

Volume 1: Chapters 1 through 4

SOUTHERN CALIFORNIA EDISON'S MOORPARK- NEWBURY 66 kV SUBTRANSMISSION LINE PROJECT

CPUC A.13-10-021

SCH NO. 2014031073

Final Environmental Impact Report
(Response to Comments)

Prepared for
California Public Utilities Commission

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ACRONYMS

AADT	average annual daily traffic
AB	Assembly Bill
AC	alternating current
ACSR	aluminum conductor steel reinforced
AE	Agricultural Exclusive
af	acre-feet
afy	acre-feet per year
AGS	above ground surface
amsl	above mean sea level
A-P Zone	Alquist-Priolo Earthquake Fault Zone
APLIC	Avian Power Line Interaction Committee
APM	applicant proposed measure
AQMP	Air Quality Management Plan
ASCE	American Society of Civil Engineers
ASTM	American Society for Testing and Materials
BACT	best available conventional technology
BAT	best available technology
BCT	best conventional technology
B&GEPA	Golden and Bald Eagle Protection Act
bgs	below ground surface
BMP	best management practice
CAA	Clean Air Act
CAAQS	California ambient air quality standards
CAL FIRE	California Department of Forestry and Fire Protection
CalOSHA	California Occupational Safety and Health Administration
CalAm	California American Water Company
CalEEMod	California Emissions Estimator Model
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board

CBC	Building Standards Code
CCR	California Code of Regulations
CCWMP	Calleguas Creek Watershed Management Plan
C&D	construction and demolition
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CDMG	California Division of Mines and Geology
CDF	California Department of Finance
CDPR	California Department of Parks and Recreation (“State Parks”)
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFP	California fully protected species
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH₄	methane
CHP	California Highway Patrol
CIWMB	California Integrated Waste Management Board
CJUTCM	California Joint Utility Traffic Control Manual
CMP	Congestion Management Plan
CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
Corps	U.S. Army Corps of Engineers
COSCA	Conejo Open Space Conservation Agency
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRPD	Conejo Recreation and Park District
CRPR	California Rare Plant Ranks
CRTDP	Cultural Resources Treatment and Discovery Plan
CSC	California Species of Special Concern
CSP	corrugated steel pipe
CSUCI	California State University, Channel Islands
CT	Candidate Species for listing as Threatened under the FESA

CUP	conditional use permit
CUPA	Certified Unified Program Agency
CVUSD	Conejo Valley Unified School District
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibels
District No. 1	Ventura County Waterworks District Number 1
DHS	California Department of Health Services
DMP	discharge monitoring plan
DOGGR	California Department of Conservation Division of Oil, Gas, and Geothermal Resources
DPM	diesel particulate matter
DPS	distinct population segment
DSM	demand side management
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources
EDMS	Emissions and Dispersion Modeling System
EIA	effective impervious area
EIR	Environmental Impact Report
ELF	extremely low frequency
EMF	electric and magnetic fields
EMS	emergency medical services
ENA	electrical needs area
EPRI	Electric Power Research Institute
ESA	Endangered Species Act
ESA	Environmental Science Associates
ESA	environmentally sensitive area
°F	degrees Fahrenheit
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulation
FC	Federal Candidate for Listing
FE	Listed as Endangered by the Federal Government
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FGC	Fish and Game Code
FMMP	Farmland Mapping and Monitoring Program
FPPA	Farmland Protection Policy Act
FRC	fault return conductor

FT	Listed as Threatened by the Federal Government
FTA	Federal Transit Administration
GHG	greenhouse gas
GIS	Geographic Information System
GO	General Order
GWh	gigawatt hour
GWP	global warming potential
HCP	Habitat Conservation Plan
HCTP	Hill Canyon Wastewater Treatment Plant
HFCs	hydrofluorocarbons
HVAC	Heating, ventilation, and air conditioning
HWCL	Hazardous Waste Control Law
Hwy	highway
Hz	hertz
IARC	International Agency for Research on Cancer
IBC	International Building Code
IEEE	Institute of Electrical and Electronics Engineers
IPCC	Intergovernmental Panel on Climate Change
kcmil	thousand circular mill
KOP	key observation point
kV	kilovolt
kW	kilowatt (equal to 1000 watts)
LARWQCB	Los Angeles Regional Water Quality Control Board
LDAR	leak detection and repair
Leq	equivalent noise level
Lmax	Maximum Noise Level
LOS	Level of Service
LST	lattice steel tower
LUFT	leaking underground fuel tank
LUST	leaky underground storage tank
LWS	light-weight steel
LZ	landing zone
m	meter
MBTA	Migratory Bird Treaty Act
MEER	mechanical electrical equipment room
mgd	million gallons a day

mph	miles per hour
MRZ	Mineral Resource Zone
MS4s	municipal separate storm sewer systems
MSL	mean sea level
MTCO_{2e}	metric tons of carbon dioxide equivalent
MUSD	Moorpark Unified School District
MVA	megavolt
MW	megawatts
MWTP	Moorpark Wastewater Treatment Plant
n/a	information not available
NAAQS	national ambient air quality standards
NAHC	Native American Heritage Commission
NCCP	natural community conservation plan
NCCPA	Natural Communities Conservation Plan Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
N₂O	nitrous oxide
NO	nitric oxide
NO₂	nitrogen dioxide
NO₃	nitrate
NO_x	nitrogen oxides
NOAA	National Oceanic and Atmospheric Administration
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPL	National Priority List
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OHP	Office of Historic Preservation
OSCAR	Open Space, Conservation, and Recreation
OSHA	U.S. Department of Labor Occupational Safety & Health Administration
PEA	Proponent's Environmental Assessment
PFCs	perfluorocarbons
PM	particulate matter

PM_{2.5}	particulate matter less than 2.5 microns in diameter
PM₁₀	particulate matter less than 10 microns in diameter
ppm	parts per million
PPV	peak particle velocity
PSHA	probabilistic seismic hazard assessment
PRC	Public Resources Code
PRCSD	City of Moorpark Parks, Recreation & Community Services Department
PTC	Permit to Construct
PV	photovoltaic
PVC	polyvinyl chloride
PVRPD	Pleasant Valley Recreation and Parks District
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Assessment
RMS	root mean square
ROC	reactive organic compounds
ROG	reactive organic gases
ROW	right-of-way
RPS	Renewable Portfolio Standard
RWQCB	Regional Water Quality Control Board
SAC	stranded aluminum conductor
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCAB	South Central Coast Air Basin
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SDC	seismic design category
SE	Listed as Endangered by the State of California
SEL	sound equivalent level
SF₆	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SIP	State Implementation Plans
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act
SO₂	sulfur dioxide
SPCC	Spill Prevention Control and Countermeasure Plan
Sq. ft.	square feet
SQMP	Storm Water Quality Management Program
SR	State Route

SRA	State Responsibility Areas
SRRE	Source Reduction and Recycling Element
SSC	Species of Special Concern
ST	Listed as Threatened by the State of California
SVLRC	Simi Valley Landfill and Recycling Center
SVP	Society for Vertebrate Paleontology
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	California State Water Resources Control Board
TAC	toxic air contaminant
TDS	total dissolved solids
TGM	Technical Guidance Manual
TMDL	Total Maximum Daily Load
T-P	Timberland Preserve
TRC	The Climate Registry
TSCA	Toxics Substances Control Act
TSDF	Treatment, Storage, and Disposal Facility
TSP	tubular steel pole
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tanks
V/C	volume to capacity
VCAPCD	Ventura County Air Pollution Control District
VCFD	Ventura County Fire Department
VCOE	Ventura County Office of Education
VCPD	Ventura County Parks Department
VCPWA	Ventura County Public Works Agency
VCSD	Ventura County Sheriff's Department
VCTC	Ventura County Transportation Commission
VCWPD	Ventura County Watershed Protection District
VISTA	Ventura Intercity Service Transit Authority
VOC	volatile organic compounds
WEAP	Worker Environmental Awareness Plan
WL	Birds on CDFW Watch List

CHAPTER 1

Introduction

1.1 Purpose of this Document

The California Environmental Quality Act (CEQA) and its implementing regulations (the “CEQA Guidelines”) require a lead agency to prepare and certify a Final Environmental Impact Report (EIR) before it may approve a project for which a Draft EIR has been prepared. This document and the June 2015 Moorpark-Newbury 66 kV Subtransmission Line Project Draft EIR (SCH No. 2014031073) together constitute the Final EIR for the Moorpark-Newbury 66 kV Subtransmission Line Project (the Proposed Project) proposed by Southern California Edison (Applicant, SCE).

On June 11, 2015, the California Public Utilities Commission (CPUC, the CEQA lead agency) released the Draft EIR on the Proposed Project for public review and comment. The Draft EIR was available for public review at public libraries located in the vicinity of the Proposed Project site, and online on the CPUC’s website.

The Draft EIR describes the Proposed Project and its environmental setting; analyzes potential direct, indirect, and cumulative environmental impacts related to the construction, operation, and maintenance of the Proposed Project; identifies impacts that could be significant; recommends mitigation measures, which, if adopted, could avoid or minimize such impacts; and identifies impacts that are expected to remain significant and unavoidable, even with the implementation of recommended mitigation measures. The Draft EIR also evaluates alternatives to the Proposed Project as required by CEQA, including two No Project Alternative scenarios.

The public review and comment period duration for the Draft EIR began June 11, 2015, and ended July 27, 2015 and lasted for a period of 45 calendar days.

The CPUC held a public meeting on June 24, 2015, to accept comments on the Draft EIR from agencies, organizations, and individuals. The meeting was held at 6:00 p.m. at the Palm Garden Hotel, which is located at 495 North Ventu Park Road, Thousand Oaks, California. The CPUC provided notification of the public review period and the public hearing to: 1) public agencies; 2) adjacent property owners and occupants; 3) listed parties on the CPUC service list, and 4) agencies, organizations, and individuals that submitted comments on the Notice of Preparation (NOP) for the Proposed Project. The public was also notified of the release the Draft EIR through public notices published on June 11 and 20, 2015, in the Ventura County Star Newspaper. Oral comments were received at the June 24, 2015, public meeting and written comments were due by July 27, 2015. Comments that were received within a few days of the end of the comment period were accepted and are included in the Final EIR. Additional comment letters were received from

Peggy Ludington or Alan and Peggy Ludington on September 2, 9, and 24, and October 12, 16, and 18, 2015. These comments are not included in the Final EIR, but were evaluated by the Energy Division and its consultants to determine whether the late comments identify new issues that would change any of the EIR findings. Appendix G contains a memorandum that documents that evaluation.

This Final EIR will be used by the CPUC, in conjunction with other information developed in the CPUC's formal record, to act on the Applicant's Moorpark-Newbury 66 kV Subtransmission Line application for a Permit to Construct (PTC). Under CEQA, the CPUC will determine the adequacy of this Final EIR and, if adequate, will certify the document as complying with CEQA.

1.2 Project Overview

The Proposed Project would include constructing the new Moorpark-Newbury 66 kV Subtransmission Line and upgrading the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility. The Proposed Project is located within approximately 9 miles of existing SCE right-of-way (ROW) between SCE's Moorpark Substation and Newbury Substation, in the cities of Moorpark and Thousand Oaks, and in unincorporated Ventura County. In summary, the Proposed Project would consist of the following components:

- Installation of approximately 500 feet of new underground 66 kV subtransmission line and a new line position in the 66 kV switchrack entirely within Moorpark Substation.
- Installation of two tubular steel pole (TSP) foundations, four TSPs, the upper portion of one TSP, and approximately 5 miles of conductor on new and existing TSPs along the new Moorpark-Newbury 66 kV Subtransmission Line route on the south and east sides of SCE's existing Moorpark-Ormond Beach 220 kV ROW.
- Installation of eight TSP foundations, 13 double-circuit TSPs, approximately 3 miles of conductor on the new Moorpark-Newbury 66 kV Subtransmission Line, and reconductoring of 3 miles of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line. Both of these subtransmission lines would be collocated on the new double-circuit TSPs. In addition, 14 existing lattice steel towers (LSTs) would be removed along this 3-mile segment.
- Installation of approximately 0.5 mile of conductor for the new Moorpark-Newbury 66 kV Subtransmission Line to be collocated with the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line on previously installed lightweight steel (LWS) poles into Newbury Substation. In addition, four TSP foundations, four TSPs, two LWS poles, and a new 66 kV subtransmission line position would be installed, and six wood poles would be removed at Newbury Substation. The existing subtransmission, distribution, and telecommunications facilities would be transferred onto the new TSPs and LWS poles.

Construction activities for the Moorpark-Newbury 66 kV Subtransmission Line project commenced in 2010. However all construction activity was halted in November 2011 due to issuance of CPUC Decision 11-11-019.¹ For the purposes of this CEQA review, the Proposed

¹ CPUC Resolution E-4243 affirmed the findings of a previously issued CPUC Resolution E-4225 that found the project was exempt from PTC requirements. However, in response to the filing of an Application for a Rehearing of Resolution E-4243, CPUC issued Decision 11-11-019 in November 2011, which ordered SCE to cease construction activity, provide certain specified information, and file a PTC application if it wished to build the project.

Project includes only those portions of the Moorpark-Newbury 66 kV Subtransmission Line project that have yet to be constructed. A description of past construction activities and SCE's assessment of the associated environmental effects are provided in Draft EIR Chapter 2, *Background*. A description of the environmental baseline, i.e., the environmental setting used to determine the impacts associated with the Proposed Project and alternatives, is provided in the introduction to Draft EIR Chapter 5, *Environmental Analysis*.

1.3 Organization of Final EIR

As required by CEQA Guidelines Section 15132, the Final EIR consists of the following elements:

- (a) The Draft EIR or a revision of the draft;
- (b) Comments received on the Draft EIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies that commented on the Draft EIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the lead agency.

The Final EIR for the Proposed Project contains information in response to concerns that were raised during the public comment period (June 11, 2015 through July 27, 2015). Responses were prepared for each comment received during the public comment period and through the end of July, 2015, and are presented in Chapter 3.

This Response to Comments document is separated into two volumes.

Volume 1 consists of four chapters.

- **Chapter 1** is an introductory chapter that describes the purpose as well as the organization of the Final EIR, and provides a brief description of the Proposed Project.
- **Chapter 2** describes the public review process and the organization of the comment letters, and lists the commenters (agencies, organizations, and individuals, as well as oral commenters at the public meeting).
- **Chapter 3** contains copies of all the comment letters received on the Draft EIR as well as a copy of the transcript for the public meeting held on June 24, 2015. Individual comments are identified within the comment letter or transcript using an alphanumeric code. Following each comment letter are individual responses directed specifically to each comment. This chapter also contains master responses, which provide comprehensive discussions to respond to select sets of issues that received multiple comments. Each master response includes cross references to the individual comments being addressed, using the alphanumeric code within the comment letter or transcript.
- **Chapter 4** contains all text changes to the Draft EIR which includes both (1) changes to correct errors or to clarify information presented in the Draft EIR, and (2) text changes as a result of responding to comments, as shown in Chapter 3.

Volume 2: Appendices, provides supporting documentation for information presented in the Response to Comments document.

A digital copy of the Draft EIR, published June 2015, and this Response to Comments document is included on a compact disc (CD) inside the front cover of this document.

CHAPTER 2

Public Review Process

This chapter describes the public review process and the organization of the comment letters, and lists the public agencies, organizations, and individuals who provided comments on the Draft EIR.

2.1 Opportunities for Public Comment on the Draft EIR

2.1.1 Notification

On June 11, 2015, the CPUC published and distributed the Notice of Availability (NOA) of a Draft EIR to advise interested local, regional, and state agencies, and the public, that a Draft EIR had been prepared and published for the Proposed Project. The NOA solicited both written and oral comments on the Draft EIR during a 45-day comment period (June 11, 2015 through July 27, 2015), and provided information on a forthcoming public comment meeting. The public review and comment period duration for the Draft EIR began June 11, 2015, and ended July 27, 2015. Additionally, the NOA presented the background, purpose, description, and location of the Proposed Project, as well as the contact name to request additional information about the Draft EIR.

In addition to the NOA, the CPUC notified the public about the June 24, 2015 public meeting to receive comments on the Draft EIR through multiple newspaper legal advertisements and the CPUC's website for the Proposed Project. The CPUC published legal advertisements in the Ventura County Star Newspaper on June 11 and 20, 2015. The Ventura County Star Newspaper is a daily newspaper of general circulation in Ventura County. Additionally, an electronic copy of the NOA and the Draft EIR were posted on the CPUC's website at: http://www.cpuc.ca.gov/Environment/info/esa/moorpark_newbury/index.html. The NOA, newspaper legal advertisements, and the public meeting sign-in sheets and speaker cards are provided in Appendices A, B, and C, respectively. Notifications provided basic Proposed Project information, the date, time, and location of the public meeting, and a brief explanation of the public meeting process. The public was encouraged in the NOA, newspaper legal advertisements, and at the public meeting to submit written comments and concerns regarding the Proposed Project and the adequacy of the Draft EIR by mail, or email to the CPUC.

2.1.2 Public Comment Meeting

The CPUC held a public meeting on June 24, 2015, to accept comments on the Draft EIR from agencies, organizations, and individuals. The meeting was held at 6:00 p.m. at the Palm Garden Hotel, which is located at 495 Ventu Park Road, Thousand Oaks, California. The CPUC provided

notification of the public review period and the public meeting to: 1) public agencies; 2) adjacent property owners and occupants; and 3) organizations that had demonstrated particular interest in the Proposed Project, e.g., through requesting a notice or participating in the scoping process. Oral comments were received at the June 24, 2015 public meeting and written comments were due by July 27, 2015. Comments that were received within a few days after the end of the comment period were accepted. Additional comment letters were received on September 2, 9, and 24, and October 12, 16, and 18, 2015. These comments are not included in this Final EIR, but the Energy Division has reviewed them and has confirmed that the late comments identify no new issues that would change any of the EIR findings (see Appendix G).

A presentation (Appendix D) was given at the June 24, 2015 meeting that included an overview of the CPUC's decision-making process, including the environmental review process; the regional context; Proposed Project background; Proposed Project objectives; Proposed Project description; project alternatives; and role of the public comments. During and following the presentation, public comments were recorded. All attendees were also encouraged to submit written comments.

2.2 Comments on the Draft EIR

2.2.1 Written Comments

Numerous comment letters were received from agencies, organizations, and individuals during and after the Draft EIR review period. A total of 12 letters were received from agencies and organizations. A total of 57 were received from individuals. The comment letters received on the Draft EIR through the end of July 2015 are listed below in Section 2.3. For organizational purposes, each comment letter has been assigned an alphabet letter and a comment number. Letters from agencies and organizations (including the Applicant) are designated with the letter "O," and letters from individuals are designated by the letter "I." For example, the second letter received from an agency or organization was from the Center for Biological Diversity, and is identified as letter O2. Discrete comments within letters are marked sequentially with numbers, such as O2-1, O2-2, etc. Copies of all letters received through July, 2015 are provided in Chapter 3, *Comments and Responses*.

2.2.2 Public Meeting Comments

As noted above, a public meeting was held on June 24, 2015, at 6:00 p.m. in the City of Thousand Oaks. A transcript of oral comments made by individuals who spoke at the public meeting is provided in Section 3.4. Oral comments received at the public meeting are designated as "PM." Speakers were encouraged to submit follow-up written comments so that the full text and intent of their comments could be documented and addressed. Written comments, if submitted, were assigned separate letter designations as shown in the table below.

2.3 List of Commenters

Table 2-1 lists all who provided written or oral comments on the Draft EIR.

