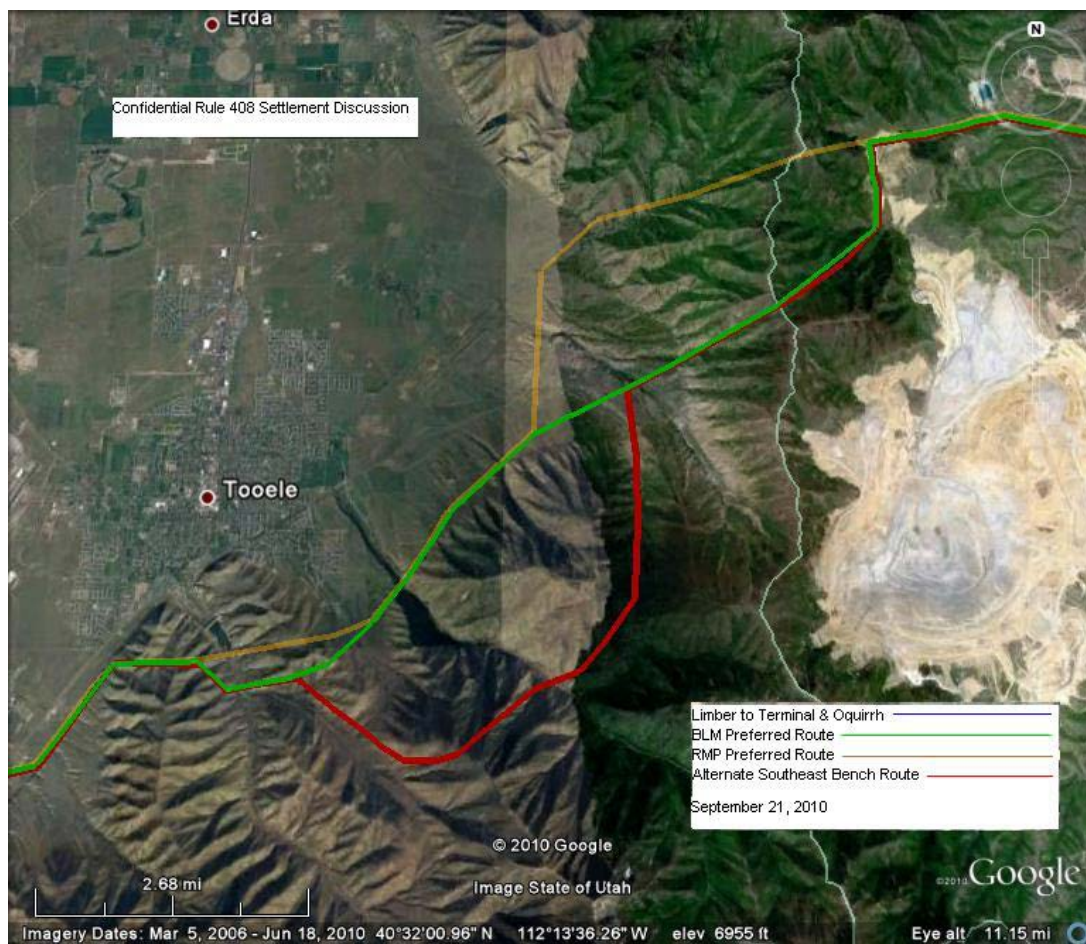


PHOTO PROVIDED BY INTERVIEWEE.

1. *Energy Gateway Transmission Project: Frequently asked questions*. (2010, November). PacifiCorp. Utah Public Service Commission Docket #10-035-124, May 26, 2011, Exhibit A.

FIGURE 3:
Map of PacifiCorp's Energy Gateway Project. Mona to Oquirrh Labeled at Segment C.



