

Comment Set 2

Letter from City of Lake Forest Associate Planner Cheryl Kuta dated April 1, 2004



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 Lake Forest, California 92630
 Telephone: (949) 461-3400

April 1, 2004



Mr. Michael Rosauer
 California Public Utilities Commission
 c/o Aspen Environmental Group
 30423 Canwood Street, Suite 215
 Agoura Hills, CA 91301

Via e-mail to viejosystem@aspene.com and U.S. Mail.

Subject: Mitigated Negative Declaration for the SCE Viejo System Project

Dear Mr. Rosauer:

The City of Lake Forest Development Service and Public Works Departments have reviewed the Mitigated Negative Declaration for the SCE Viejo System Project and offer the following comments.

1. The City of Lake Forest is a Responsible Agency pursuant to CEQA Guidelines Section 15381. The City will require approval of a Grading Permit prior to commencement of grading at the Viejo Substation site. The City will also require approval of a Site Development Permit for the Substation development, and a separate Site Development Permit for the temporary storage site. SCE must apply for and receive approval of these plans prior to commencement of construction. 2-1
2. Initial Study Section B.1.9.2, Drainage, discusses proposed improvements to drainage that appear to occur off of the project site. Any drainage improvements will be reviewed during the review of the required Grading Permit, however, the City cannot approve or authorize offsite work. Coordination with the neighboring landowner would be required. 2-2
3. MND indicates that the Site Development Permit(s) from the City of Lake Forest May not be required because "only the CPUC has the discretionary authority to approve or deny the proposed project". We would like to clarify that the Site Development Permits are required for review of local issues. The CPUC review and approval cannot override the local development standards. 2-3
4. The City will review the landscape plans required by Mitigation Measure A-1 and Applicant-Proposed Measures (APM) A-1. Review and approval of a landscape plan is a required part of the Site Development Permit. In addition to the views from residential areas and Edison Trail mentioned in the measures, the City is interested in views of the Substation from the Foothill Transportation Corridor (SR 241). 2-4

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5. Mitigation Measure A-2 is consistent with City standards for lighting, which requires that all light shall be directed on site. SCE should submit a copy of the Lighting Mitigation Plan to the City with their application for a Site Development Permit. 2-5
6. The Mitigation Measures and APMs provided for cultural resources are consistent with City policies for monitoring in sensitive areas. Please revise Mitigation Measure C-2 and APM C-2 to include notification of the City if any cultural resources are discovered. Please also provide copies of any final reports from cultural resource monitors to the City contact person listed below. 2-6
7. As part of Mitigation Measure R-1, please notify the City representative listed below of any recreational access closures. 2-7
8. As part of the project's Public Outreach and Notification, APM N-5, N-6, N-7, please provide the same information to the City contact person listed below. 2-8
9. The inclusion of the "Traffic Control Manual" in the Appendix (APM T-1) shall not mean that the traffic control plans have been submitted to or approved by the City of Lake Forest City Engineer. In each case of work in the public right-of-way, an encroachment permit will be required for the work and applicable traffic control plans, as required by the City Engineer, will need to be provided by the applicant for review and approval. This includes, but is not limited to, installation of the proposed telecommunication line from the proposed Substation site to the existing Irvine Operations Center. A statement to make this clarification should be included in the Final Mitigated Negative Declaration. 2-9

Thank you for the opportunity to comment on the Viejo Substation Project MND. Should you have any questions regarding this letter, please contact me at (949) 461-3479 or ckuta@ci.lake-forest.ca.us.

Sincerely,
 CITY OF LAKE FOREST



Cheryl Kuta, AICP
 Associate Planner

cc Robert Woodings, Director of Public Works/City Engineer
 Brent Cooper, Planning Manager
 Ted Simon, Engineering Services Manager
 Alice Likely, Southern California Edison (via fax)

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Response to Comment Set 2**Letter from City of Lake Forest Associate Planner Cheryl Kuta dated April 1, 2004**

- 2-1 The California Public Utilities Commission (CPUC) understands that the City of Lake Forest has ministerial permits to issue for the proposed project, including a grading permit. If the CPUC approves the proposed project, SCE should obtain these types of permits from local agencies. As part of project approval, the CPUC instructs utilities to consult with local agencies and obtain all necessary local and State permits and approvals. In addition, the CPUC encourages utility companies to comply with all local requirements. Nevertheless, pursuant to General Order 131-D, the Commission retains exclusive jurisdiction over the regulation of electric power line projects, distribution lines, substations, or electric facilities constructed by regulated public utilities. For this reason, no other discretionary approvals from other agencies are required for the proposed project. However, the CPUC encourages utility companies to comply with all local requirements. Please note that the City would only be considered a Responsible Agency under CEQA if it had discretionary approval authority over the project.
- 2-2 Thank you for this information.
- 2-3 Please see the response to Comment 2-1 above.
- 2-4 The CPUC encourages the applicant to work with the City in the development of a satisfactory landscape plan.
- 2-5 Thank you for confirming the consistency of Mitigation Measure A-2 with the City's lighting standards. Please see the response to Comment 2-1 above.
- 2-6 Thank you for the information on the City's cultural resources policies. The CPUC will include a requirement for the City to be notified if any cultural resources are discovered. Copies of any final reports can be provided upon request. Mitigation Measure CR-2 has modified as follows:
- CR-2** SCE shall immediately halt all construction activities within 100 feet of any potential unanticipated cultural or historical resources encountered during construction. A qualified archaeological or cultural resources specialist shall examine the findings, assess their significance, and identify any additional exploratory measures deemed necessary for the further evaluation of and/or mitigation to reduce adverse impacts to any potential historical or archaeological resources. SCE shall notify the CPUC monitor and the local jurisdiction (city or county) immediately in the event of a potential unanticipated cultural resource. SCE shall incorporate the following provisions into the grading and construction contracts to address the potential to encounter currently unknown cultural resources...
- 2-7 Mitigation Measure R-1 is modified as follows to specifically include notification of the City of any recreational access closures:
- R-1** **Avoidance of Peak Use Periods and On-Site Notification.** SCE shall provide onsite notification and notify affected jurisdictions of recreational access closures at least two weeks in advance, through the posting of signs and/or notices at all public entrances. Documentation of such notification should be submitted to CPUC.
- 2-8 The City will be included in the applicant's notification described in Applicant-Proposed Measures N-5, N-6, and N-7.
- 2-9 Thank you for this information. A statement to this effect has been included in the MND.