**TABLE 2-1
COMMENTERS ON THE MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT**

Comment Letter	Commenter	Date Received
Agencies, Applicant and Organizations – Written Comments		
O1	Ventura County Air Pollution Control District	July 27, 2015
O2	Center for Biological Diversity	July 27, 2015
O3	County of Ventura Resource Management Agency, Planning Division	July 27, 2015
O4	County of Ventura Public Works Agency; Transportation Department; Traffic, Advance Planning & Permits Division	July 27, 2015
O5	County of Ventura Public Works Agency, Integrated Waste Management Division	July 27, 2015
O6	Ventura County Watershed Protection Agency, Planning and Regulatory Division	July 27, 2015
O7	Conejo Open Space Conservation Agency	July 27, 2015
O8	Board of Supervisors, County of Ventura	July 28, 2015
O9	Southern California Edison	July 28, 2015
O10	City of Thousand Oaks Community Development Department	July 28, 2015
O11	Santa Rosa Valley Municipal Advisory Council	July 30, 2015
O12	Wildwood Ranch Homeowner Association	July 30, 2015
Individuals – Written Comments		
I1	Kelly Hall	July 9, 2015
I2	Marnie and Lou Volpe	July 9, 2015
I3	Marnie and Lou Volpe	July 9, 2015
I4	Will Westerling	July 9, 2015
I5	Petition- Multiple Individuals	July 9, 2015
I6	Cheryl Crandall	July 17, 2015
I7	Brooks Bonvenuto	July 22, 2015
I8	Tom Bonvenuto	July 22, 2015
I9	Brendan Fitzpatrick	July 22, 2015
I10	Pamela Johnson	July 22, 2015
I11	Tammy Gunther	July 24, 2015
I12	Denise Elston	July 31, 2015
I13	Kevin Cannon	July 25, 2014
I14	Tammy Gunter	July 25, 2014
I15	Linda Cannon	July 26, 2015
I16	Amy Elliot	July 26, 2015

TABLE 2-1 (Continued)
COMMENTERS ON THE MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT

Comment Letter	Commenter	Date
Individuals – Written Comments (cont.)		
I17	John Elliot	July 26, 2015
I18	Barbara Moore	July 26, 2015
I19	Krista Pederson	July 26, 2015
I20	Patricia Becker	July 27, 2015
I21	Merrill Berge	July 27, 2015
I22	Nina Brandt	July 27, 2015
I23	Denise Elston	July 27, 2015
I24	Nicole Hauth	July 27, 2015
I25	Donna Johanson	July 27, 2015
I26	Jimmie Johnson	July 27, 2015
I27	Alan and Peggy Ludington	July 27, 2015
I28	Marie and Houchyar Zolfagheri	July 30, 2015
I29	Phil Pederson	July 27, 2015
I30	Kristine Supple	July 27, 2015
I31	David Tanner	July 27, 2015
I32	Hillary Wilkinson	July 27, 2015
I33	Unknown- Gill	July 27, 2015
I34	Kimme Black	July 31, 2015
I35	Cathryn Andresen	July 28, 2015
I36	Johanne Zell	July 30, 2015
I37	Ralph and Marvella Carmichael	July 28, 2015
I38	Nancy Harris	July 28, 2015
I39	Carole Hunter	July 28, 2015
I40	L. Vanoni	July 28, 2015
I41	Arline Young	July 28, 2015
I42	Lidia Bailey	July 30, 2015
I43	Barry Becker	July 30, 2015
I44	Barry Becker	July 30, 2015
I45	Barry Brown	July 30, 2015
I46	Suzanne Camejo	July 30, 2015
I47	John and Jessica Graham	July 30, 2015
I48	Doug and Jennifer Price	July 30, 2015
I49	Robert Wyman	July 30, 2015
I50	CR Cronin	July 30, 2015
I51	Marnie and Lou Volpe	July 22, 2015

TABLE 2-1 (Continued)
COMMENTERS ON THE MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT

Comment Letter	Commenter	Date
Individuals – Written Comments (cont.)		
I52	Jan Levin	July 22, 2015
I53	Jerami Prendiville	July 22, 2015
I54	Kathleen and Kent Corzine	July 22, 2015
I55	David and Pamela Hage	July 22, 2015
I56	Vernon Dransfeldt	July 24, 2015
I57	Joseph and Jane Riggio	July 22, 2015
Public Meeting Comments		
PM-1 through PM-46	Unidentified speakers	June 24, 2015
PM-47	Jill Lederer	June 24, 2015
PM-48 through PM-53	Kelly Hall	June 24, 2015
PM-54 and PM-55	Loi Nguyen	June 24, 2015
PM-56 through PM-64	Cathryn Andresen	June 24, 2015
PM-65 through PM-69	Molly Pei	June 24, 2015
PM-70 through PM-72	Douglas O'Brien	June 24, 2015
PM-73 through PM-76	Mark Burley	June 24, 2015
PM-77 through PM-81	Alan Ludington	June 24, 2015
PM-82 and PM-83	Penelope Burley	June 24, 2015
PM-84 through PM-92	Damon Wing	June 24, 2015
PM-93 through PM-96	Howard Choy	June 24, 2015
PM-97 through PM-105	Peggy Ludington	June 24, 2015
PM-106 through PM-110	William Brandt	June 24, 2015
PM-111 through PM-113	Herb Potter	June 24, 2015
PM-114 through PM-120	Danalynn Pritz	June 24, 2015
PM-121 through PM-123	Kim Ramseyer	June 24, 2015
PM-124	Ken Gordon	June 24, 2015

2.4 Final EIR

The Lead Agency (the CPUC), the project Applicant (SCE), and listed parties on the CPUC service list received a hard copy of the Final EIR. Other agencies, organizations, and individuals that submitted comments on the Draft EIR received a compact disc (CD) of the Final EIR. Appendix E lists all recipients of the Final EIR and contains the Certificate of Service.

CHAPTER 3

Comments and Responses

This chapter provides copies of written and oral comments received regarding the Draft EIR, and responds to those comments. As required by CEQA, the responses to comments provided in this chapter address significant environmental issues raised during the review period (Pub. Res. Code §21091(d); CEQA Guidelines §§15088(a), 15132). They are intended to provide clarification and refinement of information presented in the Draft EIR and, in some cases, to correct or update information in the Draft EIR. In some instances, the text of the Draft EIR has been revised in response to a comment, and the revised text is included as part of the response. Where responses have resulted in changes to the text of the Draft EIR, these changes are shown within the Draft EIR text using the following conventions:

- 1) Text added to the wording in the Draft EIR is shown in underline,
- 2) Text deleted from the wording in the Draft EIR is shown in ~~strikeout~~, and
- 3) Text changes are shown in indented paragraphs.

These text changes also appear in Chapter 4, *Revisions to the Draft EIR*, of this document.

Responses to each of the comments received from agencies and organizations are provided in Section 3.2, *Agencies and Organizations Responses*, and responses to comments received from individuals are provided in Section 3.3, *Individuals Responses*. Responses to comments received at the public meeting are in Section 3.4, *Public Meeting Responses*.

Some of the comments received on the Draft EIR did not address the adequacy or accuracy of the environmental analysis or did not identify any other significant environmental issue requiring a response; rather, these comments were directed toward the perceived merits or demerits of the Proposed Project, provided information, or expressed an opinion without specifying why the Draft EIR analysis was inadequate. The CPUC, as the CEQA lead agency, acknowledges the receipt of these types of comments; however, limited responses are provided to these comments as they do not relate to the adequacy or accuracy of the Draft EIR or otherwise raise significant environmental issues.

A number of written comments submitted on the Draft EIR raised the same or similar questions. Rather than repeat responses to such comments, the CPUC is providing a comprehensive discussion of the issues and related topics as Master Responses in Section 3.1, *Master Responses*. Refer to the Master Responses for further detailed discussion and technical information as appropriate. The Master Response topics are summarized briefly below:

- Master Response 1: Alternatives;
- Master Response 2: Non-CEQA Issues;
- Master Response 3: CEQA Baseline and Piecemeal Review of the Project;
- Master Response 4: Cumulative Effects Associated with Past Construction Activities; and
- Master Response 5: SCE's Forecasted Peak Load Growth.

3.1 Master Responses

3.1.1 Master Response 1: Alternatives

Summary of Issues Addressed in Master Response 1

1A. Alternatives Screening

Comments received expressed concerns that some alternatives were inappropriately eliminated from detailed EIR consideration. This response defines the CEQA legal standard for analysis of alternatives and describes in detail how the alternatives were evaluated relative to the CEQA objectives.

1B. Demand-side Management and Renewable and Distributed Energy Generation Alternatives

Although demand-side management (Alternative 5) and renewable and distributed energy generation (Alternative 6) were considered and rejected in the Draft EIR (Sections 4.5.5 and 4.5.6, respectively), commenters expressed support for these types of programs and projects as alternatives to the Proposed Project. This response further discusses these types of alternatives in context to the circumstances of the Proposed Project.

1C. Environmentally Superior Alternative

Some commenters expressed concern with the Draft EIR's identification of the Proposed Project as the Environmentally Superior Alternative. This response addresses these concerns.

Summary of Commenters and Comments

Commenter	Comments Addressed by Master Response 1
County of Ventura Resource Management Agency, Planning Division	O3-10
Santa Rosa Valley Municipal Advisory Council	O11-8
Wildwood Ranch Homeowners Association	O12-8
Marnie and Lou Volpe	I2-3
Lou and Marnie Volpe	I3-2
Petition - Multiple Individuals	I5-5, I5-6, I5-8
Cheryl Crandall	I6-2
Brooks Bonvenuto	I7-5, I7-6, I7-8
Tom Bonvenuto	I8-5, I8-6, I8-8
Brendan Fitzpatrick	I9-5, I9-6, I9-8, I9-14, I9-15
Pamela Johnson	I10-5, I10-6, I10-8
Tammy Gunther	I11-5, I11-6, I11-8
Denise Elston	I12-5, I12-6
Kevin Cannon	I13-5, I13-6, I13-8

3. Comments and Responses

3.1 Master Responses

Commenter	Comments Addressed by Master Response 1
Tammy Gunther	I14-5, I14-6
Linda Cannon	I15-2
Amy Elliot	I16-5, I16-6, I16-8, I16-14, I16-15
John Elliot	I17-5, I17-6, I17-8, I17-14, I17-15
Barbara Moore	I18-5, I18-6, I18-8
Krista Pederson	I19-2, I19-10, I19-11, I19-13
Patricia Becker	I20-5, I20-6, I20-8
Merrill Berge	I21-5, I21-6
Nina Brandt	I22-5, I22-6, I22-8
Denise Elston	I23-5, I23-6, I23-8
Nicole Hauth	I24-5, I24-6, I24-8
Donna Johanson	I25-5, I25-6
Jimmie Johnson	I26-7
Alan and Peggy Ludington	I27-5, I27-38, I27-39, I27-41, I27-42, I27-43, I27-44, I27-45, I27-48, I27-49, I27-55, I27-57, I27-58, I27-65, I27-68, I27-72
Marie and Houchyar Zolfagheri	I28-5, I28-6
Phil Pederson	I29-2, I29-10, I29-11, I29-13
Kristine Supple	I30-5, I30-6, I30-8, I30-14, I30-15
David Tanner	I-31
Hillary Wilkinson	I32-5, I32-6, I32-8
Gill (Unknown full name)	I33-5, I33-6
Kimme Black	I34-5, I34-6, I34-8
Cathryn Andresen	I35-3, I35-5
Johanne Zell	I36-5, I36-6, I36-8
Ralph and Marvella Carmichael	I37-5, I37-6, I37-8
Nancy Harris	I38-4, I38-5
Carole Hunter	I39-5, I39-6, I39-8
L. Vanoni	I40-5, I40-6
Arline Young	I41-5, I41-6, I41-8
Lidia Bailey	I42-5, I42-6, I42-8
Barry Becker	I43-5, I43-6, I43-8
Barry Becker	I44-5, I44-6
Barry Brown	I45-5, I45-6, I45-8, I45-14, I45-15
Suzanne Camejo	I46-1, I46-3
John and Jessica Graham	I47-5, I47-6, I47-8
Doug and Jennifer Price	I48-4, I48-5
Robert Wyman	I49-5, I49-6, I49-8
Chuck Cronin	I50-3, I50-7, I50-10, I50-11, I50-17, I50-18, I50-19, I50-26, I50-26, I50-32, I50-33, I50-34, I50-35, I50-36
Lou and Marnie Volpe	I51-5, I51-8

Commenter	Comments Addressed by Master Response 1
Jan Levin	I52-5, I52-8, I52-14, I52-15
Jerami Prendiville	I53-5, I53-8
Kent and Kathleen Corzine	I54-2
David and Pamela Hage	I55-5, I55-8
Joseph and Jane Riggio	I57-5, I57-8
Unidentified speaker	PM-32
Jill Lederer	PM-47
Cathryn Andresen	PM-57, PM-61
Molly Pei	PM-67
Douglas O'Brien	PM-70, PM-71, PM-72
David Wing	PM-85
Howard Choy	PM-93, PM-94, PM-95
Peggy Ludington	PM-105
William Brandt	PM-106
Herb Potter	PM-112
Kim Ramseyer	PM-122

Response

1A. Alternatives Screening

CEQA Guidelines Section 15126.6 (a) states:

An EIR shall describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.

In order to comply with these requirements, each alternative to the Proposed Project considered in the Draft EIR was evaluated in three ways:

- Would the alternative meet most of the basic project objectives?
- Was the alternative feasible, taking into account economic, environmental, legal, social, and technological factors?
- Would the alternative avoid or substantially lessen any significant effects of the Proposed Project? Would the alternative itself create significant effects potentially greater than those of the Proposed Project?

Each of these three criteria is explained in more detail below.

Project Objectives

The CEQA Guidelines require the consideration of alternatives capable of eliminating or reducing significant environmental effects even though they may “impede to some degree the attainment of

project objectives” (§15126.6(b)). As disclosed in Draft EIR Section 4.2.2, the following are the basic CEQA objectives for the Proposed Project (see Draft EIR pages 4-3 through 4-5):

- Add capacity to meet forecasted electrical demand while providing long-term, safe, and reliable electrical service in the electrical needs area (ENA).
- Maintain sufficient voltage in accordance with applicable requirements during normal and abnormal system conditions.
- Maintain system reliability within the ENA.
- Utilize existing ROW and manage existing ROW in a prudent manner in expectation of possible future needs.
- Maintain consistency with the Garamendi Principles passed in Senate Bill (SB) 2431 (Stats. 1988, Ch. 1457) by: (1) using existing ROW by upgrading existing transmission facilities, where technically and economically justifiable; and (2) encouraging the expansion of existing ROW when construction of new transmission lines is required, where technically and economically feasible.
- Maintain consistency with California Public Utility Commission (CPUC) General Order (GO) 95.
- Design and construct the Proposed Project in conformance with SCE’s applicable engineering, design, and construction standards for substation, transmission, subtransmission, and distribution system projects.

As disclosed on Draft EIR page 4-4, the CPUC considers the first two objectives to be the primary purpose for the Proposed Project. Therefore, each of the project alternatives was evaluated to determine whether or not these primary objectives would be met. If either or both of these project objectives would not be met, the alternative was not considered to be a viable alternative to the Proposed Project. As long as both of these project objectives would be met by the project alternative, regardless of whether or not the other project objectives would be met, the project alternative would be considered a viable alternative from the standpoint of meeting most of the basic CEQA objectives.

In order to ensure that the alternatives screening analysis incorporates the most up-to-date forecasted data available, subsequent to the release of the Draft EIR the CPUC requested that SCE provide power flow studies for the two No Project Alternatives, and Alternatives 1, 4, and 1 plus 4, incorporating SCE’s recent 10-year planning forecast data for the 2015 through 2024 planning period. The submitted data¹ was independently reviewed by the CPUC, the CPUC’s environmental consultant (i.e., Environmental Science Associates), and the CPUC’s electrical transmission planning consultant (i.e., Scheuerman Consulting) and was found to be sufficient and adequate for use in the EIR (see Response O9-1). For additional discussion about SCE’s forecasted peak load analyses used to gauge whether or not the project alternatives would meet the two primary objectives, refer to Master Response 5, *SCE’s Forecasted Peak Load Growth*.

¹ Southern California Edison, Application of Southern California Edison Company (U 338-E) for Approval of its Distributed Resources Plan, July 1, 2015.

SCE's power flow studies indicate that under the base case scenario, the Moorpark-Newbury-Pharmacy subtransmission line would be overloaded by year 2023 under Alternative 1, *Reconductoring*, which is sooner than the projected overload in 2026 under this alternative that was disclosed in the Draft EIR (see Draft EIR Section 4.5.1.2, *Rationale for Elimination*, page 4-12). For the N-1 scenario (i.e., loss of the Moorpark-Newbury-Pharmacy subtransmission line and reconnecting the Pharmacy Substation), each of the three alternatives would result in voltage drop violations at Newbury Substation as early as 2015, which is consistent with the information disclosed in the Draft EIR for those alternatives.

One commenter expressed concern that the Draft EIR alternatives analysis referenced load violations that would occur outside of the 10-year planning period in the context of discussing whether or not the CEQA objectives would be met. Draft EIR Chapter 4, *Project Alternatives*, has been updated to include the new SCE 10-year forecast data. Given the updated peak load forecast and power flow data, references to load and/or voltage violations projected to occur outside of the 10-year planning forecast associated with the alternatives is no longer applicable, and have been removed from the Draft EIR (see *Revisions to Draft EIR Chapter 4, Alternatives*, at the end of Master Response 1).

The updated peak load forecast and power flow data further substantiate the Draft EIR's findings that Alternatives 1 and 4, as well as a combination of Alternatives 1 and 4, would not meet the primary CEQA objectives. The Draft EIR also found that Alternative 5, *Demand-side Management*, and Alternative 6, *Renewable and Distributed Energy Generation Resources*, would not pass the alternatives screening relative to meeting most of the CEQA objectives (see Master Response 1B, below). Therefore, these project alternatives were also not considered for full analysis in the Draft EIR (see Draft EIR Chapter 4, *Alternatives*). Alternative 2, *West Side of 220 kV ROW*, and Alternative 3, *New 66 kV Line Collocated with the Existing Moorpark-Newbury-Pharmacy 66 kV Line*, passed the alternatives screening relative to meeting the CEQA objectives, but failed the alternatives screening relative to reducing environmental impacts associated with the Proposed Project (see below). In this manner, the EIR alternatives screening analysis satisfies the requirements pertaining to the evaluation of alternatives as required by CEQA.

Feasibility

As described in Draft EIR Section 4.2.3, *Feasibility* (page 4-5), CEQA Guidelines Section 15364 defines "feasible" as:

. . . capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Several commenters mistakenly indicated that the Draft EIR rejected Alternative 3, *New 66 kV Line Collocated with the Existing Moorpark-Newbury-Pharmacy 66 kV Line*, and Alternative 4, *Reconnect the Camgen Generator to the Moorpark System*, due to issues associated with feasibility. Although several feasibility-related issues identified by SCE for those alternatives were discussed in the Draft EIR, those issues were determined by the CPUC to not be based on fact and were disclosed as either being uncertain or unknown. For Alternative 3, regarding there being insufficient ROW north of State Route 118 to accommodate the required pole structures,

the Draft EIR found feasible the option to put the subtransmission line on the south side of the roadway. The project alternatives identified in the Draft EIR that were eliminated from full EIR analysis in part because they were determined to not be feasible were: (1) the option to underground the portion of the subtransmission alignment in the Santa Rosa Valley under Alternative 2, *West Side of 220 kV ROW*; (2) Alternative 5, *Demand-Side Management*, because demand-side management programs are not feasible on a scale that would be suitable to replace the Proposed Project within a reasonable time period; and (3) Alternative 6, *Renewable and Distributed Generation Energy Resources*, because even local renewable or distributed resources would require upgraded or new subtransmission infrastructure (see Draft EIR Sections 4.5.2.2, 4.5.5.2, and 4.5.6.2, on pages 4-16, 4-29, and 4-31, respectively).

In this manner, the EIR alternatives screening analysis relative to feasibility satisfies the requirements pertaining to the evaluation of alternatives as required by CEQA.

Avoiding Significant Effects of the Proposed Project

The alternatives considered in the EIR should reduce the significant unavoidable (Class I) environmental impacts of the Proposed Project, which are:

- **Air Quality:** Proposed Project construction activities would generate ozone precursor emissions (i.e., NO_x) that could contribute substantially to a violation of ozone air quality standards and would be cumulatively considerable. Significant unavoidable impacts would result from the combined emissions associated with the components of the Proposed Project.
- **Noise:** Proposed Project construction activities would generate noise levels in unincorporated Ventura County that would exceed Ventura County construction noise threshold criteria. Significant unavoidable impacts would result from the proposed conductor installation and helicopter activities.