PHOTO CREDIT: PACIFICORP

THE COMMUNITY

Tooele City, the largest city in Tooele County, Utah, sits at the foothills of the Oquirrh Mountains about 35 miles southwest of Salt Lake City. Originally an agricultural community, the City started to industrialize in the early 1900s, at first due to the construction of railroads, mines, and a smelting company, and later due to wartime construction of several depots in the area. In recent years, Tooele City and other nearby cities have benefited from several infrastructure and business projects, most notably the Lakeview Business Park and Savage Tooele Railroad. Today, Tooele City has a population of nearly 40,000 with a median income of \$88,893.

The Tooele City community has historically been open to renewable energy project development. In 2012, the Tooele Army Depot hosted a two-day renewable energy fair, and the Tooele City Water Reclamation Facility installed a state-of-the-art solar dryer to produce bio solids and conserve water.²

More recently, the City Council unanimously voted not only to allow the development of a nuclear microreactor in their town, but also to grant the project more land than originally requested.³

While the community is generally supportive of clean energy projects, some of its biggest environmental concerns regard water use, agriculture, and maintaining scenic viewsheds. Water is scarce in the desert region and this issue is known to industrial stakeholders in the region – for example, mining companies such as Rio Tinto publicize their engagement with local communities, employment of sustainable mining practices, and donation of water to the Great Salt Lake each year to offset mining impacts.⁴ The community also strongly values agricultural land preservation and property rights, which contributed to issues when RMP's project plans were brought to the City's attention.

FIGURE 4:
Tooele City



PHOTO CREDIT: JIMMY EMERSON, DVM

2 Depot hosts private companies for renewable energy fair. (2012, October 11). Tooele Transcript Bulletin; Huber's SRT Solar Dryer at Tooele WRF effectively uses the sun to reliably produce biosolids. (n.d.). Treatment Plant Operator Magazine.

3 Hufham, A. (2024, November 17). Utah Senate leader hopes microreactors can help make the state 'one of the nuclear headquarters for the world.' The Salt Lake Tribune.

4 Napiwocki, A. (2025, March 4). All aboard progress: How rail and industry are transforming Tooele County. Utah Business.

Regulatory Environment ⁵

Federal Requirements

- NEPA: Because a portion of the proposed route crossed BLM-administered land, the agency undertook the environmental review process to determine whether to grant the right-of-way and whether or not to amend the area's resource management plan to allow for this right-of-way even though it was outside of a designated utility corridor.

State Requirements

- Utah Code: Under state law⁶, the Utah Public Service Commission is responsible for issuing or denying a Certificate of Public Convenience and Necessity, which is required for public service industries, such as utilities, to obtain before they begin construction on transmission lines or other infrastructure projects.

- Utility Facility Review Board Act⁷: The Utility Facility Review Board resolves disputes between local governments and public utilities regarding the siting and construction of transmission lines and other energy infrastructure. Decisions made by the Utility Facility Review Board can be appealed to the Utah Court of Appeals.

Local Requirements

- Land Use Planning: The Tooele County Planning Commission was responsible for issuing or denying a Conditional Use Permit (CUP) for the construction and operation of transmission lines.⁸ Tooele City, meanwhile, owned 4,000 feet of land that the route ran through, meaning that the City would either have to sell or lease the land to RMP or RMP would force the right-of-way through eminent domain.

ROUTING AND COMMUNITY ENGAGEMENT

The Tooele City community highly values the ridgeline of the Oquirrh Mountains visible from the City, and the local government has worked to preserve the viewshed and keep the northern foothills undeveloped by purchasing tracts of land for preservation and limiting future development.

In October 2007, BLM published a NOI to prepare an EIS, which publicized RMP's plans to build a transmission line through Tooele County. RMP then held three formal public scoping meetings in November 2007, including one in Tooele City, to introduce, describe, and explain the purpose of the project. At the same time, RMP convened a community working group that included representatives from multiple communities impacted by the line including Tooele City, Tooele County, Kennecott Lands, Kennecott Utah Copper, Town of Stockton, Salt Lake County, Salt Lake City, South Jordan City, and West Jordan City. The group met four times—November 2007, February 2008, July 2008, and May 2009—to provide input to the project team.

