

PUBLIC UTILITIES COMMISSION

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December 17, 2012

Susan J. Nelson
Southern California Edison
Regulatory Affairs
2244 Walnut Grove Avenue, Quad 3D, GO1
Rosemead, California 91770

Re: Completeness Review, Banducci Substation Proponent's Environmental Assessment

Ms. Nelson,

I have reviewed Southern California Edison's (SCE) Banducci Substation Project Proponent's Environmental Assessment (PEA), and I have determined that the PEA requires supplementation, resubmission, and review prior to being considered complete.

Resubmission. On August 8, 2012, Mary Jo Borak, CEQA team supervisor, sent a memo to the utilities requiring that PEAs be submitted in the organizational format of the PEA checklist. We have previously discussed the importance of utilities filing PEAs for transmission and substation projects in the format specified in the CPUC's 2008 Working Draft PEA Checklist, and it was my understanding that SCE anticipated filing the Banducci Substation Project PEA in the approved format. Upon review of the PEA, it is evident that the PEA has been filed in a format that differs significantly from the format required in the PEA Checklist. The purpose and objective of the PEA Checklist is to provide applicants with detailed guidance on information Energy Division staff expects in a sufficient PEA. Specifically, the checklist is intended to achieve the following objectives:

1. Provide useful guidance to applicants, Energy Division staff, and outside consultants regarding the type and detail of information needed to quickly and efficiently deem an application complete.
2. Ensure the filing of PEAs that provide the reviewers with a detailed project description and associated data sufficient for reviewers to deem an application complete, avoid lengthy review periods and numerous data requests for the purpose of augmenting a PEA, and to avoid unnecessary PEA production costs.
3. Increase the level of consistency between PEAs submitted and provide for more consistent review by Energy Division staff and outside consultants.

Achievement of these objectives will expedite environmental review and lower its cost to ratepayers. The PEA Checklist is intended to empower the applicant and minimize the role of outside consultants by enabling the applicant to submit a more complete, useful, and immediately sufficient PEA. The PEA Checklist has been provided to you under separate cover.

I request that SCE resubmit the Banducci Substation PEA in the organizational format of the PEA Checklist, and I recommend that for all future submittals of PEAs for other projects SCE follow the guidance on content, outline, and level of detail provided in the 2008 PEA Checklist or the most current version of this guidance. This will allow for more efficient PEA preparation and review, and it should serve to shorten the permitting timeline of SCE projects.

Supplementation. The PEA includes a wealth of information about the proposed project and the environmental setting for the project. However, certain elements of the project description and environmental setting still lack sufficient detail, data, or explanation for the CEQA team to perform meaningful environmental review.

1. The following elements of the project description continue to require supplementation, as noted previously (letter of August 2, 2012).
 - a. An Excel spreadsheet with all parcels within 300 feet of the proposed project components, including APN number, mailing address, and parcel's physical address, should be provided.
 - b. The precise locations of disturbance areas associated with the proposed project are not shown to scale on the maps provided with the project description. A complete set of GIS data showing all project components, staging areas/yards, ROWs, and survey areas should be provided in lieu of more detailed figures.
 - c. A description of the existing ROW location, ownership, and width; and a list of any properties likely to require acquisition.
2. The following items were previously requested (letter of August 2, 2012) and continue to require supplementation to appropriately characterize the environmental setting for various resource areas.
 - a. GIS data for vegetation and soils mapping, and for any special-status species identified during surveys.
 - b. A delineation of state and federal jurisdictional waters pursuant to Section 404 of the federal Clean Water Act and Sections 1600 et seq. of the California Fish and Game Code covering all proposed disturbance areas.
 - c. A copy of the EDR Report.
 - d. Landowner contact information.
3. The biological resources technical report was provided for the first time with SCE's official filing of the PEA. Upon review of the biological resources technical report, the following additional biological resources information is necessary to prepare an adequate analysis of project impacts under CEQA.
 - a. PEA page 3-37 of PEA describes surveys that would occur prior to construction but after project approval, including those for special-status plants and identification of special-status plant habitat. These surveys need to be completed at the appropriate time of year *prior* to environmental analysis to ensure that the CPUC can accurately evaluate the biological resources that could be impacted by the project and disclose this information to the public. It is not appropriate to defer these surveys to after project approval, especially because if they are conducted as part of the pre-construction surveys, plants that are present may be missed depending on the timing of the surveys (identification of many special-status plants is only possible during the species' blooming season.) Please provide a botanical survey report for all temporary and permanent areas of impact for the proposed Banducci Substation and associated facilities, including but not limited to laydown areas, pull and tension areas, trenching areas, and pole replacement areas.