The alternatives that met most project objectives and appeared feasible to the CPUC's analysis team (i.e., Alternatives 2 and 3) showed no ability to avoid or lessen the significant impacts of the Proposed Project; therefore, these project alternatives were not considered for full analysis in the Draft EIR (see Chapter 4, *Alternatives* in the Draft EIR). In this manner, the EIR alternatives screening analysis relative to the potential to reduce or eliminate the environmental impacts of the Proposed Project satisfies the requirements pertaining to the evaluation of alternatives as required by CEQA.

1B. Demand-side Management and Renewable and Distributed Energy Generation Alternatives

Demand-Side Management Alternative

Some commenters stated that the Draft EIR did not include a thorough analysis of a demand management alternative, and offered several demand-side management technology options that could be used as alternatives to the Proposed Project. Demand-side management programs are designed to reduce customer energy consumption. CPUC regulatory requirements dictate that supply-side and demand-side resource options should be considered on an equal basis in a

utility's plan to acquire lowest cost resources. These programs are designed to either reduce the overall use of energy or to shift the consumption of energy to off-peak times.

As discussed in Section 4.5.5 of the Draft EIR, an alternative evaluating demand-side management programs (Alternative 5) was considered and rejected for two reasons. First, such programs are voluntary and cannot be depended on to provide the capacity and/or reliability needs of SCE in the ENA, as stated in the objectives for the Proposed Project. Second, demand-side management programs are not feasible on a scale that would be suitable to replace the Proposed Project within a reasonable time period. As disclosed in Draft EIR Section 4.5.5.2, *Rationale for Elimination* (see Draft EIR page 4-29), and Master Response 5, below, reductions in energy demand through energy conservation and demand management programs are and will continue to be a part of SCE's future operations and are incorporated into its long-term peak load forecasts. The Draft EIR and several of the commenters listed existing conservation and demand management programs run by SCE or the CPUC; however, the programs require voluntary participation, and as separate and stand-alone programs, SCE and the CPUC cannot guarantee that such voluntary programs would provide either the capacity or reliability needs in the ENA, as stated in the Proposed Project objectives. For these reasons, this alternative was appropriately eliminated from further consideration in the Draft EIR.

Renewable and Distributed Energy Generation Resources Alternative

Many commenters expressed support for alternatives that feature preferred resources. (Note that several commenters used the term "preferred resources" to describe what the Draft EIR refers to as renewable and distributed energy generation resources (see Draft EIR Alternative 6)). Several commenters identified existing distributed or preferred resources projects and/or programs that would reduce the peak load forecasted for the ENA, negating the need for the Proposed Project.

As disclosed in Draft EIR Section 4.5.6.2, *Rationale for Elimination* (Draft EIR page 4-31), renewable resources are part of SCE's current and future operations and are incorporated into its long-term peak load forecasts, including the latest forecast for the 2015 through 2024 planning period (see Master Response 5, *SCE's Forecasted Peak Load Growth*). In its planning efforts for distribution systems (including the ENA of the Moorpark-Newbury 66 kV Line Project), SCE has incorporated the effects of photovoltaic installation, electrical vehicle charging, and energy efficiency programs by making adjustments to the load growth projections and demand forecasts using available information and the best practices of engineering judgment. Some other on-going programs and emerging technologies, such as battery storage, net zero energy homes, distribution resource plans, and electricity time-of-use technologies are in the early stages of deployment, and have not yet been fully quantified by SCE as to what their overall effects may be. Therefore, their current contributions to the 10-year forecasts are minor. As the other technologies mature, integration increases, and customer electrical use patterns evolve and are sufficiently documented, SCE expects that its planning processes will adapt in order to appropriately account for the effects on peak demand planning. However, ultimately a distributed generation alternative would involve deployment of generation in the form of many small projects within the ENA at a pace more aggressive than SCE anticipates, and has accounted for in its peak load forecasting (see Master Response 5, below).

In addition, a renewable resource alternative would not replace the need for upgrading the existing subtransmission infrastructure in the study area, and renewable resources would not meet the demand, reliability, or operational flexibility needs of SCE, as stated in the CEQA objectives for the Proposed Project. Even if distributed generation energy supply sources in the ENA were built, subtransmission capacity and substation voltage maintenance would continue to be a limiting factor requiring additional infrastructure. Because the potential for, and timing of, distributed generation within the ENA is uncertain and would require additional subtransmission infrastructure similar to the Proposed Project, this alternative was not carried forward for analysis. See Sections 4.5.6.1 and 4.5.6.2 of the Draft EIR (pages 4-30 through 4-32) for further information on these types of alternatives.

More than one commenter indicated that SCE's Distributed Resources Plan (DRP) identifies existing distribution facilities in the subject ENA that are sufficient to transport energy from preferred resources to compensate for the projected shortfall. To clarify, SCE filed its application for approval of its DRP with the CPUC on July 1, 2015 (SCE, 2015b).² The filing was the first step in a CPUC Order Instituting Rulemaking (OIR) to improve distribution-level interconnection rules and regulations for certain classes of electric generators and electric storage resources. Ultimately, utilities under the OIR will be required to prepare their distribution grids to enable the two-way transport of electricity on the grid required to facilitate the integration of distributed resources onto the grid at a high level. SCE's DRP is not yet approved by the CPUC. If approved, the proposed grid improvements identified in the DRP would likely be installed over a number of years to integrate more distributed resources. However, whether or not the distributed resources would be developed, and where and when they would come on line is still unknown, and improvements from this plan cannot currently be relied on to overcome the projected shortfall in the ENA that would be served by the Proposed Project.

Some commenters suggested that existing assembly bills (e.g., AB 32 and AB 327), the CPUC Loading Order, and Governor-mandated reductions in state GHG-emissions require that priority be given to preferred resources over generation and transmission projects. However, the referenced assembly bills, directive, and order do not require priority for any one alternative over the Proposed Project.

Several commenters indicate that implementation of preferred resources would be an appropriate alternative to the Proposed Project in part because the capacity of the existing line is not forecasted to be exceeded until year 2020 or 2021. As discussed in Response O9-1 and Master Response 5, subsequent to the release of the Draft EIR, SCE submitted revised power flow studies to the CPUC that are based on its new 10-year planning forecast for the 2015 through 2024 period. The revised studies indicate that without the Proposed Project a voltage violation at Newbury Substation and a line overload of the Thousand Oaks-Newbury 66 kV line would occur as early as 2015 under the N-1 abnormal system condition with the reconnection of Pharmacy Substation. Therefore, the premise that line loading or voltage violations are not projected to occur until 2020 or 2021 is false. One commenter indicated that the Draft EIR should have

² Southern California Edison, Application of Southern California Edison Company (U 338-E) for Approval of its Distributed Resources Plan, July 1, 2015.

analyzed an alternative that combines Alternatives 5 and 6; however, given the reasons described here and in the Draft EIR, combining the Alternative 5 and 6 would not result in a viable alternative to the Proposed Project.

1C. Environmentally Superior Alternative

Some members of the public disagreed with the Draft EIR's identification of the Environmentally Superior Alternative. As stated in Draft EIR Section 6.3, *Environmentally Superior Alternative*, No Project Alternative 1 would not result in any significant and unavoidable impacts, and would therefore be the Environmental Superior Alternative; however, pursuant to CEQA Guidelines 15126(e)(2), if the Environmentally Superior Alternative is the "no project" alternative, the EIR must also identify an environmentally superior alternative among the other alternatives (see Draft EIR page 6-6). As discussed in Draft EIR Chapter 4, *Project Alternatives*, the EIR team looked for alignment and/or system alternatives to the Proposed Project that could feasibly accomplish most of the basic objectives of the Proposed Project and could avoid or substantially lessen one or more of the significant effects, but did not identify any alternatives that met these criteria. Therefore, the Draft EIR discloses the Proposed Project as the Environmentally Superior Alternative, as there are no suitable alternatives that are not "no project" alternatives.

Revisions to Draft EIR Chapter 4, Project Alternatives

The last sentence on Draft EIR page 4-4 that continues on page 4-5 has been revised as follows:

It should be noted that these data were provided to the CPUC in response to CPUC Data Requests 3, ~~and 4, and 7~~ (SCE, 2014, ~~and 2015a, and 2015d~~, respectively) under confidential seal because they present critical infrastructure information.

The second column of the first row in Draft EIR Table 4-2 (see page 4-7) has been revised as follows:

Fails. The Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy line would overload in ~~2026,¹2023~~ and voltage violations are projected at Newbury Substation in 2015.

¹ ~~This date is outside the 10-year planning window. The load estimates for beyond the 10-year planning period are based on SCE's projections of 1.6 percent, 0.1 percent, and 1.1 percent growth per year at Newbury Substation, Pharmacy Substation, and Thousand Oaks Substation, respectively, beyond the 10-year planning period (SCE, 2014).~~

The second column of the fourth row in Draft EIR Table 4-2 (see page 4-8) has been revised as follows:

Fails. The Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy line would overload in ~~2026,²2023~~ and voltage violations are projected at Newbury Substation in 2015.

² ~~This date is outside the 10-year planning window. The load estimates for beyond the 10-year planning period are based on SCE's projections of 1.6 percent, 0.1 percent, and 1.1 percent growth per year at Newbury Substation, Pharmacy Substation, and Thousand Oaks Substation, respectively, beyond the 10-year planning period (SCE, 2014).~~

The first two paragraphs of the *Meeting Proposed Project Objectives* discussion for Alternative 1 on Draft EIR page 4-12 has been revised as follows:

The reconductoring of the subject 66 kV subtransmission lines would increase the normal capacity of the lines by approximately 20 MVA for a total of 125 MVA. Based on power flow analyses conducted for the base case (normal conditions) and contingency cases, it is anticipated that this additional 20 MVA would be sufficient to accommodate future load growth in the short term; however the Moorpark-Newbury-Pharmacy 66 kV line would overload by year 2023 under the base case. ~~but~~ In addition, Alternative 1 would not address future voltage violations at Newbury and Pharmacy substations. Although Alternative 1 would provide a short-term correction of the exceedance of the 5 percent voltage drop limit for the base case, voltage violations under this alternative are projected to occur ~~starting in 2026~~³ as early as 2015 under emergency conditions. ~~Analysis indicates a 5.3 percent voltage decrease would occur at Newbury Substation during the loss of the Moorpark-Newbury-Pharmacy line and the Pharmacy Substation load in 2026 (SCE, 2014 and 2015a).~~

~~Further~~ Analysis indicates that if the Pharmacy load were to be reenergized from the Newbury Substation side (served from Thousand Oaks Substation), the voltage decay at Newbury Substation in 2015 would increase to approximately ~~9.0~~ 18.2 percent (SCE, 2015ed). With the assumption that the Pharmacy Substation load would be reenergized, and given the ~~9.0~~ 18.2 percent voltage reduction noted in the 2015 model, voltage violations at Newbury Substation can be expected to occur the first year the alternative would be operational.

³ ~~SCE prepares load forecasts for its ENAs within a 10-year planning period. Within the Proposed Project area, SCE's most recent report is its 2014-2023 Peak Demand Forecast. Because a Proposed Project objective is to meet long-term (i.e., beyond 10-year) electrical service in the ENA, the analysis in this EIR looks beyond the 10-year planning period. SCE calculated normal and emergency capacities of the existing and potential new conductors beyond 2023 using data from the 2014-2023 Peak Demand Forecast, extrapolating projections beyond 2023 based on growth rates from 2014-2023.~~

The first paragraph of the *Meeting Proposed Project Objectives* discussion for Alternative 4 on Draft EIR pages 4-25 and 4-27 has been revised as follows:

Reconnecting Camgen to the Moorpark System would only provide a short-term solution to addressing voltage violations for the base case scenario. With Camgen reconnected to the Moorpark System, SCE anticipates that ~~the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would be subject to an overload under N-1 (contingency) conditions in the year 2027 (SCE, 2015a).~~ In addition, it is also expected that voltage violations would occur during the first year that this alternative would be operational with the loss of the Moorpark-Newbury line and the reconnection of the Pharmacy Substation load (SCE, 2015 ed). Accordingly, SCE would still need to have the Proposed Project operational to address this forecasted N-1 violation on the Moorpark System. Therefore, Alternative 4 is not considered to be a viable alternative to the Proposed Project and has been eliminated from full consideration in this EIR.

The second paragraph of Section 4.5.4.3, *Combination of Alternatives 1 and 4 – Reconductoring plus Camgen Reconnection*, on Draft EIR pages 4-28 and 4-29 has been revised as follows:

As noted above, reconductoring a portion of the Moorpark-Newbury-Pharmacy line and the Newbury-Thousand Oaks line would provide sufficient line capacity ~~(normal and emergency)~~ in the short term; however the Moorpark-Newbury-Pharmacy 66 kV line would overload by year 2023 under the base case. going forward, but In addition, it would not solve long-term voltage violations at Newbury Substation. With the loss of the Moorpark-Newbury-Pharmacy line and the Pharmacy Substation load, and with the Camgen generator operating, voltage at Newbury Substation would remain within an acceptable range, dropping only ~~1.9-1.2~~ percent. However, upon reenergizing the Pharmacy load, the voltage at Newbury ~~and Pharmacy~~ substations would plunge, resulting in a total decrease of ~~6.3-6.6~~ percent for year ~~2026-2015~~ compared to pre-outage conditions. ~~Given the relatively slow load growth projected for the area, the 6.3 percent voltage drop noted in SCE's power flow plots for 2026 translates to a voltage loss of slightly more than 5 percent in 2015.~~ This would exceed SCE's limit of a 5 percent drop in voltage, resulting in a voltage violation.

The following reference has been added to References – Alternatives, on Draft EIR page 4-32.

SCE, 2015d. Responses to California Public Utilities Commission (CPUC) Data Request 7 for the Moorpark-Newbury 66 kV Subtransmission Line Project, submitted September 9 and 10, 2015.

3.1.2 Master Response 2: Non-CEQA Issues

Summary of Issues Addressed in Master Response 2

2A. Past CPUC Procedural Activities

Commenters questioned and requested additional information about the CPUC's reasons for exempting the project from Permit to Construct (PTC) requirements and the legality of SCE's past construction activities.

2B. Proceeding for SCE's Application for a Permit to Construct the Proposed Project (A.13-10-021)

Commenters requested clarity about the difference between the CEQA (i.e., environmental) review process and other CPUC review processes (e.g., those that consider social and economic issues). Many commenters felt there is a conflict of interest, and expressed the desire for CPUC staff involved in past CPUC procedural activities to recuse themselves from the Proceeding for the Proposed Project.

2C. Project Need

Commenters questioned the necessity of the Proposed Project.

2D. Electric and Magnetic Fields (EMF)

Commenters expressed concerns about effects associated with EMFs. This response discusses the CPUC policy for evaluation of EMFs in CEQA reviews.

2E. Economic Impacts

Commenters expressed concerns about the Proposed Project's effects on property values, SCE rate increases, and other economic impacts.

Summary of Commenters and Comments

Commenter	Comments Addressed by Master Response 2
Center for Biological Diversity	O2-3, O2-10, O2-14, O2-15, O2-16
County of Ventura Resource Management Agency, Planning Division	O3-3
Santa Rosa Valley Municipal Advisory Council	O11-1, O11-4
Wildwood Ranch Homeowner Association	O12-1, O12-4
Kelly Hall	I1-2, I1-5
Marnie and Lou Volpe	I2-2, I2-4
Marnie and Lou Volpe	I3-2
Petition- Multiple Individuals	I5-3, I5-9
Cheryl Crandall	I6-3
Brooks Bonvenuto	I7-3, I7-4, I7-9
Tom Bonvenuto	I8-3, I8-4, I8-9
Brendan Fitzpatrick	I9-3, I9-9, I9-10, I9-11, I9-16, I9-17
Pamela Johnson	I10-3, I10-4, I10-9
Tammy Gunther	I11-3, I11-4, I11-9
Denise Elston	I12-1, I12-2, I12-7, I12-8
Kevin Cannon	I13-3, I13-4, I13-9
Tammy Gunther	I14-7, I14-8
Linda Cannon	I15-1
Amy Elliot	I16-3, I16-4, I16-9, I16-10, I16-11, I16-16, I16-17
John Elliot	I17-3, I17-4, I17-9, I17-10, I17-11, I17-16, I17-17
Barbara Moore	I18-3, I18-4, I18-9
Krista Pederson	I19-3, I19-3, I19-4, I19-5, I19-9, I19-14
Patricia Becker	I20-3, I20-4, I20-9
Merrill Berge	I21-1, I21-2, I21-7, I21-8
Nina Brandt	I22-3, I22-4, I22-9
Denise Elston	I23-3, I23-4, I23-9
Nicole Hauth	I24-3, I24-4, I24-9
Donna Johanson	I25-1, I25-2, I25-7, I25-8
Jimmie Johnson	I26-1, I26-3, I26-5
Peggy and Alan and Peggy Ludington	I27-1, I27-15, I27-20, I27-26, I27-30, I27-62, I27-63, I27-64, I27-68, I27-69, I27-70, I27-72, I27-73
Marie and Houchyar Zolfagheri	I28-1, I28-2, I28-7, I28-8
Phil Pederson	I29-3, I29-4, I29-5, I29-8, I29-9, I29-14
Kristine Supple	I30-3, I30-7, I30-8, I30-9, I30-10, I30-11, I30-16, I30-17
David Tanner	I-31
Hillary Wilkinson	I32-3, I32-4, I32-9

Commenter	Comments Addressed by Master Response 2
Gill (Unknown full name)	I33-1, I33-2, I33-7, I33-8
Kimme Black	I34-3, I34-4, I34-9
Cathryn Andresen	I35-4
Johanne Zell	I36-3, I36-4, I36-9
Ralph and Marvella Carmichael	I37-3, I37-4, I37-9
Nancy Harris	I38-3, I38-6
Carole Hunter	I39-3, I39-4, I39-9
L. Vanoni	I40-1, I40-2, I40-7, I40-8
Arline Young	I41-3, I41-4, I41-9
Lidia Bailey	I42-3, I42-4, I42-9
Barry Becker	I43-3, I43-4, I43-9
Barry Becker	I44-1, I44-2, I44-7, I44-8
Barry Brown	I45-3, I45-4, I45-9, I45-16, I45-17, I45-10, I45-11
Suzanne Camejo	I46-1, I46-2, I46-5
John and Jessica Graham	I47-3, I47-4, I47-9
Doug and Jennifer Price	I48-1, I48-3
Robert Wyman	I49-3, I49-4, I49-9
Chuck Cronin	I50-9, I50-11, I50-12, I50-13, I50-30
Marnie and Lou Volpe	I51-3, I51-9
Jan Levin	I52-3, I52-9, I52-10, I52-11, I52-16, I52-17
Jerami Prendiville	I53-3, I53-9
David and Pamela Hage	I55-3, I55-9
Joseph and Jane Riggio	I57-3, I57-9
Unidentified speaker	PM-1, PM-5, PM-6, PM-7, PM-8, PM-18, PM-19, PM-20, PM-21, PM-22, PM-23, PM-24, PM-25, PM-26, PM-33, PM-34, PM-35, PM-38, PM-39, PM-40, PM-41, PM-42, PM-43, PM-44, PM-45, PM-46
Kelly Hall	PM-53
Mark Burley	PM-73, PM-76
Alan Ludington	PM-77, PM-80, PM-81
Penelope Burley	PM-82
Damon Wing	PM-84, PM-86, PM-87, PM-91
Peggy Ludington	PM-98, PM-99, PM-100, PM-101, PM-102, PM-105
William Brandt	PM-109
Herb Potter	PM-111
Danalynn Pritz	PM-115, PM-116, PM-118, PM-119
Kim Ramseyer	PM-121
Ken Gordon	PM-124

Response

2A. Past CPUC Procedural Activities

Advice Letter Proceeding

Several commenters questioned and requested additional information about the CPUC's reasons for originally exempting the project from Permit to Construct (PTC) requirements. Although comments related to past CPUC procedural activities associated with the project are not relevant to the adequacy or accuracy of the Draft EIR, this response is provided for information purposes.