RMP laid out potential routes in the NOI and in these preliminary meetings, but it was not until BLM published the draft EIS for the project in May 2009 and RMP asked the City to sign a Right of Access Agreement that the City discovered RMP's preferred route ran along the northern face of the foothills through Tooele City property. During the ensuing 90-day comment period, BLM received a total of 235 comments, 70 of which were "substantive." Twenty-two of these comments took issue with a perceived lackluster analysis of alternative options. Other top concerns involved land use and recreational value (12 comments) and health and safety risks (nine comments).

⁵ For a comprehensive overview, see Bureau of Land Management. (2010). *Final Environmental Impact Statement for the Mona to Oquirrh Transmission Corridor Project and Proposed Pony Express Resource Management Plan Amendment*. Utah Public Service Commission Docket #10-035-39, May 4, 2010, Exhibit TTT. (p. 1-19)

⁶ *Certificate of convenience and necessity prerequisite to construction and operation* -- Electrical suppliers, Utah Code, §54-4-25.

⁷ *Utility Facility Review Board Act*, Utah Code, § 54-14-101–308.

⁸ *Tooele County Land Use Ordinance*, § 7-1–14.

COMMUNITY OPPOSITION

Initial opposition to the project began around May 2009 when BLM published the draft EIS and RMP applied for a CUP from the Tooele County Planning Commission. The community was not inherently opposed to a new transmission line. In fact, most community members recognized that the proposed transmission line was critical to ensuring energy security in the region. Residents felt, however, that the proposed route for the transmission line would unnecessarily impact the viewshed. They were frustrated that they had not been approached about the routing of the line until late in the process. The Tooele City Council held a public meeting with RMP to give space to community members to share concerns over the project. Dozens of residents also sent letters to RMP further voicing their concerns.

Tooele City residents tried repeatedly to engage with RMP over the course of the next two years to discuss alternative routes. They attended public meetings, sent letters, and signed petitions, but the company did not engage on an alternative route for the project. Rerouting and redoing the environmental impact analyses, according to RMP, would be too costly, risky, and difficult. Because RMP had already completed the NEPA process, and because RMP had eminent domain authority, the City had, up until that point, limited ability to influence the routing of the line.

Tooele City residents Brad and Kaye Pratt took a leading role in opposing RMP, forming the Tooele City Concerned Citizens Group. Their first letter to the Tooele County Planning Commission focused on the lack of public notice for the project, stating that “[t]he citizens of Tooele were not notified in the proper process. Just ask anyone if they remember receiving notification from RMP or the BLM? **The first time most residents had heard about RMP’s plan was when they were asked to sign a Petition to oppose the Project, saw our committee’s flyer, or read the article and Ad in the paper placed there by our committee.**”⁹

Primary concerns of the Tooele City Concerned Citizens Group were the selected route’s proximity to residents and its potential environmental and watershed impacts.¹⁰

The proposed line was also routed near a reservoir which the group worried could impede firefighters’ reservoir access via helicopter to address nearby wildfires. As a result, the group used public meetings hosted by RMP and local and state officials to engage in alternative route discussions. The group also gathered over 4,000 signatures from Tooele City residents who opposed the line route, which it submitted along with dozens of letters of opposition to BLM.

Another branch of the proposed line passing through Tooele County further north, near Grantsville City, generated similar local opposition from residents. Given the mutual interest of the two communities, leaders from Tooele City and Grantsville City, together with the Tooele City Concerned Citizens Group, developed their own route for the transmission line which would pass through Tooele Valley. This “consensus route” was proposed and submitted to BLM and RMP in September 2009 in a Consensus Letter.¹¹ RMP, however, did not respond to these attempts to engage.