- b. PEA page 4.4-6 states that vegetation was mapped “to 1,000 feet on either side of the Proposed Telecommunications and Subtransmission Routes” but the biological resources technical report (Appendix D, page 16) states that “Vegetation types were mapped to 100 feet on either side of the project alignment” and that “Vegetation mapping was later clipped to conform to 100-foot wide PSA [50 feet on either side of centerline.] Clarification is requested on which mapping strategy was employed.
- c. Several State-listed species, including Tehachapi slender salamander and Swainson’s hawk, occur in the region. No surveys for these species have been conducted. APM BIO-4 (Tehachapi Slender Salamander) is not adequate to ensure that impacts to this cryptic species would be avoided, should construction occur in potential habitat. Impacts for Tehachapi slender salamander only have the potential to occur for the telecom routes. Please provide GIS data for all disturbance areas along the telecom routes so that the project disturbance areas can be compared with suitable habitat for this species. If field reconnaissance determines that impacts are possible, SCE should survey in these areas to determine presence or absence of this species. Please also provide information on whether SCE intends to perform surveys for Swainson’s hawk.
- d. Burrowing owl surveys appear to be the only focused surveys conducted. The surveys are said to have been conducted according to “accepted protocols”, but methodology is not provided to allow evaluation as to whether surveys were adequate to characterize wintering and/or breeding season use by owls. Please provide supplemental information that clearly describes the survey methodology for burrowing owls.
- e. It is not clear whether potential staging areas have been surveyed and mapped for vegetation type. Please provide all GIS data files as previously requested.
- f. PEA page 4.4-30 states that “Riparian areas include the emergent vegetation found on perennial and ephemeral riverine water courses. Riparian vegetation is absent from the Focused Survey Area/Area of Potential Effect but occurs along water courses, such as Brite Creek, which cross the Proposed Telecommunication Routes near west of Tehachapi. Vegetation associated with mapped Riparian areas includes trees such as willows (*Salix* spp.), Fremont cottonwood (*Populus fremontii*), and western sycamore (*Platanus racemosa*). Other emergent species such as Baltic rush (*Juncus balticus*), sedges (*Carex* spp.), and nutgrass (*Cyperus* spp.), common cattail (*Typha latifolia*) and bulrush (*Scirpus* spp.) may also occur.” On page 4.4-45 it states “The Proposed Telecommunications Routes would be located on road shoulders in nonnative grassland, disturbed, and agricultural areas with limited native vegetation. Construction of this part of the Proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFG or USFWS.” Clarification is requested as to whether construction of the telecomm facilities could potentially result in impacts to riparian habitats identified along the telecomm routes.
- g. PEA page 4.4-48 concludes that the substation site, subtransmission line routes, and telecomm routes would not be located within an adopted HCP, NCCP, or other habitat conservation plan. However, the DRECP is described under the regulatory setting. Please specific whether all or a portion of the proposed project (including telecomm routes) is located within the planning area for the DRECP, which is not a currently adopted plan but is reasonably foreseeable. On first inspection, it appears that the substation site is not within the planning area, but that the telecom upgrades would be within the planning area. However, without GIS data of the facilities, this information cannot be confirmed.

4. SCE submitted for the first time with its official PEA filing the confidential cultural resources technical report. Upon review of that report, it is unclear whether SCE's proposed staging areas have been surveyed and evaluated for cultural resources impacts. Particularly given recent CEQA case law regarding cultural resources impact disclosures (see *Madera Oversight Coalition v. County of Madera* 199 Cal. App. 4th 48 (2011)), it is critical that all areas of potential disturbance are described in terms of cultural resources impacts as a part of the CEQA process, not after project approval. Please supplement the cultural resources technical report to include coverage of the staging areas and all other areas of potential disturbance.

I look forward to reviewing SCE's revised PEA for the Banducci Substation Project. Please contact me if you have any questions.

Sincerely,

Amy Baker

/s/

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cc: Marisa Mitchell, Aspen Environmental Group