Draft EIR Chapter 2, *Background*, provides an overview of past CPUC procedural activities, past construction activities associated with the Moorpark-Newbury 66 kV Subtransmission Line, and the environmental effects of past construction activities as reported by SCE in its Proponent's Environmental Assessment (PEA). As described in Section 2.2, *CPUC Procedural Activities*, SCE filed Advice Letter 2272-E in 2008, notifying the CPUC of SCE's proposed construction of the project. Advice Letter 2272-E explained that the project would be exempt from PTC requirements pursuant to General Order (GO) 131-D, Section III, Subsection B.1.g. (Exemption g.). In 2009, the CPUC approved SCE's request for an exemption from requirements for filing a PTC. As approved, Resolution E-4243 affirmed the findings of the previously issued Resolution E-4225, found that the project qualified for Exemption g, and dismissed related protests.³

However, in April 2010, several individuals filed an Application for a Rehearing of the Commission's approval of Resolution E-4243. Because that Application for Rehearing did not request a stay of construction, and because the CPUC did not issue a stay of construction, construction of the project commenced in October 2010. In 2011, the CPUC issued Decision 11-11-019, which granted a rehearing based on CPUC's concern that the informal nature of the prior proceeding may have prevented an adequate record from being developed, and because Resolution E-4243 did not address certain material issues. SCE was required to cease all construction activity associated with the project, and to submit a PTC application if it wished to continue constructing the project.

Draft EIR Chapter 2 is consistent with the requirements of CPUC Decision 11-11-019, which stipulates that "Any application for a Permit to Construct that is filed shall disclose the extent of any construction that has occurred and contain an evaluation of the effect of that construction on the permitting process." However, the Draft EIR provides the effects of past project construction for informational purposes only, and does not assign impact significance determinations (e.g., less than significant impact, less than significant with mitigation). Many commenters expressed the opinion that the activities that occurred under the Advice Letter Proceeding should be evaluated for significance in this EIR, and feel that the CPUC has piecemealed its review of the project. For discussion on those issues, refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.

Some comments expressed concern that there were elicited communications between former CPUC staff members and SCE while the Rehearing Application was still pending that indicate a CPUC bias towards SCE, and others suggested that the CPUC should not have allowed SCE to begin construction of the project while the Application for Rehearing was being considered. These comments are acknowledged, but pursuant to CPUC Decision 11-11-019, the Advice Letter Proceeding has been dismissed, and is not directly relevant to this Proceeding for SCE's Application for a PTC for the Proposed Project (A.13-10-021), or to the adequacy or accuracy of the Draft EIR.

³ For a summary of the reasons why the CPUC Energy Division's Executive Officer originally found that the project qualified for Exemption g, refer to the *Findings* discussion in Resolution E-4243, which is available at the CPUC's webpage under the *Advice Letters* heading at: <http://www.cpuc.ca.gov/PUC/energy/Environment/>

Legality of Previous Construction Activities

A number of the commenters have expressed the opinion that the previous construction activities were conducted illegally, and therefore, should not be excluded from the CPUC's CEQA review. This response discusses these suggestions as they pertain to the EIR baseline.

To CPUC's knowledge, there was no illegal activity conducted relative to the previous construction activities associated with the project. As disclosed in Draft EIR Chapter 2 and summarized above, in 2008 SCE requested that the project be exempt from the CPUC's PTC requirements, including the CEQA review. In 2009, the CPUC approved SCE's request for an exemption from requirements for filing a PTC, and SCE began to construct the project in 2010. However, in 2011, the CPUC issued Decision 11-11-019, which granted a rehearing based on legal error of the previous approval for the project; thus, SCE was required to cease all construction activity associated with the project, and to submit a PTC application if it wished to continue constructing the project. The main reason the Commission granted a rehearing is because it found that the informal methods it used in the advice letter proceeding may have interfered with the proper development of the record (Decision 11-11-019, page 2).

Regardless of whether the CPUC's informal methods could have interfered with the proper development of the record for the Advice Letter Proceeding, there was no illegal conduct by SCE or CPUC relative to the previous construction activities associated with the project. Solely for the purpose of discussion, it wouldn't have mattered for the current CEQA process if it had. As noted by the court in *Riverwatch v. County of San Diego*, 76 Cal.App.4th 1428 (1999), preparation of an EIR is not the appropriate forum for determining the nature of any prior illegal conduct of a project applicant. The general rule stated in CEQA Guidelines Section 15125(a) that "environmental impacts should be examined in light of the environment as it exists when a project is approved" remains good law. Applying that decision here, baseline conditions reflect actual physical conditions in the environment as of the date of the Notice of Preparation (NOP). On March 26, 2014, the date for the NOP for the Proposed Project, evidence of construction (e.g., tubular steel poles (TSP) and light-weight steel (LWS) poles) was apparent in the environment and so properly was considered to be part of baseline condition. While the fact of the presence of those TSPs and LWS poles is important to a correct characterization of the baseline, the reason for their presence is irrelevant to the CEQA process. Consistent with the court's decision in *Riverwatch*, regardless of the manner in which the CPUC originally granted SCE permission to begin construction of the project, from a CEQA perspective it would not be appropriate for the CPUC to evaluate the previous construction activities as if they were separate from the environmental baseline.

2B. Proceeding for SCE's Application for a Permit to Construct the Proposed Project (A.13-10-021)

CEQA Review and the Administrative Law Judge (ALJ) Process

Several commenters expressed the opinion that the CPUC should not be the CEQA Lead Agency for the environmental review of the project. The CPUC is the Lead Agency for the environmental review of the project because the Commission has discretionary approval authority over all PTC applications for electrical infrastructure facilities. Under CPUC procedures, the Application for a

PTC follows a bifurcated, two-track process. The process is usually prescribed in scoping memo issued by the ALJ and assigned Commissioner. The scoping memo includes instructions to parties on which issues will be litigated before the ALJ and which issues will be addressed through the CEQA process carried out by the CPUC's Energy Division.

Typically, once the final environmental document is prepared by the Energy Division, it is provided to the ALJ who submits it into the record of the proceeding. The ALJ then considers the environmental impacts as one component of a proposed decision determining whether to grant the permit. The Commission ultimately votes on the proposed decision and determines whether to certify the environmental document.

Staff Roles

Some commenters expressed the opinion that, due to the long and complicated history of this project, CPUC Energy Division staff working on the project may have a conflict of interest that prevents objective treatment of this project. None of these comments demonstrate an actual conflict or cite any relevant legal authority. Staff assignments on this project are typical for CPUC projects, and as noted above, there was no illegal activity conducted relative to the previous construction activities associated with the project. The CPUC's Energy Division Managers assign projects to individual analysts; the assigned analyst usually remains with the project until completion. This has been the case with SCE's Moorpark-Newbury project. The assigned analyst has remained with the project from the initial Advice Letter filing through to the present time. The assigned analyst is not a decision maker under CPUC rules. The analyst is the project manager for the environmental review process and ensures that the environmental document complies with CEQA. This includes the technical analysis of all environmental impact areas, evaluation of alternatives, and the public participation process. The ALJ considers the environmental impacts as one component of a proposed decision determining whether to grant the permit, and the Commission ultimately votes on the proposed decision and determines whether to certify the environmental document.

2C. Project Need

General Order No. 131-D, Section IX.B.1.f. states: "an application for a permit to construct need not include either a detailed analysis of purpose or necessity, a detailed estimate of the cost and analysis... beyond that required for CEQA compliance."

The July 2014 Scoping Report issued for the Proposed Project also noted that the EIR would not consider comments that pertain to SCE's determination of project need: "The CEQA process does not require the EIR to assess project need as established by the project applicant. In addition, CPUC General Order 131-D does not require an affirmative showing of need for projects under 200 kV and this issue is not generally litigated in PTC proceedings." Accordingly, the EIR studied two "No Project Alternative" scenarios that examined the environmental impacts of not building the Proposed Project, but not the need for or economic cost of the Proposed Project. This reasoning is supported by CPUC Decision 94-06-014, which adopted General Order No. 131-D:

“The process we adopt for lines between 50 and 200 kV differs from the review that results in the issuance of a Certificate of Public Convenience and Necessity (CPCN) for lines over 200 kV. The process will result in a ‘permit to construct’ and our review will focus solely on environmental concerns, unlike the CPCN process which considers the need for and the economic cost of a proposed facility.”

“Because the Permit to Construct (PTC) review focuses solely on environmental issues, the Commission, on the advice of Commission staff, shall issue or deny a permit as soon as it may legally do so following completion of the requisite CEQA review.”

“The Energy Division of the CPUC in conjunction with other parties developed a (PTC) procedure for power lines designed to operate between 50 and 200 kV. The (PTC) review is meant strictly for environmental review, not economic or ‘needs’ review.”

Although the CEQA process does not require the EIR to assess project need as established by SCE, it was necessary for the CPUC to evaluate the ability of the project alternatives to meet CEQA objectives, including those based on reliability and capacity. Refer to Master Response 1A for information related to how the project alternatives were evaluated in relation to the CEQA objectives.

2D. EMFs

The potential relevance and effects of EMFs are discussed in Draft EIR Chapter 3, *Project Description*, and Appendix C, *Field Management Plan*. As described in Section 5 of the Moorpark-Newbury 66 kV Subtransmission line Project Scoping Report published in July 2014 (page 18):

The EIR will not consider electric and magnetic fields (EMF) in the context of the CEQA analysis of potential environmental impacts because [1] there is no agreement among scientists that EMF creates a potential health risk, and [2] there are no defined or adopted CEQA standards for defining health risk from EMF. Presently, there are no applicable federal, State, or local regulations related to EMF levels from power lines or related facilities, such as substations. However, CPUC policies and procedures (as reflected in decision D.06-01-042) require utilities to incorporate “low-cost” or “no-cost” measures for managing EMF from power lines up to approximately 4 percent of the total project cost.

Draft EIR Section 3.9, *Electric and Magnetic Field Summary* (page 3-45 et seq.), describes the CPUC’s approach to analysis of EMF, which is to consider it outside the scope of the EIR in the absence of regulations or standards that would inform significance determinations. Appendix C to the Draft EIR (page C-1 et seq.) includes quantitative estimates of EMFs that would be generated by the Proposed Project and describes the measures SCE would implement, in compliance with CPUC requirements, to reduce EMFs from the Proposed Project.

2E. Economic Impacts

According to the CEQA Guidelines (§15358 [b]), impacts to be analyzed in an EIR must be “related to physical changes” in the environment. Neither CEQA nor the CEQA Guidelines directly requires an analysis of a project’s social or economic effects because such impacts are

not, in and of themselves, considered significant effects on the environment. CEQA Guidelines Section 15131(a) states:

“Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes caused in turn by economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.”

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in an EIR if the physical effects would be significant (see Guidelines §15358[a][2]).

Consequently, under CEQA, economic impacts to land owners and businesses are generally only relevant if the magnitude and severity of the losses would result in adverse physical changes (such as irreparable damage to land conditions or elimination of agricultural productivity). Thus, concerns about SCE rate increases are beyond the scope of CEQA analysis and such concerns are addressed by the CPUC external to the EIR process, as part of the rate making process.

Numerous commenters expressed concern about potential adverse effects on property values from the Proposed Project. Property value change is a purely economic concern and therefore not a CEQA issue. Projecting the magnitude of any decrease in property values, which are affected by multiple factors, would require extensive real estate market analysis and is beyond the scope of environmental review under CEQA.

3.1.3 Master Response 3: CEQA Baseline and Piecemeal Review of the Project

Summary of Issues Addressed in Master Response 3

Commenters disagreed with the EIR’s definition of the Proposed Project and its baseline, and some expressed concerns that the project has been split into two projects in an attempt to avoid environmental analysis.

Summary of Commenters and Comments

Commenter	Comments Addressed by Master Response 3
Center for Biological Diversity	O2-2, O2-3, O2-4, O2-5, O2-6, O2-7, O2-8, O2-9, O2-10, O2-12, O2-14, O2-16
County of Ventura Resource Management Agency, Planning Division	O3-5, O3-6, O3-10
Board of Supervisors, County of Ventura	O8-3
Santa Rosa Valley Municipal Advisory Council	O11-1, O11-2, O11-3, O11-4, O11-7

Commenter	Comments Addressed by Master Response 3
Wildwood Ranch Homeowner Association	O12-1, O12-2, O12-3, O12-7
Kelly Hall	I1-4
Petition - Multiple Individuals	I5-1
Cheryl Crandall	I6-1
Brooks Bonvenuto	I7-1
Tom Bonvenuto	I8-1
Brendan Fitzpatrick	I9-1, I9-10, I9-11, I9-12, I9-17
Pamela Johnson	I10-1
Tammy Gunther	I11-1
Denise Elston	I12-1, I12-2, I12-3, I12-8
Kevin Cannon	I13-1
Tammy Gunther	I14-1, I14-3, I14-8
Amy Elliot	I16-1, I16-10, I16-12, I16-13, I16-17
John Elliot	I17-1, I17-10, I17-11, I17-12, I17-17
Barbara Moore	I18-1
Krista Pederson	I19-5, I19-6
Patricia Becker	I20-1
Merrill Berge	I21-1, I21-2, I21-3, I21-8
Nina Brandt	I22-1
Denise Elston	I23-1
Nicole Hauth	I24-1
Donna Johanson	I25-1, I25-2, I25-3, I25-8
Jimmie Johnson	I26-2
Peggy and Alan Ludington	I27-3, I27-5, I27-8, I27-10, I27-11, I27-12, I27-13, I27-14, I27-16, I27-19, I27-20, I27-21, I27-26, I27-27, I27-69, I27-71, I27-72
Marie and Houchyar Zolfagheri	I28-1, I28-2, I28-3, I28-8
Phil Pederson	I29-5, I29-6
Kristine Supple	I30-1, I30-10, I30-11, I30-12, I30-17
David Tanner	I31-1
Hillary Wilkinson	I32-1
Gill (Unknown full name)	I33-1, I33-2, I33-3, I33-8
Kimme Black	I34-1
Johanne Zell	I36-1
Ralph and Marvella Carmichael	I37-1
Nancy Harris	I38-1
Carole Hunter	I39-1
L. Vanoni	I40-1, I40-2, I40-3, I40-8
Arline Young	I41-1
Lidia Bailey	I42-1
Barry Becker	I43-1
Barry Becker	I44-1, I44-2, I44-3, I44-4, I44-8
Barry Brown	I45-1, I45-10, I45-11, I45-12, I45-17
Suzanne Camejo	I46-2
John and Jessica Grahm	I47-1
Doug and Jennifer Price	I48-2
Robert Wyman	I49-1
Marnie and Lou Volpe	I51-1

Commenter	Comments Addressed by Master Response 3
Jan Levin	I52-1, I52-10, I52-11, I52-12
Jerami Prendiville	I53-1
David and Pamela Hage	I55-1
Joseph and Jane Riggio	I57-1
Unidentified speaker	PM-19
Kelly Hall	PM-52
Molly Pei	PM-66
Mark Burley	PM-74, PM-75
Damon Wing	PM-87, PM-88, PM-90, PM-91, PM-92
Herb Potter	PM-113
Danalynn Pritz	PM-114, PM-116, PM-119, PM-120

Response

Definition of the Proposed Project and EIR Baseline

A number of comments question the EIR's definition of the Proposed Project, and disagree with the inclusion of the previously constructed components of the project as part of baseline conditions. This response discusses the definition of the Proposed Project and CEQA requirements associated with evaluation of projects relative to the EIR baseline.

As explained in the EIR Scoping Report (see Draft EIR Appendix A) and Draft EIR Section 2.2, *Procedural Activities*, through consultation with the CPUC Staff Council and consistent with CEQA Guidelines Section 15125(a), the CPUC Energy Division staff determined that SCE's past project-related activities and their associated environmental effects (described in Draft EIR Chapter 2, *Background*) properly should be considered as part of the environmental baseline conditions, and as such they are included in the environmental settings provided in Sections 5.1, *Aesthetics*, through 5.18, *Utilities and Service Systems*. Because past project construction activities are not part of the Proposed Project, they are not analyzed in Chapter 5, *Environmental Analysis*, of the Draft EIR. It should be noted, however, that operation and maintenance of the facilities that were built during past construction activities are part of the Proposed Project, and are analyzed in Chapter 5 of the Draft EIR.

Some commenters suggest that the definition of the Proposed Project in the CPUC's Scoping Report is arbitrary. Contrary to these suggestions, the definition of the Proposed Project is consistent with CEQA Guidelines Section 15125(a) and relevant case law, and is supported by substantial evidence. Some commenters suggest that the EIR project description has been rewritten compared to the project description provided in SCE's application and PEA for a results-oriented, inaccurate description designed to minimize the environmental impacts. This is also incorrect. To comply with CEQA, it was necessary for the CPUC to craft the definition of the Proposed Project to exclude construction of the components that have already been constructed. Those components of the project were initially approved by the CPUC through its Advice Letter Proceeding, although that initial approval was withdrawn with issuance of Commission Decision D.11-11-019.

One commenter noted that courts have recognized there may be situations where it is appropriate for a lead agency to elect a different baseline method other than the date of the NOP citing *Kenneth F. Fat v. County of Sacramento*, 97 Cal.App.4th 1270, 1278 (2002). The CPUC acknowledges that there may be situations where a lead agency could use a different baseline scenario; however, the same decision referenced by the commenter found that the use of a baseline that is set back in time to conditions that are not current would be difficult to define, and would result in a hypothetical analysis. The baseline identified in the Draft EIR is consistent with CEQA requirements.

Several commenters suggest that since SCE included the previous construction activities within its PTC application, this is proof that SCE is seeking permission to also construct those components of the project in addition to the components yet to be constructed, and therefore the PTC that would be issued by CPUC should cover those construction activities. Similarly, some commenters quote CPUC Decision 11-11-019's reference to "the power line described in Advice Letter 2272-E" as additional proof that the past construction activities should be included in the PTC process. To clarify, SCE does not need a permit to conduct the previous construction activities because those activities have already occurred and were constructed in accordance with the CPUC's approval. Therefore, the PTC for this proceeding would not cover those construction activities.

Several members of the public commented that the previous construction activities combined with the Proposed Project should have been used for the comparison of alternatives with regard to environmental impacts. The CPUC disagrees. The previous construction activities are not subject to approval associated with this PTC proceeding; therefore, as described above they are not considered to be part of the Proposed Project. The CPUC is not persuaded to compare the alternatives to anything other than the Proposed Project for the purposes of determining if they could substantially lessen any significant effects of the Proposed Project.

Piecemeal Review of the Project

Some commenters suggest that the project is a "multiple or phased project" and therefore should be evaluated using a Program EIR while others question whether the EIR attempts to split the project into two separate projects to evade full CEQA review. To be clear, there is only one project: the one described in Draft EIR Chapter 3, *Project Description*.

As defined in the CEQA Guidelines, the term "project" has two essential elements: first, it is an activity involving the issuance by a public agency of some form of discretionary authorization, and second, it is a proposed activity that may cause a direct or reasonably foreseeable indirect effect on the physical environment (Pub. Res. Code §21065; CEQA Guidelines §§15002(d), 15378). In this instance, the Applicant has applied for a PTC, which involves discretionary decision-making pursuant to the current Proceeding. The current Proceeding is distinct from the prior Advice Letter Proceeding. The Draft EIR endeavors to clarify the two proceedings. As described in Draft EIR Section 2.1, *Introduction*, the portion of the Moorpark-Newbury 66 kV Subtransmission Line that has already been constructed is referred to as "the project" or "past construction" and portions of the Moorpark-Newbury 66 kV Subtransmission Line yet to be

constructed are referred to as the “Proposed Project.” These definitions acknowledge the factual context of the Proposed Project and consistent use of these terms throughout the document are intended to maintain a clear distinction within the Draft EIR between the history of the prior Advice Letter Proceeding and the current Proceeding. To emphasize, the current Proceeding is the relevant discretionary decision-making process, the effects of which are considered in this EIR.