Community members reached out to BLM, accusing RMP of overstating the costs of the new proposed routes. Tooele City filed protest with BLM during the draft EIS process, with the support of the Utah Public Service Commission and the Tooele County Planning Commission. Despite several proposals and the myriad routing discussions, RMP did not submit a proposed alternative route and proceeded with its preferred route. In April 2010, BLM published the final EIS with its proposed alternative aligning with RMP’s proposed action.¹²

RMP’s initial position was that it was not possible to adequately address community concerns about the project. In response to public opposition, an RMP spokesperson

9 Tooele City Council. (2009, July 1). *Business Meeting Minutes*. Utah Public Service Commission Docket #10-035-39, May 10, 2010, Exhibit B.

10 *Citizen Comments - Tooele County Planning Commission Jan-March 2010*. (2010, May 10). Utah Public Service Commission Docket #10-035-39, Exhibit G.

11 Pratt, B. & Pratt, K. (2010, May 10). *Docket #10-035-39 RMP Appeal CUP Denial South East Bench Route by Tooele County Mona to Oquirrh 345kV/500kV High Voltage Transmission Line Project*. Utah Public Service Commission Docket #10-035-39, Exhibit A.

12 Bureau of Land Management, 2010

said, “They’re basically rejecting it on the way it looks. They don’t want to see it. But that’s not a reason it shouldn’t be permitted. At some point, the lines come into the populated areas, because that’s where the transmission lines are

needed. It’s just fact.”¹³ This back-and-forth highlights key points of contention between, and differing points of view from, the community and the developer.

LITIGATION

Given the City’s concerns, in March 2010, the Tooele County Planning Commission denied RMP’s 2009 application for a CUP. Planning Commissioner Joy Clegg made the motion to deny the CUP after the commission found that RMP did not adequately show mitigation in various areas, had an incomplete final EIS and no ROD, and no plan of development.¹⁴

The State of Utah allows utilities or local governments to bring disputes regarding the siting and construction of high-voltage transmission lines to an independent state agency — the Utility Facility Review Board — instead of relying solely on the courts. RMP went to the board and appealed Tooele County’s CUP decision in May 2010, arguing that denial without a proposed alternative prohibited them from developing the project.¹⁵ In its 36-page decision released on June 21, 2010, the board sided with RMP, finding that the line and route were necessary to provide customers with “safe, reliable, adequate and efficient service.”¹⁶ This left Tooele County with three options: to issue the CUP to RMP within 60 days, to ask the board to reconsider within 20 days, or to ask for a judicial review and appeal to the Utah Court of Appeals.

Tooele County attempted both alternatives, asking the board to reconsider its order and appealing to the Utah Court of Appeals. As expected, the board denied the request to stay its order, leaving the county waiting on the court. However, the court often takes longer than the allotted 60 days to process such appeals. The county had a handful of days left before having no choice but to issue the CUP when Tooele City was able to create another path.

In late August, near the end of the 60-day period, Tooele City received a temporary restraining order against the county from the 3rd District Court Judge, preventing the Tooele

County Planning Commission from issuing the CUP. The City informed the county it would be filing the order, and the county was understanding and supportive of the resistance to the line. County Attorney Doug Hogan said, “After reading the complaint it made sense to me. I think the issues [the City] raised in seeking the temporary restraining order highlight the disharmony that exists between the conditional use permit process and the facility review board process.”¹⁷ The City’s restraining order gave the county more time to wait for the appeal request to be considered by the State Court. Hogan further reported, “Absent the district court issuing that injunction [temporary restraining order], we would’ve went forward and would’ve approved that permit.”

The District Court set a hearing on September 2 to consider whether to lift the temporary restraining order or grant a permanent injunction. Even after that hearing, the judge had 60 days to make a decision, further delaying the project. Tooele City, meanwhile, continued to pursue other options. Because the line crossed through 4,000 feet of property owned by the City, and because the City refused to sell or lease the lands to RMP, the company would have to resort to using eminent domain to obtain the right of way — a process they were legally allowed to undertake because utility lines are considered to be a “public purpose.” However, Tooele City decided to file an “amended complaint” that questioned RMP’s ability to use eminent domain on the grounds that the lands were already serving a public purpose, acting as a watershed, viewshed, and open space.

Tooele County had a backup plan as well. Should the District Court dissolve the restraining order following the September hearing, the County would request another period of time to comply until proper notice of a planning commission meeting could be made.

13 Nielson-Stowell, A. (2010, April 22). *State of Utah to decide fate of Tooele County power lines*. Deseret News.

14 Miley, S. (2010, March 4). *Planning commission says no to RMP route*. Tooele Transcript Bulletin.

15 Miley, S. (2010, May 11). *RMP and Tooele County square off*. Tooele Transcript Bulletin.

16 Miley, S. (2010, June 22). *Tooele County ordered to step aside for RMP*. Tooele Transcript Bulletin.

17 Miley, S. (2010, August 19). *Tooele City puts legal breaks on power line project*. Tooele Transcript Bulletin.

NEGOTIATION AND SETTLEMENT

Ultimately, Tooele County and Tooele City's combined delay tactics drew RMP to the negotiating table – ongoing litigation was delaying construction and increasing project costs. RMP and Tooele City signed a settlement agreement in January 2011, ten months after Tooele County initially denied the CUP. The City and county dropped all legal proceedings and attached agreed-upon conditions for the project in the CUP.¹⁸ The negotiation process allowed the City to clearly articulate its aesthetic concerns and work to find a viable alternative route. RMP agreed to re-route the line to the south-facing slopes out of view from the downtown area. This route also fit within a corridor that had already been analyzed in the EIS and therefore did not require additional federal environmental review, limiting additional permitting delays.

In addition to the alternate line routing, RMP also agreed to provide the City with two benefits in exchange for dropping the lawsuit. First, RMP purchased a 130-acre lot of undeveloped hillside property that was set to be developed for housing, including a high-density condominium development, to be maintained as preserved open space and non-motorized recreation trails. The acquisition of the

open space allows the City to continue to operate its winter-time tradition called “Little Mountain Christmas Tree,” where the City lights up the open space hillside in the shape of a Christmas tree, visible from downtown and to vehicles passing by along Highway 36.¹⁹

Second, RMP contributed \$500,000 toward the development of a 12-acre “Skyline Nature Park” near the transmission line corridor, with plans to include an exercise station, pavilion, playground, restroom, and two miles of walking paths through the natural grassy and wooded landscape. The City had originally acquired the land for the park in 2007, but limited City resources had stifled the park's development. RMP's financial contribution allowed the City to accelerate park development and to provide additional amenities, including accessible, interactive playground equipment.²⁰

Tooele City was ultimately satisfied with the outcome of the settlement agreement and felt that the new transmission route combined with the additional benefits sufficiently addressed their concerns and mitigated the project's impact on the community.

FIGURE 5:
Construction of Skyline Nature Park



PHOTO CREDIT: DEREK PETERSEN / DESERET NEWS

18 Miley, S. (2011, January 20). *Settlements clear way for power line*. Tooele Transcript Bulletin.

19 Thomsen, C. (2015, December 3). *About that giant Christmas Tree in the foothills above Tooele*. Bonneville Mariner.

20 Park, S. (2012, May 4). *Park will provide firsts for Tooele*. KSL.

"In Tooele City, we don't boast of river walks or lake fronts, ski slopes or hot springs. Our greatest natural asset is the beauty of the undisturbed foothills and mountains that embrace us on the south and east. That is what we boast of. That is what adds to the quality of our lives. These hills have become part of who we are. Now, thanks to the vision of the City's elected officials and the cooperation of the power company, these hills will be a part of not only us, but of all the generations that follow us. Long after our names and deeds are forgotten, they will look back and say, "Thank you."