The suggestion that the project is a “phased project” as discussed in CEQA Guidelines Section 15165 is incorrect. CEQA Guidelines Section 15165 does not apply to development that the lead agency is not currently proposing to approve. *Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1358 n9 (2001), as modified on denial of reh'g (Sept. 26, 2001) (“The fact that the Guideline refers to ‘projects ... to be undertaken’ confirms that it is intended to apply only to project components that an agency is proposing to implement. It does not extend to... development the agency is not proposing to approve or undertake.”). The prior activities were implemented pursuant to an exemption approved in February 2009, and are not now before the CPUC for an additional authorization. SCE’s submittal of a PTC application, dated October 28, 2013, triggered the current analysis as part of the Commission’s consideration of SCE’s PTC application. The CPUC had no knowledge when it approved the exemption that work on the project would be halted per Commission Decision 11-11-019 or that a subsequent PTC application would be filed. Therefore, any suggestions that CPUC attempted to split the project into two to avoid full CEQA review or that the project is a phased project, are mistaken. A few commenters indicate that the Proposed Project should be evaluated using a Program EIR based on the definition in CEQA Guidelines Section 15168. However, this argument is invalidated on the premise that there are not a *series of actions* to be considered by the Commission. As described above, there is only one project, or action, to be considered by the Commission.

Some comments cite CEQA Guidelines Section 15378(a) as evidence that CPUC has piecemealed its review of the project. It is well established that “CEQA forbids ‘piecemeal’ review of the significant environmental impacts of a project.” *Banning Ranch Conservancy v. City of Newport Beach*, 211 Cal.App.4th 1209, 1222 (2012). Instead, CEQA requires “that environmental considerations do not become submerged by chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences.” *Bozung v. Local Agency Formation Commission*, 13 Cal.3d 263, 283–284 (1975). Thus, for CEQA purposes, the term “project” is defined broadly as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...” (CEQA Guidelines §15378(a)). At the other end of the spectrum, power line facilities or substations to be located in an existing franchise, roadwidening setback easement, or public utility easement; or in a utility corridor designated, precisely mapped and officially adopted pursuant to law by federal, state, or local agencies for which a final Negative Declaration or EIR finds no significant unavoidable environmental impacts are exempt from CEQA. Courts “do not require prophecy” in matters of CEQA. *Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1360 (2001), as modified on denial of reh'g (Sept. 26, 2001).

As noted above, the CPUC did not and could not have known when it approved the exemption in February 2009, that work on the project would be halted per Commission Decision 11-11-019 or that a subsequent PTC application would be filed. Accordingly, it could not have segmented the project at that time. The CPUC also did not segment the Proposed Project when the PTC was filed on October 28, 2013, and a decision was made to proceed with an EIR. At that point, the CPUC was compelled by CEQA and the CEQA Guidelines to analyze the potential effects of the project relative to actual conditions in the physical environment, which already included built aspects of the earlier decision-making process. For these reasons, no improper segmentation has occurred.

3.1.4 Master Response 4: Cumulative Effects Associated with Past Construction Activities

Summary of Issues Addressed in Master Response 4

Commenters have indicated that the previous construction activities should be treated as a past project for the purpose of the cumulative impact analysis.

Summary of Commenters and Comments

Commenter	Comments Addressed by Master Response 4
Center for Biological Diversity	O2-7, O2-10, O2-11
Santa Rosa Valley Municipal Advisory Council	O11-2, O11-5
Wildwood Ranch Homeowner Association	O12-2, O12-5
Marnie and Lou Volpe	I3-2
Petition- Multiple Individuals	I5-2
Brooks Bonvenuto	I7-2
Tom Bonvenuto	I8-2
Brendan Fitzpatrick	I9-2, I9-12
Pamela Johnson	I10-2
Tammy Gunther	I11-2
Denise Elston	I12-3
Kevin Cannon	I13-2
Tammy Gunther	I14-3
Amy Elliot	I16-2, I16-12
John Elliot	I17-2, I17-12
Barbara Moore	I18-2
Krista Pederson	I19-7
Patricia Becker	I20-2
Merrill Berge	I21-3
Nina Brandt	I22-2
Denise Elston	I23-2
Nicole Hauth	I24-2
Donna Johanson	I25-3
Alan and Peggy Ludington	I27-27, I27-28, I27-32, I27-34, I27-37, I27-71
Marie and Houchyar Zolfagheri	I28-3
Phil Pederson	I29-7

Commenter	Comments Addressed by Master Response 4
Kristine Supple	I30-2, I30-12
David Tanner	I31-1
Hillary Wilkinson	I32-2
Gill (Unknown full name)	I33-3
Kimme Black	I34-2
Johanne Zell	I36-2
Ralph and Marvella Carmichael	I37-2
Nancy Harris	I38-2
Carole Hunter	I39-2
L. Vanoni	I40-3
Arline Young	I41-2
Lidia Bailey	I42-2
Barry Becker	I43-2
Barry Becker	I44-3
Barry Brown	I45-2, I45-12, I45-13
John and Jessica Graham	I47-2
Doug and Jennifer Price	I49-2
Marnie and Lou Volpe	I51-2
Jan Levin	I52-2, I52-12, I52-13
Jerami Prendiville	I53-2
Kathleen and Kent Corzine	I54-3
David and Pamela Hage	I55-2
Joseph and Jane Riggio	I57-2
Unidentified speaker	PM-2, PM-3, PM-4
Kelly Hall	PM-49
Danalynn Pritz	PM-120

Response

Some commenters suggest that the Draft EIR should have identified the previous construction activities associated with the project as a “past project” in terms of the cumulative impact analysis. The CPUC agrees, and considered them as such in the Draft EIR to the extent that those past actions have ongoing effects that could interact with those of the Proposed Project to cause or contribute to cumulative effects. The Draft EIR contains an error in this regard related to the description of how the past project activities are evaluated relative to cumulative impacts. To clarify that past construction activities are considered in Chapter 6, *Cumulative Effects*, to the extent that they are causing continuing impacts that could combine with those of the Proposed Project, the following revisions have been made to the fifth paragraph in Draft EIR Section 2.2, *CPUC Procedural Activities* (see page 2-2):

Therefore, past project activities are not analyzed in Chapter 5, Environmental Analysis, of this EIR, ~~and because the components of the project completed during the past construction activities are considered to be part of the EIR baseline and will not~~ However, to the extent that past project activities have continuing effects that could combine with those of the Proposed Project, these components are not identified or analyzed as a “past project” in Chapter 7, *Cumulative Effects*.

For example, the effects of past projects are disclosed in the third paragraph of the cumulative effects analysis in Draft EIR Section 7.2.1, *Aesthetics* (see pages 7-2 and 7-7) as follows:

The Proposed Project would contribute to cumulative adverse influences where aboveground facilities or evidence of underground facilities (e.g., cleared ROWs) occupy the same field of view as other built facilities or impacted landscapes that are currently in the viewsheds of sensitive viewers in the Proposed Project area. Existing utility infrastructure (described in the impact analysis above), including transmission lines and substations, have compromised the existing visual setting in the Proposed Project vicinity. The Proposed Project, along with the past, present, and reasonably foreseeable projects, would not create a cumulatively significant effect because it would not dominate the landscape setting or significantly alter existing scenic quality or viewsheds. The Proposed Project's contribution would not be cumulatively considerable (Class II).

As analyzed in Draft EIR Chapter 7, *Cumulative Effects*, the only significant and unavoidable cumulative impact identified for the Proposed Project is associated with the short-term generation of pollutant emissions during construction when combined with the emissions-related impacts of other projects that would be constructed concurrently with the Proposed Project (see the first and second paragraphs in Draft EIR Section 7.2.3, *Air Quality*, on page 7-8). Because past projects would not be constructed concurrently with the Proposed Project, the incremental effects would not combine in space and time with the effects of past projects to the extent that the combined effects would be cumulatively considerable.

3.1.5 Master Response 5: SCE's Forecasted Peak Load Growth

Summary of Issues Addressed in Master Response 5

Commenters have expressed concerns related to the electrical demands for the ENA and about SCE's forecasted demand needs for the Proposed Project.

Summary of Commenters and Comments

Commenter	Comments Addressed by Master Response 5
Santa Rosa Valley Municipal Advisory Council	O11-9
Wildwood Ranch Homeowner Association	O12-9
Marnie and Lou Volpe	I2-4
Lou and Marnie Volpe	I3-2
Numerous Comments signed petition	I5-4
Cheryl Crandall	I6-4
Brooks Bonvenuto	I7-4
Tom Bonvenuto	I8-4
Brendan Fitzpatrick	I9-4, I9-15, I9-16
Pamela Johnson	I10-4

3. Comments and Responses

3.1 Master Responses

Commenter	Comments Addressed by Master Response 5
Tammy Gunther	I11-4
Denise Elston	I12-6, I12-7
Kevin Cannon	I13-4
Linda Cannon	I15-1
Amy Elliot	I16-4, I16-15, I16-16
John Elliot	I17-15, I17-16
Barbara Moore	I18-4
Krista Pederson	I19-2, I19-5
Patricia Becker	I20-4
Merrill Berge	I21-6, I21-7
Nina Brandt	I22-4
Denise Elston	I23-4
Nichole Hauth	I24-4
Donna Johanson	I25-6, I25-7
Peggy and Alan Ludington	I27-3, I27-52, I27-53, I27-54, I27-56, I27-57, I27-65, I27-69, I27-70
Marie and Houchyar Zolfagheri	I28-6, I28-7
Phil Pederson	I29-2, I29-5, I29-9
Kristine Supple	I30-4, I30-15, I30-16
David Tanner	I31-1
Hillary Wilkinson	I32-4
Gill	I33-6, I33-7
Kimme Black	I34-4
Johanne Zell	I36-4
Marvella Carmichael	I37-4
Nacy Harris	I38-3
Carole Hunter	I39-4
L. Vanoni	I40-6, I40-7
Arline Young	I41-4
Lidia Bailey	I42-4
Barry Becker	I43-4
Barry Becker	I44-6, I44-7
Barry Brown	I45-4, I45-15, I45-16
John and Jessica Graham	I47-4
Doug and Jennifer Price	I48-3
Robert Wyman	I49-3
Chuck Cronin	I50-8, I50-9, I50-11, I50-12, I50-13, I50-14, I50-15, I50-17
Marnie and Lou Volpe	I51-4
Jan Levin	I52-4, I52-15, I52-16
Jerami Prendiville	I53-4

Commenter	Comments Addressed by Master Response 5
Kent Corzine and Kathleen Corzine	I54-1
David and Pamela Hage	I55-4
Joseph and Jane Riggio	I57-4
Unidentified speaker	PM-1, PM-2, PM-3, PM-4
Jill Lederer	PM-47
Mark Burley	PM-76
Alan Ludington	PM-79, PM-80
Peggy Ludington	PM-105
William Brandt	PM-110
Ken Gordon	PM-124

Response

A number of commenters have expressed concerns related to the electrical demands for the ENA and about the forecasted demand needs for the Proposed Project. For a point of clarification, for a project where a Permit to Construct (PTC) application approval is pending consideration by the CPUC, an EIR need only focus on environmental review issues, and does not address project need (see Master Response 2, *Non-CEQA Issues*, Item 2D, for a full discussion). However, because electrical load forecasts were used during the screening of alternatives in the Draft EIR, this response is provided to clarify how those electrical load forecasts were developed by SCE, and reviewed and used by the CPUC during drafting of the EIR.

In response to questions about how SCE generates its demand forecasts, SCE's power flow demand forecast studies incorporate distributed generation, demand-side management, and renewable generation in the ENA where data are available and confirmed for adequacy. Once SCE establishes the substation forecasts, that information is input into the power flow analysis of the 66 kV line power flow evaluation. SCE estimates its distribution substation forecast by incorporating and considering many different types of available data and methods, including historical temperature, historical daily peak substation demands, normalization peak demand to account for temperature, policy initiatives (e.g., Net Zero Energy homes, Distributed Resources Plans), rate making policy (e.g., Time-of-Use residential metering), design standards, equipment ratings, future load transfers and utility projects, and more.⁴

Some commenters suggest that CPUC has relied on SCE electrical load data in the EIR with no independent assessment of the data, and they question the electrical peak load forecasting as described in the Draft EIR. The Draft EIR analysis was based on data for the 2014 through 2023 planning period that SCE submitted to CPUC as responses to CPUC Data Request 4 (see Draft EIR Chapter 4 reference SCE, 2015a) after it filed its application for the Proposed Project. They also indicate that SCE's past forecasted demand data for the ENA has been inflated compared to actual demand, bringing into question the forecasted demand described in the Draft EIR. Given

⁴ Ibid.

that CEQA Guidelines Section 15144 recognizes that EIRs involve “some degree of forecasting” and that “while foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose what it reasonably can,” the CPUC has relied on SCE forecasted base (normal) case and emergency case (N-1) scenario load data for its screening of the alternatives.

Subsequent to the release of the Draft EIR, SCE provided the CPUC with updated power flow studies for the ENA that incorporate SCE’s recently approved 10-year planning forecast data for the 2015 through 2024 planning period.⁵ The submitted data, including the updated forecasted peak load growth, was independently reviewed by the CPUC, the CPUC’s environmental consultant (i.e., Environmental Science Associates), and the CPUC’s electrical transmission planning consultant (i.e., Scheuerman Consulting) and was found to be sufficient and adequate for use in the EIR (see Response O9-1).

Several commenters express concern that SCE’s forecasted load incorporates “high case” peak demand data. To clarify, the forecasted data use “likely case” peak demand data, as opposed to high case peak demand data. SCE discontinued the use of high case peak demand data after it completed its forecast for the 2013 through 2022 planning period, which was referenced in SCE’s PEA, but not the Draft EIR, which incorporated the forecast data for the 2014 through 2022 period. The use of likely case instead of high case analysis results in lower peak demand forecasts. Commenters also expressed concern that SCE’s power flow analyses are conducted using normal, not emergency conductor ratings. However, SCE evaluates the adequacy of the subtransmission system under normal and emergency conditions to determine if planning criteria violations occur under either set of conditions.

⁵ Southern California Edison, Responses to California Public Utilities Commission (CPUC) Data Request 7 for the Moorpark-Newbury 66 kV Subtransmission Line Project, submitted September 9 and 10, 2015.

3.2 Agencies and Organizations Responses

This section includes responses to all substantive comments received from agencies and organizations. Individual comments have been delineated and are followed by responses to each comment.

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Laura Hocking, Planning DATE: July 25, 2015

FROM: Alicia Stratton

SUBJECT: Request for Review of Draft Environmental Impact Report for the Moorpark-Newbury 66 kV Subtransmission Line Project/A.13-10-021, California Public Utilities Commission (Reference No. 14-006-1)

Air Pollution Control District staff has reviewed the subject Draft Environmental Impact Report (DEIR), which is a proposal to construct the remaining portions of the Moorpark-Newbury 66 kV subtransmission line project that have yet to be constructed. The purpose of the project is to ensure availability of safe and reliable electric service to meet customer demand in the Electrical Needs Area. The objectives of the project are to add capacity to meet forecasted electrical demand while providing long-term safe and reliable service in the electrical needs area, as well as to maintain sufficient voltage in accordance with applicable requirements during normal and abnormal system conditions. The majority of the project was constructed prior to November 2011, at which time the CPUC issued an order to SCE to halt all construction activity. SCE has since determined that the project is still needed and now proposes to complete the project.

The proposed project involves installation of 500 ft. of new underground 66 kV subtransmission line and a new line position in the 66 kilovolt switch rack entirely within the Moorpark substation; installation of tubular steel pole foundations and five miles of conductor on new and existing poles along the new Moorpark-Newbury 66 kV subtransmission line route on the south and east sides of SCE’s existing Moorpark-Ormond Beach 220 kV ROW, install eight tubular steel foundations, 13 double circuit foundations and three miles of conductor on the new line and reconductor three miles of the Moorpark-Newbury-Pharmacy line. Both of these lines would be collocated on the new double-circuit pole foundations. Fourteen existing lattice steel towers would be removed along this three-mile segment;, and install one half mile of conductor for the new Moorpark-Newbury line to be collocated with the Moorpark-Newbury-Pharmacy line on previously installed lightweight steel poles. In addition, four foundations, four poles, two light weight steel poles and a new line position would be installed, and six wood poles would be removed.

| O1-1

Section 5.3 of the DEIR addresses air quality issues. We concur with this discussion that air quality impacts will likely result from the project, however these will be temporary emissions. Table 5.4-3, *Proposed Project Peak Day Construction Exhaust Emission Estimates* (Page 5.3-13) indicates that ROC emissions would be 42 lbs/day and NOx emissions would be 345 lbs/day. These emissions exceed APCD 25 lbs/day thresholds of significance; however, as described in

| O1-2
↓

the Ventura County Air Quality Assessment Guidelines, air emissions from short-term, construction-related projects are not counted toward Ventura County APCD's thresholds of significance. Mitigation of temporary emissions is required, however, and is addressed in the DEIR's Section 5.3.3, *Applicant Proposed Measures* (Page 5.3-9). This section presents mitigation measures (based on Ventura County APCD Model Fugitive Dust Mitigation Plan) to minimize impacts on air quality from the project. Implementation of these measures will reduce fugitive dust and ozone precursor emissions from the project. Fugitive dust measures are discussed and presented in Mitigation Measure 5.3-2 on Page 5.3-15.

↑
O1-2
(cont.)

Operational, long-term emissions subject to the 25 lbs/day threshold of significance are presented in Table 5.3-4, *Proposed Project Peak Day Operation and Maintenance Exhaust Emission Estimates* (Page 5.3-17). These emissions are below the 25 lb./day threshold (ROC 8.5 lbs/day and NOx 1.15 lbs/day) and therefore do not need mitigation. Our response to the notice of preparation included a request for the DEIR to evaluate the potential for Valley Fever because of the recent fires and potential Valley Fever disturbance on the project site. This matter is discussed on Page 5.3-19 and implementation of Mitigation Measure 5.3-2 will ensure that fugitive dust that could contain *coccidioides immitis* spores would be controlled to the maximum extent feasible.

↑
O1-3
↑
O1-4

No further air quality mitigation is necessary. If you have any questions, please call me at (805) 645-1426.

3.2.1 Letter O1 – Responses to Comments from Ventura County Air Pollution Control District

- O1-1 To clarify, four tubular steel pole (TSP) foundations, four TSPs, two lightweight steel (LWS) poles, and the new 66 kV subtransmission line position would be installed at Newbury Substation, and the six wood poles would be removed from Newbury Substation (see Draft EIR Section 3.4, page 3-7).
- O1-2 Agreement with the Draft EIR's analysis and conclusions regarding Impacts 5.3-1 and 5.3-2 and associated mitigation measures relative to short-term construction emissions is acknowledged.
- O1-3 Agreement with the Draft EIR's analysis and conclusions regarding Impact 5.3-3 relative to long-term operation emissions is acknowledged.
- O1-4 Agreement with the Draft EIR's analysis of the potential for Valley Fever and the recommendation of Mitigation Measure 5.3-2 as appropriate to ensure that fugitive dust that could contain *coccidioides immitis* spores would be controlled to the maximum extent feasible are acknowledged.



CENTER for BIOLOGICAL DIVERSITY

Because life is good.

protecting and restoring natural ecosystems and imperiled species through science, education, policy, and environmental law

July 27, 2015

Mr. Michael Rosauer
 Moorpark-Newbury Project
 c/o Environmental Science Associates
 1425 N. McDowell Blvd, Ste 200
 Petaluma, CA 94954
 Phone: (707) 795-0926
Moorpark-Newbury@esassoc.com

RE: Comments on the Draft Environmental Impact Statement for Southern California Edison's (SCE) Moorpark-Newbury 66 kV Subtransmission Line Project

SUBMITTED JUNE 27, 2014 BY EMAIL TO Moorpark-Newbury@esassoc.com

Dear Mr. Rosauer,

Please accept the following comments on the Draft Environmental Impact Statement (DEIR) for Southern California Edison's (SCE) Moorpark-Newbury 66 kV Subtransmission Line Project on behalf of the Center for Biological Diversity (the "Center").

The Center for Biological Diversity is a nonprofit, public interest environmental organization dedicated to the protection of endangered species and wild places through science, policy, and environmental law. The Center represents the interest of its 50,186 members and over 900,000 online activists throughout the country and 31,862 members and 111,877 California online activists.