*Quote from City Attorney, Roger Baker
Announcement of the Settlement at Tooele City Council in January 2011*

Tooele City mayor Patrick Dunlavy believed that the City's experience can serve as an example for other towns to follow. At his 2012 State of the City address he emphasized the victories of the City: "We negotiated the movement of the Rocky Mountain Power transmission line further south, away from our city. We received additional open space and \$500,000 from [RMP] to assist us in building the brand-new nature park on Skyline Drive... We continued our commitment to preserve our beautiful mountainsides from development by adding 130 acres of additional open space on the southeast bench."²¹

Other local leaders, while satisfied with the overall outcome, remained concerned over residual impacts. Following the settlement, Tooele City resident Brad Pratt confessed to the Tooele Transcript Bulletin, "I have mixed emotions on it. We weren't able to protect everybody. . . I am not disappointed in the result, but I am still concerned about the areas we were not able to save." His wife, Kaye Pratt, largely echoed the sentiment acknowledging that "We didn't get the moon, but if we didn't shoot for it, we wouldn't have gotten what we did."²²

FIGURE 6:

Mona to Oquirrh Transmission Line

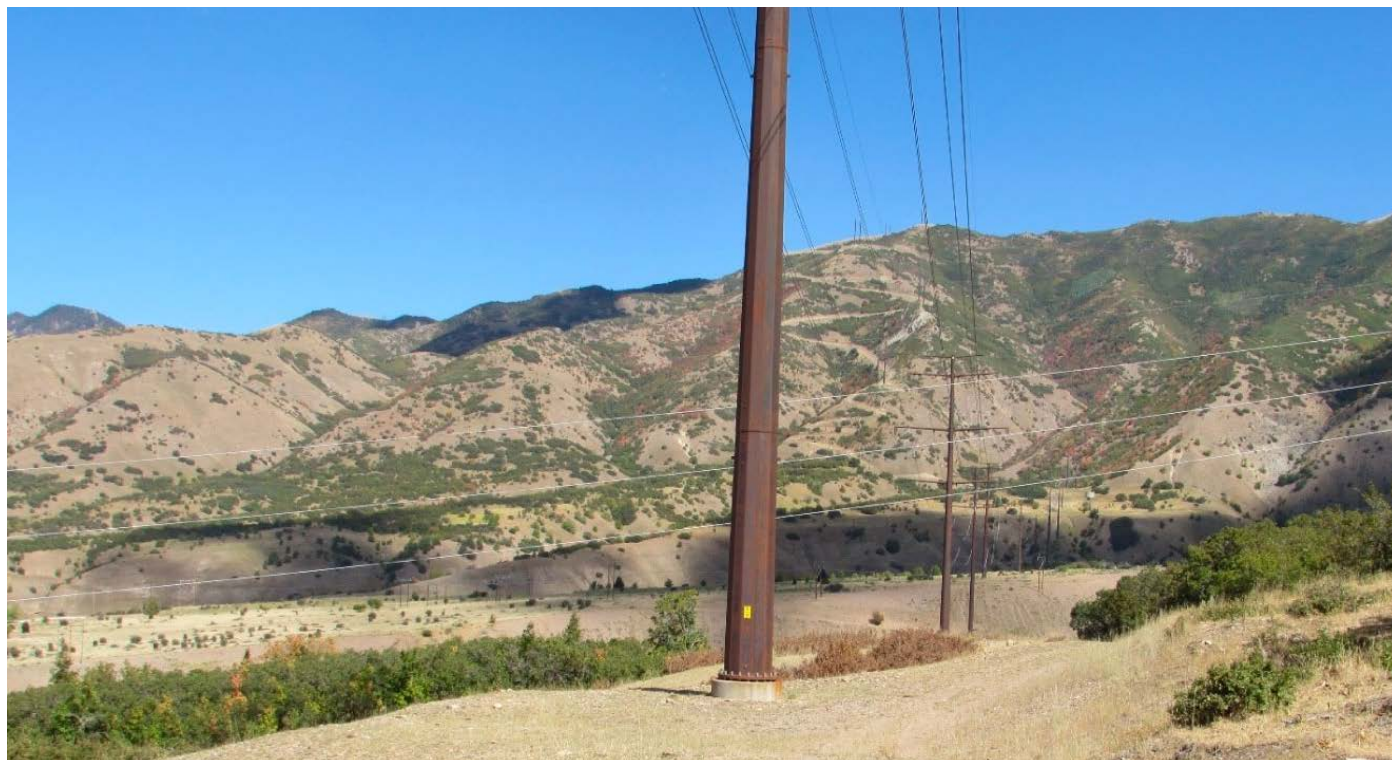


PHOTO CREDIT: EC SOURCE

21 Dunlavy, P. (2012, February 16). *Tooele State of the City Address 2012 (full text)*. Tooele Transcript Bulletin.

22 Miley, 2011, January 20

IMPACT ON THE PROJECT

Ultimately, the varied legal proceedings had only a negligible impact on the timing of project construction. While the NOI noted the project had an anticipated in-service date of June 2012,²³ RMP referenced an anticipated in-service date for 2013 when it appealed the project to the Utility Facility Review Board. Following the settlement and the remaining necessary approvals, RMP did have the line in service in 2013.

This experience, however, was a turning point for RMP in terms of how it proactively engages with communities and how it responds to local project opposition. The utility has significantly altered its protocols for local government interaction and has filled roles in the company specifically tasked with engaging local governments early in the process.

CONCLUSION