The Center is concerned about the impact this project will have on the area's biodiverse lands and numerous species status species including species protected under the Endangered Species Act including the Southern steelhead southern California Distinct Population Segment (*Oncorhynchus mykiss Irideus*), Lyon's pentachaeta (*Pentachaeta lyonii*), Least Bell's vireo (*Vireo bellii pusillus*), Western yellow-billed Cuckoo (*Coccyzus americanus Occidentalis*), Southwestern willow Flycatcher (*Empidonax traillii Extimus*), Coastal California gnatcatcher (*Polioptila californica Californica*), Conejo dudleya (*Dudleya abramsii spp. Parva*), Verity's dudleya (*Dudleya verity*), and a wide variety of other protected wildlife species.

O2-1

A. The DEIR is Procedurally Flawed And Must Be Redrafted And Recirculated For Public Comment

As drafted, the DEIR is fatally procedurally flawed and will not stand up to a legal challenge on the grounds that it fails to analyze the actual project at issue. The DEIR needs to be redrafted and recirculated for public comment to include analysis of the actual project, not just an arbitrary part of the project.

O2-2

There is no question that there is one, and only one, project at issue – the construction and operation of a transmission line. The fact that SCE chose to proceed with construction even though no CEQA review had been conducted does not exempt the illegally constructed part of the project from review and does not now permit the lead agency, the California Public Utilities Commission (the “Commission”), to analyze only a portion of the project.

Project Description

“An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193). The project description here is inaccurate and legally insufficient as it fails to actually describe the project for which SCE has applied for a permit, instead impermissibly attempting to split the project into two separate projects – the alleged “project” whereby SCE illegally completed construction on a transmission line without having conducted any CEQA review and the alleged “proposed project” to complete the earlier, illegal construction.

O2-3

In an attempt to address a series of major missteps whereby the Commission gave the green light to a transmission line construction project without conducting any CEQA review even though there were no applicable CEQA exemptions, the Commission ordered in D.11-11-019 that full review was needed. The Commission was clear that, “SCE is directed to apply for a permit to construct pursuant to G.O. 131-D if it wishes to build the power line described in Advice Letter 2272-E.” (D.11-11-019 at p. 21.) Of course, the power line described in the Advice Letter is the Moorpark-Newbury 66 kV Subtransmission Line *in its entirety*. The Commission did not, therefore, order that SCE apply for a permit to construct part of a transmission line, but for the entire line.

O2-4

SCE did, in fact, apply for approval of the Moorpark-Newbury 66 kV Subtransmission Line Project, not just a portion of its construction. The application reads, “Southern California Edison Company (SCE) respectfully submits this application (Application) for a permit to construct (PTC) authorizing SCE to construct the proposed project known as the Moorpark-Newbury 66 kV Subtransmission Line Project (Project).” (Application at p. 1.) This is followed with a description of the project components that includes all project aspects, not just the work yet to be completed.

O2-5

The law is clear that “the term ‘project’ refers to the activity that is being approved and which may be subject to several discretionary approvals by governmental agencies. The term ‘project’ does not mean each separate governmental approval.” (Cal. Admin. Code, tit. 14, §15378, subd. (c).) The project that SCE is seeking approval for is the transmission line in its entirety (if it is not, then SCE has violated the Commission’s order in D.11-11-019.) Yet, in the NOP, through the scoping process, and now in the DEIR, the project description has been rewritten so that it does not reflect the project as applied for, but instead offers a results-oriented, inaccurate description of the project designed to minimize the environmental impacts.

O2-6

The NOP wrongly states: “Southern California Edison (SCE), in its CPUC application (A.13-10-021), filed on October 28, 2013, seeks a permit to construct (PTC) the remaining portions of the Moorpark-Newbury 66 kV Subtransmission Line Project (Project) that have yet to be constructed.” SCE does not seek permit to construct the remaining portions, but the line as a whole. This mistake is repeated in the DEIR. The DEIR drafter are very clear that “For the purpose of this CEQA review, the Proposed Project includes only those portions of the Moorpark-Newbury 66 kV Subtransmission Line project that have yet to be constructed.” (DEIR at p. 1-2.)

O2-7

This inaccurate project description is legally insufficient as it results in an impermissible piecemealing of a project into smaller parts and then calls for the largest of those parts to not undergo CEQA review.

Attempt to Piecemeal

In this DEIR, the Commission has made a blatantly illegal attempt to piecemeal one project into two projects – past illegal construction (the “project”) and future construction to complete the past illegal construction (the “proposed project”).

O2-8

CEQA applies to the “whole an action” and the courts have come down hard on attempts to split up projects for the purpose of evading full CEQA review. The Guidelines are unambiguous on this point: “‘Project’ means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (Cal. Admin. Code, tit. 14, §15378.)

Long ago, the California Supreme Court declared that CEQA mandates that “environmental consideration do not become submerged by chopping a large project into many little ones – each with minimal potential impact on the environmental – which cumulatively may have disastrous consequences.” (*Bozung v. Local Agency Formation Com.* (1975) 13 Cal. 3d 263, 283-284.) In *Bozung*, the Court relied upon the language of CEQA Guidelines section 15069, “Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, the lead agency must prepare a single EIR for the ultimate project.” (Cal. Admin. Code, tit. 14, § 15069.)

O2-9

The principles laid out on *Bozung* have been relied upon in a long line of cases such as the *City of Antioch v. City Council* (1986) 187 Cal. App. 3d 1325, 1334:

In [County of Inyo] the county approved a general plan amendment and zoning on the basis of a negative declaration. As described by the court in *City of Carmel-by-the-Sea*, “The rationale behind the decision was similar to that advanced by the agency in *Bozung* and rejected by the Supreme Court, namely that preparing an EIR would be premature at the zoning stage since the tentative map for the project, a shopping center, was not before the agency. In County of Inyo, when the tentative map was in fact before the Board it was again recommended that no EIR was needed since the proposed use now conformed to the existing zoning. The court of appeal, citing *Bozung*, found that this approach--division of the project into two parts with 'mutually exclusive' environmental documents--was 'inconsistent with the mandate of CEQA' and constituted an abuse of discretion.

O2-10

(*Ibid.* citing *City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229; *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151; *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263.)

In this DEIR, the Commission suggests an outcome much worse than those addressed in the case law – the Commission posits that, not only should the project be split into two project the defining line should be the cessation of illegal activity and the past illegal construction should not undergo any CEQA review. Even worse, the past illegal construction will not even be analyzed as a cumulative impact! The DEIR states that the “past project activities . . . are not identified or analyzed as a “past project” in Chapter 7, Cumulative Effects.” (DEIR at p. 2-2)

Even if the Commission were correct that it may piecemeal one project into two, there are no grounds upon which the disregarded project could be ignored in the cumulative impacts analysis. “The Guidelines explain that a discussion of cumulative effects should encompass ‘past, present, and reasonably anticipated future projects.’” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1998) 47 Cal. 3d 376, 394 quoting State CEQA Guidelines, Cal. Code Regs., tit. 14, § 15130, subd. (b)(1)(A).)

O2-11

With this DEIR, the Commission attempts that expressly prohibited by Supreme Court – “chopping a large project into many little ones.” There is one project here and one project that needs to be analyzed. The only remedy for the fatal attempt to piecemeal environmental review is for the Commission to redraft the DEIR and circulate the new draft for comment.

O2-12

Baseline Argument Fails

In the DEIR the Commission quotes CEQA Guidelines section 15125(a), as support for its argument that “Therefore, past project activities are not analyzed in Chapter 5, Environmental Analysis, of this EIR, and because the components of the project completed during the past construction activities are considered to be part of the EIR baseline and will not have continuing effects that could combine with those of the Proposed Project, these components are no

O2-13

identified or analyzed as a “past project” in Chapter 7, Cumulative Effects.” . . . “The effects of past project construction are provided for informational purposes only, and are not assigned impact significance determinations (DEIR at p. 2-2)

First, this analysis ignores the plain language of the statute. Section 15125, subdivision (a) reads as follows, “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective.”

O2-13
(cont.)

Here, environmental analysis was commenced with the filing of the Advice Letter. The Commission engaged in environmental analysis when it determined that a CEQA exemption was applicable. Based upon the Commission’s incorrect analysis, the Commission did not file an NOP. The fact that the Commission was wrong and later, after acknowledging the mistake it made, filed a notice of preparation does not run the clock forward to the notice of the NOP for the purposes of establishing baseline.

Second, in attempting to twist section 15125 into a justification for failing to analyze the impacts of most of the project, the DEIR drafters are clearly making a misguided attempt to rely upon caselaw on shifting baseline such as *Riverwatch v. County of San Diego* (1999) 76 Cal. App. 4th 1428. These cases establish that there may be some circumstances upon which agencies are unable to roll the clock back to an earlier time for purposes of establishing baseline.

O2-14

All such cases are distinguishable. These cases do not deal with construction that was illegal because previous CEQA review for the exact same project was not completed. These cases do not deal with a lead agency that is also the enforcement agency for the type of illegal activity that occurred. These cases do not deal with two halves of the exact same construction project. One would have to suspend disbelief to accept the premise that one project includes laying the foundation for installing poles while another project would include the installation of such poles.

CEQA Does Not Require A Stay

In the DEIR, the Commission strangely extends itself to provide a justification for SCE’s past illegal activities. The Commission writes: “Because that Application for Rehearing did not request a stay of construction, and because the CPUC did not issue a stay of construction, SCE informed the CPUC Energy Division that it planned to start construction of the project in the fall of 2010. Construction of the project commenced in October 2010, with a planned operational date of June 2012. However, in November 2011, the Commission granted the Application for a Rehearing and all construction activity was halted due to the issuance of CPUC Decision 11-11-019. This decision ordered SCE to cease construction activity, provide certain specified information, and file a PTC Application if it wished to complete the project.” (DEIR at p. 2-1)

O2-15

This apologist excuse for SCE’s illegal activities reveals only that the Commission failed its duty to enforce California laws in that the Commission knew that the SCE planned to construct without the benefit of any CEQA review, yet took no action to prevent such construction from taking place. While this does not reflect well on the Commission’s commitment to environmental protection, it is ultimately irrelevant to the task at hand.

Whether or not a stay was granted is immaterial to the fact that SCE illegally constructed the majority of this project prior to the completion of CEQA review. CEQA does not call for such a stay – construction prior to the completion of CEQA review where CEQA review is needed, is illegal and no stay is needed to police such behavior. SCE constructed at it owns risk, years after being alerted to the error of its ways by numerous parties to the PUC process. The Commission’s attempt to now rely on the Commission’s past failure to uphold CEQA as an excuse for the Commission’s attempt here to again fail to comply with CEQA is distressing.

O2-15
(cont.)

B. The DEIR is Substantively Flawed

When a project description is wrong, there can be no valid analysis of impacts, alternative, or mitigation as required by CEQA. As described in detail above, the project here is the construction and operation of the transmission lines, not the remaining construction. Therefore, all analysis in the DEIR is legally insufficient as it fails to substantively address the actual project and its actual impacts. There are also additional substantive issues with the DEIR, some of which are described below.

O2-16

1. Alternatives

The DEIR failed to include a sensible alternative that would avoid impacts to Lyon’s pentachaeta critical habitat, as well as other rare, threatened and endangered species identified as occurring within or adjacent to proposed and construction . An alignment that continued to parallel the Thousand Oaks/County boundary southwards to Highway 101 and then turned east along Highway 101 alignment to the already-built area of Thousand Oaks, and turning north to connect through the most feasible alignment to the Newbury substation would avoid most of the impacts to the sensitive biological resources reported in the DEIR, and should have been analyzed as an environmentally preferred alternative

O2-17

2. Biological Resources

Based on the number of rare plants, animals (twenty-five listed as either being present on or having high or moderate potential to occur on the proposed and constructed project site) (DEIR at Table 5.4-2) and five sensitive plant alliances (DEIR at Table 5.4-2) found within and adjacent to the proposed and construction project and that would be negatively impacted by it, a less

O2-18

damaging alternative is feasible and should be selected. Our concerns about the project’s impacts include the following issues:

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O2-18
(cont.)

Natural Communities

The DEIR recognizes that numerous rare natural communities occur on or nearby the proposed and constructed project alignment including coast prickly pear scrub, needlegrass grassland and California sycamore woodland alliances (DEIR at p. 5.4-2). However there is no avoidance, minimization or mitigation analyses in the impact and mitigation section for these rare communities. We request that in the redrafted DEIR that the avoidance and minimization actions as well as remaining impacts and mitigations (if needed) be clearly identified.

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O2-19

In addition there are numerous alliances that fit the description of “coastal sage scrub”. Many of the mitigation measures reference “coastal sage scrub” (Bio5.4-3 and by reference Bio AMP Bio1) however, the measures fail to clearly identify the alliances that fall within the definition of “coastal sage scrub.” While the DEIR features a section on “sage scrub” (at p. 5.4-5), it is unclear if “sage scrub” is the same as “coastal sage scrub” as defined by this DEIR (or elsewhere). The redrafted DEIR needs to address this important clarifying issue, so that habitat for the suite of rare species that rely on “coastal sage scrub” for survival will be appropriately avoided, minimized and if necessary, mitigated.

↑
O2-20

Rare Plants

We are in full agreement that additional rare plant surveys need to be performed, not as mitigation, but as full disclosure of the impacts from the project. These surveys should have been performed prior to the DEIR being issued, so that the decisionmakers and the public have the full picture of impacts associated with the proposed and constructed project.

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O2-21

Impacts to the federally and State endangered Lyon’s pentachaeta and its critical habitat are woefully inadequate. As stated in the DEIR, Lyon’s pentachaeta is an annual plant (at p. 5.4-37) that spends most of its life as a seed, and germinates and completes its lifecycle only when appropriate climactic conditions occur. Therefore it often exhibits large blooming events on certain years, when the conditions are “right” while most years only a few plants (if any) will be present. While the DEIR includes some useful avoidance measures (stockpiling topsoil and respreading), in general it fails to provide an adequate avoidance or impact analysis to not only the plant, but the federally designated critical habitat that the proposed project will impact. When projects impact federally designated critical habitat it is necessary to mitigate the temporary and permanent impact through acquisition of habitat. The DEIR fails to require this standard mitigation. Of course, avoidance of direct and indirect impacts to critical habitat is, in all cases, preferred.

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O2-22

Despite the fact that the federally threatened Conejo buckwheat is present, the DEIR does not analyze direct or indirect impacts to the twenty-five plants that are documented to occur within

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O2-23
↓

the project alignment and instead relies on APM BIO-2 for avoidance. However absent an impact analysis, it is impossible to evaluate the efficacy of APM BIO-2.

O2-23
(cont.)

Rare Animals

Southern Steelhead

While Table 5.4-2 notes that the Southern steelhead - southern California Distinct Population Segment (DPS) is present on the proposed and constructed project, the DEIR fails to discuss the direct and indirect impacts. While it does note that “spawning habitat in Conejo Creek is considered marginal and juvenile holding habitat is sustained only by manmade flows” (DEIR at p. 5.4-20), the fact remains that all habitat is crucial to this critically endangered species. No further analysis is provided on the downstream effects of the construction and maintenance activities on this rare species.

O2-24

Reptiles

Similar to the Southern steelhead, the DEIR fails to discuss the indirect impacts to the western pond turtle, a riparian dependent species, from the proposed and constructed project including downstream impacts from construction and maintenance activities.

O2-25

The DEIR identifies “greater potential to encounter silvery legless lizard and/or coast horned lizard in the more abundant sage scrub, chaparral, and grassland vegetation communities traversed by the Proposed Project” (at p. 5.4-39). Indeed the DEIR states “that Silvery legless lizards reside sub-surface below humid coverings of leaf litter” but fails to identify that they often are found under human-made cover material including flattened cardboard and plywood. Indeed surveys for this species typically including placing such “cover material” in the landscape in order to easily detect presence of the silvery legless lizard in the habitat¹. No analysis of the attraction to the construction site from such types of construction materials being present on the landscape is provided.

O2-26

The DEIR treats relocation of reptiles as a given successful practice when in fact, relocation of reptiles out their home ranges is documented to be highly unsuccessful². While intentions of relocation are appreciated, absent effectiveness monitoring, the DEIR proposes a feel-good measure that may have little benefit to the affected species.

O2-27

Avian Species

The DEIR incorrectly analyses impacts to avian species based on the presence only of nesting on the proposed project site. Impacts to foraging and roosting habitat is equally important to

O2-28

¹ http://mczbase.mcz.harvard.edu/specimen_images/publications/Breviora_536.pdf
² http://www.seaturtle.org/PDF/DoddCK_1991_Herpetologica.pdf

successful reproduction as nesting habitat. The DEIR is mute on any discussion of the impacts to foraging or roosting habitat.

↑ O2-28
(cont.)

The DEIR fails to explain how it determined that the white-tailed kite nesting habitat was determined to be “low” (DEIR at Table 5.4-2). It appears from the descriptions of the vegetation communities impacted by the project that nesting and foraging habitat in the riparian areas is present.

O2-29

Raptors

A large body of data exists on electrocution impacts to large raptors from powerlines. While we appreciate that “Existing poles and power lines that would be replaced” under the Proposed project (DEIR at 5.4-41) and that “Proposed Project will comply with APLIC “avian-safe” standards, as provided in APM BIO-1” (DEIR at 5.4-41), because of the declines in southern California³ of golden eagles, application of APLIC standards is insufficient. Golden eagles are protected under the Bald and Golden Eagle Act, and associated with this act are “take permits” for eagles. Indeed Pacific Gas and Electric is moving forward with a “take permit” under the act for their whole transmission system in California⁴. We believe that this project (at a minimum) needs to apply for a take permit as well.

O2-30

In addition to eagles, APLIC standards are not really designed for the iconic California condor, whose size alone dwarfs all other raptors. With the adjacency of the Condor Sanctuary to the proposed project, the wide-ranging of the California condor, their innate curiosity, the DEIR needs to provide many additional mitigation measures for the California condor, including addressing microtrash, improving the APLIC standards for “safe” powerpoles as it relates to California condors and the analysis for the need of a non-lethal take permit under the federal Endangered Species Act.

O2-31

Songbirds

The impact to songbirds, and in particular the resident and declining California gnatcatcher is concerning and is not fully analyzed in the DEIR. Power poles provide roosting (and nesting) for voracious predators (example: crows and ravens) of songbirds and the DEIR is mute on the impact of the creation of this artificial habitat to subsidize predators of the vulnerable sensitive species over the long-term. Impacts to federally and state listed species, including the California gnatcatcher requires consultation with the federal and state wildlife agencies. The DEIR does not indicate that this consultation is occurring.

O2-32

³ http://aguilarealmexico.com/home_biblioteca/Conservacion/Conservaci%C2%A2n.%201-Golden%20Eagles%20in%20the%20US%20and%20Canada.pdf

⁴ <http://www.fws.gov/news/ShowNews.cfm?ID=104FB0C0-9FF2-B687-D6F7B8AD314B9ADB>

3. Other DEIR Deficiencies

Compliance with Local Land Use Policies

The Thousand Oaks Area Plan Policy requires that “The City of Thousand Oaks, the Conejo Open Space Conservation Agency (COSCA),... shall be consulted during the initial 30-day project review period for discretionary development proposals when proposals which may adversely affect the biological resources under their purview are submitted” (DEIR at p. 5.4-30). It is unclear if this consultation happened.

O2-33

Tree Removal

While the DEIR does not propose the removal or any native trees (at 5.4-43) it is unclear if trimming or otherwise disturbing native trees (especially ongoing trimming in the riparian areas) will need to occur. More information on the operational impacts of this line is required.

O2-34

Fire

The DEIR does not include a section on fire hazards to the biological resources from powerline operations. It is well documented that power lines cause fires⁵. The DEIR needs to include a full analysis of the potential for devastating wildfire to occur, particularly in the open space, and the impact that would not only to the plants and animals, but to the adjacent communities and businesses.

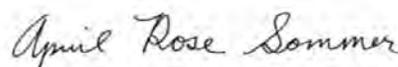
O2-35

Thank you for your consideration of these comments. Please add us to the distribution list for all documents or notices associated with this project.