The story of the Mona to Oquirrh transmission line highlights the importance of engaging with and seeking input from impacted stakeholders early in the project development timeline and permitting process. RMP's failure to engage early with Tooele City was a missed opportunity, because the community was not opposed to a transmission line in the area but was frustrated that the developer failed to get their feedback on the route and was unwilling to find a compromise route. The City responded forcefully, leading to bad publicity for the utility, additional costs, and about a year's delay powering the line.

Community benefits for the City only emerged after significant opposition, litigation, and negotiations, and were critical to ensuring Tooele City's cooperation. It is unclear if the City would have asked for or received benefits if RMP had come to the table initially and been willing to compromise on the route. Regardless, this process demonstrates that being willing to offer a community benefits package can potentially defuse project opposition, even where the community has a challenging relationship with the developer and project.

According to City Attorney Roger Baker, it was fortunate that Tooele City discovered that part of the route was on city-owned land.²⁴ This circumstance allowed the city government to file its complaint, which would have not

otherwise been possible if the line was entirely routed on private, state, or federal land. If not for the city-owned land, it is likely that the line would have received the necessary permit from the Utility Facility Review Board and been constructed along the northern edge of the mountains, disrupting the viewshed and failing to deliver direct benefits to the City.

Following the settlement agreement, City Attorney Baker wrote about his experience in an article for the American Planning Association's newsletter, suggesting that a developer's willingness to receive input from the community and remain open to compromise and negotiations, even if the initial engagement is flawed, can bear fruit: **"Through the settlement, Tooele was able to accommodate the utility facility while at the same time strengthening its open space conservation program. Today, Rocky Mountain Power and Tooele City are working cooperatively together to achieve their mutual objectives."**

²³ Bureau of Land Management. (2007). *Notice of Intent to Prepare an Environmental Impact Statement To Analyze PacifiCorp's Mona to Oquirrh Double-Circuit 500/345 Kilovolt (kV) Transmission Line, UT-82829, and Amend the Pony Express Resource Management Plan for the Salt Lake Field Office, Utah.*

²⁴ Interview with Roger Baker, City Attorney for Tooele City on September 24, 2024