Sincerely,



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⁵ <http://www.latimes.com/local/lanow/la-me-ln-power-lines-caused-powerhouse-fire-feds-say-20140623-story.html> ; http://www.nytimes.com/2008/09/04/us/04fires.html?_r=0 ; <http://www.cbs8.com/story/29275134/hawk-hits-power-lines-causing-brush-fire>

From: [Claire Myers](#) on behalf of [Moorpark-Newbury](#)
To: [Hunter Connell](#)
Subject: FW: DEIR Comments
Date: Tuesday, July 28, 2015 7:05:25 AM
Attachments: [CBD.EIR.Comments.Moorpark-Newbury.Line.7.27.2015.pdf](#)

Claire

From: April Rose Sommer [mailto:asommer@biologicaldiversity.org]
Sent: Monday, July 27, 2015 6:04 PM
To: Moorpark-Newbury
Subject: DEIR Comments

Please find attached the Center for Biological Diversity's comments on the Draft Environmental Impact Statement for Southern California Edison's (SCE) Moorpark-Newbury 66 kV Subtransmission Line Project

Thank you,

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3.2.2 Letter O2 – Responses to Comments from Center for Biological Diversity

- O2-1 This general statement of concern relative to biological resources is acknowledged. Specific, appropriately detailed responses to specific concerns are provided in Responses O2-19 through O2-35.
- O2-2 This general statement of procedural concern is acknowledged. Specific, appropriately detailed responses to each specific issue raised are provided in Responses O2-3 through O2-16. Regarding the suggestion that improper segmentation has occurred, see Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O2-3 Regarding the suggestion that improper segmentation has occurred, see Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*. Regarding the suggestion that prior construction activities associated with the project were conducted illegally, refer to Master Response 2A, *Past CPUC Procedural Activities*. These discussions are presented in Final EIR Sections 3.1.3 and 3.1.2, respectively.
- O2-4 The commenter's disagreement with lead agency staff's understanding of the lead agency's direction and associated implementation of that direction is acknowledged. However, as noted in Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, CPUC staff is compelled by CEQA and the CEQA Guidelines to analyze the potential effects of the project relative to the physical environmental conditions in the vicinity of the project, as they exist at the time environmental analysis is commenced (CEQA Guidelines §15125(a); *Communities for a Better Environment v. South Coast Air Quality Management District*, 48 Cal.4th 310 (2010)). In this case, actual physical conditions include built aspects of the earlier decision-making process. The commenter's opinion is not supported by CEQA, the CEQA Guidelines, relevant case law, facts, reasonable assumptions predicated upon facts, or expert opinion supported by facts, and the CPUC is not persuaded to change course.

Further, to clarify the explanation provided in Draft EIR Section 2.2, *CPUC Procedural Activities*, General Order (GO) 131-D, Section III, Subsection B.1.g. (Exemption g) was determined to be applicable to the project prior to the CPUC issuing Decision D.11-11-019.

For a point of clarification, when the Commission directed SCE to apply for a PTC if it wished to build the power line described in Advice Letter 2272-E, it was not akin to ordering a CEQA review on the past construction activities associated with the project. In fact, it did not order a CEQA review to be conducted at all. Decision 11-11-019 explicitly states the following:

“... we are not now deciding that this power line is required to undergo CEQA review. If the material SCE formally submits, when it applies for a PTC, shows that the Moorpark-Newbury Line is exempt from CEQA, then the PTC will be granted without further review.” (page 20)

Based on review of SCE’s PTC application, the CPUC determined that the Proposed Project was not exempt from CEQA, and began the EIR review process.

- O2-5 SCE’s description of the proposal is separate from the CPUC’s obligation to correctly characterize the analytical baseline for purposes of CEQA. Also refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O2-6 Refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O2-7 Refer to Response O2-5; Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, and Master Response 4, *Cumulative Effects Associated with Past Construction Activities*.
- O2-8 The concerns about segmentation expressed in this comment are addressed in Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O2-9 Refer to Response O2-5 and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O2-10 Refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, and Master Response 2A, *Past CPUC Procedural Activities*, and Master Response 4, *Cumulative Effects Associated with Past Construction Activities*.
- O2-11 Refer to Master Response 4, *Cumulative Effects Associated with Past Construction Activities*.
- O2-12 Refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O2-13 The commenter indicates that the CPUC commenced environmental analysis when SCE filed an advice letter for the project, and therefore the CEQA baseline for preparation of the EIR should be based on that date. The CPUC disagrees. The Advice Letter filing was a request by SCE to be exempt from CPUC General Order 131-D Permit to Construct (PTC) requirements, including the associated CEQA (environmental) review. The Advice Letter filing was an administrative process that did not involve CPUC engagement in environmental analysis. The CPUC began its CEQA analysis of the Proposed Project in October 2013, when SCE filed its PTC application. Consistent with CEQA Guidelines Section 15125(a), the CPUC determined that the date the Notice of Preparation (NOP) was released (i.e., March 2014) is the appropriate date to represent the EIR baseline. Setting the EIR baseline back to a point well before the CPUC began its CEQA review for the project would not be consistent with the letter or intent of CEQA Guidelines 15125(a).

O2-14 Refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, and Master Response 2A, *Past CPUC Procedural Activities*.

O2-15 The commenter's opinion regarding previous CPUC approvals is acknowledged. Refer to Master Response 2A, *Past CPUC Procedural Activities*.

O2-16 This general comment about the project description and related issues is acknowledged. Specific, appropriately detailed responses to each of the specific issues raised by the commenter are provided in Responses O2-3 through O2-15, Master Response 2A, *Past CPUC Procedural Activities*, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, and Responses O2-17 through O2-35.

O2-17 The commenter suggests that the Draft EIR should have analyzed an alternative that would avoid impacts to Lyon's pentachaeta critical habitat, as well as other rare, threatened and endangered species identified as occurring within or adjacent to the proposed work. As discussed in Draft EIR Chapter 4, *Project Alternatives*, the CEQA Guidelines provide the following guidance for discussing project alternatives:

- An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation (CEQA Guidelines §15126.6(a)).
- An EIR is not required to consider alternatives that are infeasible (§15126.6(a)).
- The discussion shall focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly (§15126.6(b)).

As discussed in Draft EIR Section 5.4, *Biological Resources*, all impacts to Lyon's pentachaeta critical habitat, as well as that of other rare, threatened, and endangered species, from construction, operation, and maintenance of the Proposed Project would be less than significant or mitigated to a less-than-significant level (see Draft EIR page 5.4-36 et. seq.). Therefore, development of project alternatives did not focus on locations that would avoid or substantially lessen impacts to these habitats, as impacts associated with the Proposed Project were not found to be significant.

O2-18 This comment enumerates the number of rare species and California Department of Fish and Wildlife (CDFW) sensitive natural communities that are described in the Draft EIR Biological Resources setting section, Table 5.4-2. The comment generally states that because these rare or sensitive resources could be impacted, a less damaging alternative should be selected. We note that the mention of potential

sensitive biological resources in the local project area does not signify a potential impact to these species or natural communities. The comment does not address the adequacy or accuracy of the EIR analysis, and is acknowledged.

- O2-19 The commenter notes that sensitive plant communities are recognized in the Draft EIR Biological Resources setting section, Table 5.4-2. However, contrary to the suggestion in the comment, the Draft EIR does include avoidance, minimization, and mitigation measures in the analysis of potential impacts to these communities. The analysis of potential impacts and mitigation for impacts to sensitive plant communities is provided on Draft EIR page 5.4-41 in Section 5.4.4, *Impacts and Mitigation Measures*. Impact 5.4-5 describes construction-related impacts to native grassland and sage scrub vegetation communities. Two Applicant Proposed Measures (APMs) (BIO-1 and WET-1 presented in Draft EIR Section 5.4.3, *Applicant Proposed Measures*) would be applied to reduce potential impacts. Mitigation Measure 5.4-5 (Draft EIR page 5.4-42) would be implemented to ensure restoration of temporarily disturbed areas following construction, and Mitigation Measure 5.4-1b, would reduce potentially significant impacts related to the inadvertent introduction or spread of invasive weeds upon sensitive natural communities.
- O2-20 The commenter expresses some confusion as to what natural communities constitute “sage scrub.” As used in the Draft EIR, the term “sage scrub” is synonymous with the term “coastal sage scrub.” As stated on Draft EIR page 5.4-5, “Sage scrub along the Proposed Project alignment includes the purple sage scrub alliance, purple sage - black sage scrub, black sage scrub alliance, California sagebrush - California buckwheat scrub alliance, and coast prickly pear scrub alliance.” Because the Draft EIR is clear on this point, no revisions have been made in response to this comment.
- O2-21 The comment states that botanical surveys should have been performed prior to publication of the Draft EIR to allow disclosure and analysis of potential impacts. With the completion of 2015 rare plant surveys, focused botanical surveys are complete and no further botanical surveys are needed. Survey results have been incorporated in the Final EIR analysis. Surveys in 2015 further characterized the population of Lyon’s pentachaeta described in the vicinity of pole locations 50 through 54 that was described in the Draft EIR. The Bonterra (2010a)¹ botanical survey report described the population as approximately 4,000 individuals, of which only one flowering individual was located within the survey area (within 50 feet of a tower location). The Environmental Intelligence, LLC (2015) botanical survey² considered a relatively larger survey area and identified an estimated

¹ BonTerra, 2010a. Results of Focused Plant Surveys for the Moorpark-Newbury 66-kilovolt Project, Ventura County, California, Prepared for Southern California Edison, July 21, 2010.

² Environmental Intelligence, LLC, 2015. Botanical Survey Report for Moorpark-Newberry 66kV Subtransmission Line Project Located in Ventura County, California. Prepared for Southern California Edison, August 21, 2015.

10,600 individuals plants. The analysis of potential impacts to Lyon's pentachaeta provided in the Draft EIR, which considered full avoidance of the single plant that was detected within 50 feet of proposed activities, remains valid and no revisions are made to the Draft EIR in response to this comment.

- O2-22 The comment states that the Draft EIR does not provide an adequate impact analysis or avoidance strategy for Lyon's pentachaeta and critical habitat for this species. As described in Response O-21, comprehensive botanical surveys have characterized the size and location of the Lyon's populations in the vicinity of the Proposed Project. Efforts were made to minimize Proposed Project impacts to Lyon's pentachaeta and designated critical habitat for this species. For example, the Proposed Project includes the maintenance of existing roads within critical habitat; not the creation of new roads. Based on botanical surveys by Environmental Intelligence, LLC (2015), Lyon's pentachaeta is not present in spur road rehabilitation areas between poles 44 and 47 and road rehabilitation is not proposed in other areas that support this species. Additionally, this species was not identified in the cleared pullback area near pole 52. To ensure that Lyon's pentachaeta are absent from work areas, APM BIO-2 (*Special Status Plants*) provides focused surveys for Lyon's pentachaeta within suitable habitat prior to construction. Pursuant to the APM, all areas supporting Lyon's pentachaeta would be flagged and avoided during construction, with a full-time biological monitor during activities near plant populations. Hence, direct impacts to Lyon's pentachaeta would be fully avoided and indirect impacts would be reduced to less than significant. No revisions are made to the Draft EIR in response to this comment.

Brush clearing and road maintenance on existing access roads is proposed within designated critical habitat; however, these actions are not expected to damage or degrade critical habitat. In general, the USFWS and CDFW consider the need for compensatory mitigation on a case-by-case basis. Compensatory mitigation is not obligatory within designated critical habitat, as the commenter suggests, and is not anticipated for the Proposed Project. No revisions are made to the Draft EIR in response to this comment.

- O2-23 Conejo buckwheat is a CRPR Rank 1B.2 species that is not federally listed as threatened. Botanical surveys in 2015 identified an isolated population of seven Conejo buckwheat plants on a rocky outcrop west of the existing access road near pole 27 and a second population of approximately 20 individuals upslope from an existing access road near pole 29 (Environmental Intelligence, LLC, 2015, page 16). These populations occur in locations where no activities are proposed. As a result, they are not subject to direct or indirect impacts. Hence, no revisions are made to the Draft EIR in response to this comment.

- O2-24 The commenter is concerned that the spanning of Southern steelhead habitat by power lines may cause direct and indirect impacts to this species related to

downstream effects of construction and maintenance activities. In response to this comment, the following discussion of potential impacts to southern steelhead has been added to Draft EIR page 5.4-36 under the heading entitled *Construction*:

Construction

Southern steelhead. Southern steelhead are documented from Arroyo Simi and Conejo Creek, both of which would be crossed by Segment 2 of the proposed subtransmission line. The Proposed Project would have a limited footprint with no direct impacts to either Arroyo Simi or Conejo Creek. As previously described, pole locations near these creeks are in upland areas and the staging and activities related to stringing electrical lines would also be located in upland areas. SCE would comply with a General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, which would incorporate Stormwater Pollution Prevention Program (SWPPP) and other common construction Best Management Practices (BMPs) including erosion control/soil stabilization, sediment control, wind erosion control, tracking control, stormwater management, and waste management and materials pollution controls. With direct impacts to Arroyo Simi and Conejo Creek avoided through Proposed Project design, and potential indirect impacts avoided through implementation of SWPPP measures and construction BMPs, no aspects of the Proposed Project would directly or indirectly impact Arroyo Simi or Conejo Creek. Thus, no potential impacts are anticipated to Southern steelhead or their habitat during construction or maintenance (No Impact).

- O2-25 As described in Response O2-24, no aspects of the Proposed Project would indirectly impact aquatic habitat that supports western pond turtle. Potential direct impacts to western pond turtle are fully discussed in the Draft EIR (Impact 5.5-2, *Construction activities could result in adverse impacts to special-status reptiles*; page 5.4-38).
- O2-26 The commenter states the Draft EIR did not analyze the potential for direct impacts to silvery legless lizards that may be attracted to construction materials on active project sites. The silvery legless lizard lives mostly underground, burrowing and foraging in loose sandy soil and leaf litter during the day. This species may be attracted to cover materials such as plywood coverboards or cardboard placed in areas that provide suitable loose burrowing substrate. However, as they are a subterranean species that requires loose, friable materials for burrowing, habitat for this this lizard is not expected at compacted work areas where such habitat is not available. Hence, the likelihood of encountering silvery legless lizards following initial site clearing is considered unlikely. As provided by Draft EIR Mitigation Measure 5.4-2 (page 5.4-39), preconstruction surveys would be performed within 24 hours of initial ground disturbance in areas that provide potentially suitable habitat for silvery legless lizard to identify and relocate this species. Additionally, APM BIO-1 provides Worker Environmental Awareness Training to instruct

workers of potential hazards to sensitive biological resources during construction. With the implementation of APM BIO-1 and Mitigation Measure 5.4-2, this potential impact would be reduced to a less-than-significant level.

- O2-27 The commenter states that the relocation of reptiles outside of their home range may be ineffective. As stated in Mitigation Measure 5.4-2 (page 5.4-39), any special-status reptiles identified during surveys would be relocated by a qualified biologist. Suitable relocation areas would be identified and confirmed in advance with CDFW prior to preconstruction surveys. Unless otherwise directed by CDFW, which is the trustee state agency for fish and wildlife resources statewide, animals would be transferred to nearby suitable habitat within the home range of any identified individual. Therefore, reptile relocation would avoid and/or minimize direct impacts to individual animals to a less-than-significant level.
- O2-28 The commenter advises that the Draft EIR analysis should have considered impacts to avian foraging or roosting habitat. As presented in the Biological Resources *Regulatory Setting* discussion, the Migratory Bird Treaty Act (Draft EIR page 5.4-25) and Fish and Game Code section 3503 (Draft EIR page 5.4-27) regulate the removal or disruption of active bird nests and active nesting, but not unoccupied foraging habitat or roosting areas. Consistent with federal and state guidance, the significance criteria thresholds used in the Draft EIR interpret potential impacts to avian species relative to potential loss of eggs, young, or active nests, or any activities resulting in nest abandonment. Impacts to avian foraging or roosting habitat were only considered in the Draft EIR for federal or state-listed species that are protected by other laws or statutes (e.g., the federal and California Endangered Species Acts). Hence, the loss of potential foraging and roosting habitat was enumerated for the coastal California gnatcatcher in Mitigation Measure 5.4-3 (see Draft EIR page 5.4-39).
- O2-29 The commenter asks for further information related to the Draft EIR's determination (Table 5.4-2, page 5.4-13) that white-tailed kite have a "low" likelihood of nesting in the project area. This determination was based on the dominance of low-growing chaparral vegetation in Segments 2, 3, and 4, and lack of white-tailed kite observations during biological surveys. Even given their "low" potential to occur in the area, if nesting kites are present in the Proposed Project area at the time of construction, the implementation of APM BIO-4 (see Draft EIR pages 5.4-34, et seq.) would avoid potential significant impacts to individual birds and their nests. The measure includes preconstruction surveys for avian species within 500 feet of the Proposed Project and ongoing avian surveys during construction during the typical nesting bird season (February 1 to August 31; as early as January 1 for raptors). Non-work buffer areas would be established if nests are identified during surveys. Active nest sites and applicable buffers would remain in place until nesting activity would be concluded. Implementation of the APM would ensure the potential impact to white-tailed kites would be less than significant.

O2-30 The commenter states that APLIC guidelines for protecting raptors on power lines are not sufficient to protect golden eagles. As identified in the Project Description (Draft EIR page 3-14), all poles have been designed to be consistent with the *Suggested Practices for Raptor Protection on Power Lines: the State of the Art in 2006* (APLIC, 2006). These design features could include one or more of the following: conductor and insulator covers, increased conductor spacing, suspending phase conductors, insulated jumper wires, horizontal jumper supports, and perch deterrents on crossarms. The voluntary APLIC guidelines represent the state-of-the-art in safe pole construction.

CEQA does not charge lead agencies or project proponents with recovery of a species or reversal of population decline, but asks if the project would “have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species,” and then requires suitable measures to avoid or reduce potential significant effects of the project. Here, as analyzed in Draft EIR Section 5.4.4, the Proposed Project would result in a less-than-significant impact with no required mitigation because the Proposed Project incorporates the APLIC “avian-safe” standards by design as APM BIO-1. Furthermore, the Proposed Project area provides limited foraging and nesting habitat for golden eagles. Adherence to the guidelines would minimize potential impacts to raptors, including golden eagle. Additionally, SCE has an Avian Protection Program in place to protect birds from electrocution hazards. The project area provides limited suitable foraging and nesting habitat for golden eagles, and no potential impacts were identified to this species. Additionally, the commenter did not identify any specific hazards to golden eagle related to the proposed project or deficiencies in the Draft EIR analysis related to the analysis of potential impacts or mitigation for this species. Hence, the comment is acknowledged.

O2-31 The comment expresses that the “adjacent” California condor sanctuary and curiosity of this species necessitates the inclusion of mitigation measures to protect condors. The Draft EIR accurately indicated that there was no likelihood of encountering condors on the site. As stated in the Draft EIR Table 5.4-2 (page 5.4-12), the Sespe Condor Sanctuary is 20 miles north of the Proposed Project site. Nesting habitat is not present in the project area and foraging habitat is limited as well. Given these considerations and the detail that condors have not been reported from the project area, the inclusion of additional protection measures for this species beyond these already provided (e.g., adherence to APLIC guidelines) are not warranted. Additionally, note that federal and state resource agencies would not require or issue a take permit for Condors for the Proposed Project.

O2-32 The commenter suggests that the creation of roosting habitat for crows and ravens within coastal California gnatcatcher habitat would increase predation on this species, and that this situation requires consultation with federal and state resource agencies. The commenter is correct that California gnatcatcher nesting populations

are present in portions of the Proposed Project area. The distribution of this species in the Project area was characterized through focused surveys and presented on Draft EIR page 5.4-21 and Figure 5.4-4, *California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity*. Potential Project impacts to California gnatcatcher were fully analyzed in the Draft EIR (see Impact 5.4-3 on pages 5.4-39, et seq.), and did not include the potential for increased predation on this species for two reasons. The California gnatcatcher is a small species that is an obligate to coastal sage scrub habitat. Importantly, ravens and crows generally do not forage within scrub habitat and there are no reported cases of these species preying on California gnatcatcher nests. Also, within California gnatcatcher habitat, which is limited to Segments 3 and 4 in the project area, the alignment would occur within an existing 66 kV subtransmission line alignment. Within this area, the project would replace existing lattice steel towers with new tubular steel poles, thereby reducing the amount of available roosting habitat for crows and ravens. As a result, the Proposed Project would not increase predation risk to coastal California gnatcatcher.

- O2-33 Consistent with CEQA requirements, all pertinent agencies and organizations were contacted during the NOP scoping period. Project scoping included coordination with the City of Thousand Oaks Community Development Department (John Prescott) and the City of Thousand Oaks Conejo Open Space Conservation Agency (Shelly Mason).
- O2-34 The commenter requests information related to the trimming and disturbance of trees, including during operations. As the commenter acknowledges, the Proposed Project does not include the removal of any native trees (see Draft EIR page 5.4-43); and no trimming is expected in riparian areas. It is anticipated that SCE would continue routine vegetation trimming so that existing roads remain passable by maintenance vehicles. As stated in the Ventura County Tree Protection Ordinance, permit exemptions are allowed for tree pruning and trimming by public utilities for purposes of protecting the public and maintaining adequate clearance from public utility conduits and facilities. In addition, the ordinance provides for ministerial permits for tree removal or alteration when a tree interferes with public utility facilities (Draft EIR page 5.4-31). Such trimming is described in the Draft EIR (see Impact 5.4-7: *Tree removal and pruning*; page 5.4-43) and the associated impact is considered to be less than significant.
- O2-35 Impacts pertaining to hazards, including wildfires, are addressed in Draft EIR Chapter 5.9, *Hazards and Hazardous Materials*. As discussed under Impact 5.9-8 (titled Impact 5.9-7 in the Draft EIR, see pages 5.9-20 et seq.), the risk of ignitions and the risk of damage from a Proposed Project-related ignition are low, and SCE would be required to implement state vegetation and tree clearing requirements, including CPUC General Order 95, PRC Section 4293. Also, SCE would inspect all components of the proposed subtransmission line at least annually for corrosion,

equipment misalignment, loose fittings, and other common mechanical problems. Consequently, operation and maintenance of the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires. Operational impacts would be less than significant. The same activities and measures that would effectively manage risk of fire relative to people and structures similarly would protect wildlife and vegetation.

county of ventura

July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd, Suite 200
Petaluma, CA 94954

Email: moorpark-newbury@eassoc.com

Subject: Comments on the DEIR for the Moorpark-Newbury Project

Dear Mr. Rosauer:

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

O3-1

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,



Tricia Maier, Manager
Planning Programs Section

Attachments

County RMA Reference Number 14-006-1





Memorandum

County of Ventura • Resource Management Agency • Planning Division
 800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

DATE: July 27, 2015

TO: Laura Hocking, Ventura County Planning Division

FROM: Rosemary Rowan, Planning Manager, Ventura County Planning Division

SUBJECT: Notice of Availability a Draft Environmental Impact Report (DEIR) (SCSH No. 2014031073) for the Southern California Edison’s Moorpark-Newbury 66kV Subtransmission Line Project (A.13-10-021) (RMA 14-006-1)

We thank the California Public Utilities Commission (CPUC) for the opportunity to review and comment on the CPUC Notice of Availability (NOA) for Southern California Edison’s Draft Environmental Impact Report (DEIR) for the Moorpark-Newbury Subtransmission Line Project (RMA 14-006-1). This letter provides comments from the Ventura County Planning Division for consideration by the consultant (Environmental Science Associates), Southern California Edison, and the California Public Utilities Commission (CPUC). The following comments are intended to apply to the entire project but are focused on areas within the unincorporated areas of Ventura County.

The Moorpark-Newbury 66 kilovolt (kV) Subtransmission Line Project (A.13-10-021) is an electricity transmission line that extends between Moorpark and Thousand Oaks. Various segments of the proposed project are located in the City of Moorpark, the City of Thousand Oaks, and the unincorporated area of Ventura County. Within the unincorporated areas, the alignment traverses the Santa Rosa Valley. According to the project description, the unconstructed portion of the transmission would be located along an existing Southern Californian Edison right-of-way for the Moorpark-Ormud Beach 220 kV Lines. Approximately 8 miles of new conductor lines, and an upgrade to reconductor 2 miles of lines, generally describe the proposed project. The height of steel poles installed would range between 18 feet and 135 feet in height, which would not exceed the height of adjacent, existing poles on the Moorpark-Ormud Beach 220 kV Line.

O3-2

Construction of the Moorpark-Newbury 66 kilovolt (kV) Subtransmission Line Project was initiated in 2011. However, for the purpose of compliance with the California Environmental Quality Act (CEQA), the environmental impacts under review within the DEIR are based on a project description that is limited to future construction and excludes past construction. As such, the project description excludes more than half of the poles and the majority of grading and excavation required for foundations and roads. The CPUC, acting as lead agency, originally exempted construction of the Moorpark-Newbury 66 kV Subtransmission Line from CEQA review. However, on appeal, the CPUC reversed its CEQA determination and requested the preparation of a DEIR for the remaining

O3-3

portions of the project. As a result, most of the construction necessary for the electricity transmission line is complete, and the first phase of development was constructed without benefit of an evaluation for environmental impacts pursuant to CEQA.

O3-3
(cont.)

The DEIR available for public review does not include an evaluation of the potentially significant impacts associated with the built portion of the Subtransmission Line, which is treated as a baseline condition within the DEIR, and the discussion of potential project impacts is limited to those associated with its completion. According to Table 2-1 in the DEIR, past construction included the following:

O3-4

- Rehabilitation of 21 miles of access road;
- Removal of existing poles at 41 locations; and
- Installation of 54 steel poles (1 pole in Segment 1, 21 poles in Segment 2, 5 poles in Segment 3, and 27 poles in Segment 4).

When compared to past construction, the remainder of the project is relatively minor, as it does not include substantial road improvements and is limited to the removal of 20 existing transmission poles and the installation of 35 steel poles. References in this letter to the “proposed project” correlate to the project description in the DEIR, and references to the “Moorpark-Newbury 66 kilovolt (kV) Subtransmission Line” refer to the entire project at build-out, including proposed and past construction.

O3-5

Summary Conclusion:

Due to the original CEQA exemption processed by CPUC for the Moorpark-Newbury 66 kilovolt (kV) Subtransmission Line, the current DEIR only addresses a relatively small portion of the Moorpark-Newbury 66 kilovolt (kV) Subtransmission Line. The exclusion of areas of past construction and land disturbance from the DEIR project description make it impossible to fully understand the project, assess its potentially significant impacts, identify reasonable mitigation measures, and evaluate project alternatives. The current environmental review process thus lacks meaningful public review and comment on substantial phases of the Moorpark-Newbury 66 kV Subtransmission Line.

O3-6

Specific DEIR Section Comments:

Comments from the Planning Division regarding specific sections of the DEIR are provided below and are based solely on an evaluation of “the proposed project”, as defined by CPUC within the DEIR.

- **Background, Section 2.4.11, Land Use Planning:** Please remove the statement within the DEIR that lists past construction activities as being consistent with the Ventura County Zoning Ordinance (NCZO). That statement appears to be based on the fact that electrical transmission lines are a permitted use within the NCZO and because the construction occurred within existing rights-of-way (ROWs). However, the particular use, called “Transmission Lines, Above Ground”, is listed as a conditional use within the NCZO. A conditional use is only allowed with authorization by the Planning Division of a Conditional Use Permit (CUP). During a normal

O3-7

permitting process, the Planning Division would review the project for consistency with various NCZO regulations and for compliance with other County policies, such as grading and fire regulations. Because the CPUC did not process a CUP through the Planning Division, it would not be accurate to state that the project is in compliance with either NCZO or other County regulations. Construction activities associated with the Moorpark-Newbury 66kV Subtransmission Line should be consistent with Ventura County regulations that do not conflict with regulations adopted by the CPUC, and such compliance would normally occur through coordination with the Planning Division or other County agencies.

O3-7
(cont.)

Additionally, information should be presented in Section 2.4.11 regarding SCE utility rights-of-way. Section 2.3.5 describes land disturbance which includes the rehabilitation of existing access and spur roads, establishing construction work areas, installing new drainage structures to prevent road damage, repairing and stabilizing slopes to prevent failures including installation of a retaining wall, and the rehabilitation of 21 miles of access/spur roads. Please clarify that these activities were conducted on SCE utility easements that existed prior to the initiation of construction. We recommend that you use a table format to list all ROW easements SCE had obtained prior to initiation of construction of the Moorpark-Newbury 66kV Line, and the types of construction activities which occurred within each ROW.

O3-8

- **Project Description, Sections 3.6.1 through 3.6.6, Construction for Access Roads, Staging Areas, etc.:** Any grading located within unincorporated areas should be conducted pursuant to standards of the Ventura County Grading Ordinance, as a prior determination found that the County’s grading regulations do not conflict with regulations adopted by the CPUC and thus can be enforced against a public utility when grading for access roads located on the property over which is held easements for electric transmission lines.¹ Please note that certain types of grading require a County-issued discretionary grading permit.

O3-9

- **Chapter 4, Project Alternatives:** The DEIR includes no alternatives which could avoid or substantially lessen one or more of the significant effects and accomplish project objectives. California Environmental Quality Act Guidelines Sec. 15126.6 (c), which addresses the selection of a range of reasonable alternatives, states that “(t)he range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects”. However, none of the alternatives selected would avoid or substantially lessen one or more of the significant effect determinations, which are related to air quality and noise, and also meet most of the project objectives. Moreover, if the alternatives analysis was revised to include past construction activities, Alternative 2 may result in lower noise, air, and visual impacts because the transmission lines would be sited further away from existing communities.

O3-10

¹ 73 Cal.App.4th 1042, 87 Cal.Rptr. 2d 313

- Chapter 5, Environmental Analysis:** All segments of the proposed project located within unincorporated Ventura County should be evaluated for environmental impacts using the County’s Initial Study Assessment Guidelines (ISAGs), insofar as the analysis methods do not conflict with environmental impact criteria adopted by the Public Utilities Commission. While the DEIR does include a consistency analysis of the project with the Ventura County General Plan *Goals Policies and Programs*, the ISAG’s provide a more comprehensive approach to the evaluation of applicable General Plan policies and also establish thresholds for the environmental impact analysis.

O3-11

- Section 5.1.2, Significance Criteria, Visual Simulations:** The visual simulations in Figures 5.1-5 through 5.1-9 should be revised to include the 36” diameter, orange, white or yellow-colored FAA notification marker balls. Section 3.5.1.2 states that, in accordance with FAA Advisory Circular AC 70/746-1K, markers would be spaced along the transmission wire at intervals of approximately 200 feet or a fraction thereof. Per FAA guidance, the marker balls would be displayed on the highest wire, yet the visual simulations of proposed transmission lines lack these marker balls. Section 3.4, Overview of the Proposed Project, describes 8 miles of transmission line (5 miles of line in Segment 2, 2 miles of line in Segment 3, and 1 mile of line in Segment 4). If the marker balls are deployed at approximately 200-foot intervals along that line, at least 211 marker balls would be included in the project.

O3-12

The proposed project would be visible from eligible Scenic Highways U.S. 101 and SR 118, and other public viewpoints, and an evaluation of visual impacts from those locations would therefore include the marker balls. Additionally, the “visual contrast” of the environmental setting should be considered “moderate” or “strong” because the contrast produced by brightly colored elements will attract attention and potentially dominate the character of the landscape. The analysis for Impact 5.1-1, which states that the new TSPs would have a weak visual contrast, should be revised as needed due to the inclusion of the marker balls in the viewshed analysis.

O3-13

- Ventura County Tree Protection Guidelines:** Tree pruning and removal in unincorporated areas of Ventura County (Section 3.6.7 Vegetation Clearance) should be completed pursuant to the County’s tree protection regulations², and the DEIR should describe mitigation measures for removal of trees which are protected by the NCZO. We recommend that a list be included in the DEIR that shows the number of protected trees which will be removed based on a survey completed and documented within the DEIR.

O3-14

Based on the analysis provided in the DEIR, one eucalyptus tree (*Eucalyptus* sp.), 12 carrotwood trees (*Cupaniopsis anacardioides*), and 3 pine trees (*Pinus* sp.) would be removed within Segment 2 within the County unincorporated area as a result of the proposed project. The DEIR states that ministerial tree permits will be sought from the County for any impacted protected trees. Please note that the “Ministerial Tree Permits and Standards” in the Ventura County Non-Coastal Zoning Ordinance

O3-15

² Please see NCZO Section 8107-25—Tree Protection Regulations.

(VCNCZO) state that a ministerial tree permit should be obtained for tree removal if a “tree interferes with public utility facilities as certified by the tree maintenance supervisor for the utility, in consultation and concurrence with a qualified tree consultant”³. The DEIR also states that Southern California Edison (SCE) has committed to hiring a certified arborist to conduct a tree survey for the purposes of identifying protected trees and acquiring applicable permits. However, please also note that if tree surveys determine that any trees proposed for removal are designated as Heritage Trees or Historical Trees (as defined in the NCZO), a Discretionary Tree Permit should be sought from the Planning Division. Finally, although the act of pruning and trimming of trees for activities conducted by Public Utilities or their contractors is exempt from a ministerial tree permit under certain circumstances defined in the NCZO⁴, the certified arborist that SCE retains to oversee tree trimming and removal activities should review the County’s NCZO requirements and ensure that requirements for trimming and pruning are met.

O3-15
(cont.)

O3-16

- **Project Description, Section 3.8 Applicant Proposed Measures, APM BIO-1 General:** The clearance surveys that identify animal and plant species should include all areas impacted by the project, including areas which require brush clearance, and should not be limited to areas directly impacted by construction activities. For instance, Section 3.6.7 states that brush clearance will occur approximately 2-5 feet from the edge of the access road or access spurs, but Mitigation Measure 5.4-1a states that only areas of future ground disturbance will be surveyed for rare plants. Surveys for rare plants should be conducted as part of the DEIR process, and appropriate mitigation measures provided within the DEIR in accordance with County guidelines (see below).

O3-17

- **Biology Resources - Ventura County Initial Study Assessment Guidelines:** For potential impacts within the unincorporated County, the analysis should be prepared by a qualified biologist and located in the “Initial Study Biological Assessment”. We recommend that potential impacts be evaluated in accordance with Ventura County’s adopted California Environmental Quality Act (CEQA) environmental thresholds of significance,⁵ which are set forth in the *Ventura County Initial Study Assessment Guidelines* (ISAGs). Additional information is also available on the Planning Division website⁶ regarding the analysis of impacts to biological resources.

O3-18

The County’s ISAGs designate plant species with a California Rare Plant Rank (CRPR) of 1, 2, or 4 as a “Special Status Species”. The ISAGs also state that the following types of impacts to plant and animal species or their habitats are considered potentially significant:

O3-19

³ Ventura County Non-Coastal Zoning Ordinance, Sec. 8107- 25.6 b. *Ministerial Tree Permits and Standards*

⁴ VCNCZO Sec. 8107-25.5 b. *Minimum Requirements for Tree Alteration, Felling or Removal Without a Tree Permit*

⁵ See Chapter 4 of the Ventura County Initial Study Assessment Guidelines (April 26, 2011), available on-line at: <http://www.ventura.org/rma/planning/ceqa/isag.html>

⁶ See the Biological resources page on the Planning Division’s website at: <http://www.ventura.org/rma/planning/conservation/bio-resource-review.html>

“Impacts that would eliminate or threaten to eliminate one or more element occurrences of a special-status species not otherwise listed under the federal Endangered Species Act or California Endangered Species Act, or as a Candidate Species or California Fully Protected Species”; or

“Impacts that would restrict the reproductive capacity of a special-status species.”

The DEIR states that the Catalina mariposa lily (*Calochortus catalinae*), a CRPR List 4 species (plants of limited distribution in California), occurs along the dirt access roads in Segments 2 and 3 within the unincorporated areas of the County. The Proponent’s Environmental Assessment (PEA), prepared by the CPUC, includes a conclusion that “a few flowering individuals were observed within 50 feet of various tower locations” and that “the observation of a List 4 species is noted during focused surveys but not quantified or mapped in the survey results”⁷.

O3-19
(cont.)

The Final EIR should address the Catalina mariposa lily as a special status species and provide analysis to determine if the significance thresholds set forth in the ISAGs are triggered by the proposed project. Thus, the Final EIR’s analysis should demonstrate whether or not the proposed project would cause a potentially significant impact to Catalina mariposa lily by threatening to eliminate an element occurrence or restricting its reproductive capacity. Adapting existing mitigation measures, such as Mitigation Measure 5.4-1a and Applicant Proposed Measure BIO-2, to include Catalina mariposa lily could result in avoidance of potential impacts to this species.

- **Biology Impacts- Impacts to Special Status Plants:** Based on the DEIR and PEA, it does not appear that surveys have been conducted for non-listed special status plants and that botanical surveys conducted in 2007, 2008, and 2010 were focused surveys for Lyon’s pentachaeta (*Pentachaeta lyonii*) and Conejo dudleya (*Dudleya parva*). Mitigation Measure 5.4-1a includes surveys for these non-listed special status plant species and specifies that the avoidance measures included in Applicant Proposed Measure BIO-2 for Lyon’s Pentachaeta and Conejo dudleya would be implemented for any special status plants observed. However, this mitigation measure does not address the direct loss of special status plants as a result of the proposed project, nor does it address what mitigation would be necessary to offset these losses. It is premature to conclude that impacts to special status plants would be less than significant if the quantity and specific locations of all special status plants have not been determined. Special status plant surveys should be conducted in conformance with survey protocols set forth by CDFW in order to accurately characterize impacts and define adequate mitigation within the Final EIR. In addition the Final EIR should include mitigation measures that offset the potential removal of non-listed special status plants, specifically those with a CRPR ranking of 1, 2, or 4

O3-20

- **Biology Impacts - Ventura County Locally Important Species and Communities:** The Ventura County General Plan identifies Locally Important Species (Locally Important Plants and Locally Important Animals) as Significant Biological Resources

O3-21

⁷ CPUC, 2013. *Proponents Environmental Assessment*. Section 4.4.2.4.2 “Special Status Plant Species”, Pg. 4-127,8

and as Special Status Species⁸. The Final EIR should analyze the potential occurrence of these species within the proposed project area. It should also evaluate the same potentially significant impacts referenced above for all Locally Important Species. For a complete listing of Locally Important Species, please see the following link:

<http://www.ventura.org/rma/planning/conservation/locally-important-species.html>.

Impacts to Locally Important Communities (e.g., oak woodlands and California black walnut woodland) should be analyzed in the Final EIR and should include evaluation of direct and indirect (i.e., dust) impacts to Locally Important Communities.

03-21
(cont.)

- **Biology Impacts - Special Status Mammals:** The DEIR states that suitable habitat for the San Diego desert woodrat (*Neotoma lepida intermedia*) a species designated by CDFW as a California Species of Special Concern (CSC) and the American Badger (*Taxidea taxus*) (CSC) are present within the areas surveyed for the proposed project. In addition, the DEIR states the San Diego desert woodrat was found to be present during surveys.

Please identify appropriate mitigation measures for mammals. Mitigation measures are included to conduct pre-construction surveys in order to prevent impacts to wildlife such as birds and reptiles, but no specific measures are included for mammals. The DEIR includes an Applicant Proposed Measure (BIO-1 “General”) that consists of “clearance surveys no more than 30 days prior to the start of construction to identify potential plant and animal species that could be present during construction activities”. However, this measure does not provide actions that would be taken if these species are found in the construction area, nor does it provide any procedures to relocate special status wildlife or prevent them from re-entering the project area. The Final EIR should provide specific mitigation measures for special status mammals, including surveys for woodrat middens, specific relocation procedures, and the application of barriers such as silt fencing to prevent individuals from re-entering the construction area as needed.

03-22

If you have questions regarding the information set forth in this memorandum, please contact Whitney Wilkinson at 805-654-2462 or whitney.wilkinson@ventura.org regarding biology comments or Aaron Engstrom at 805-654-2936 or aaron.engstrom@ventura.org regarding non-biology comments.

c: RMA—Chris Stephens, Director, Resource Management Agency
Kim L. Prillhart, Planning Director

⁸ Ventura County General Plan Goal 1.5.1

3.2.3 Letter O3 – Responses to Comments from County of Ventura Resource Management Agency, Planning Division

- O3-1 Ms. Hocking has been added to the Final EIR mailing list, and will be provided a copy of this Final EIR, which includes the responses to the Planning Division’s comments.
- O3-2 To clarify, as disclosed in Draft EIR Table 3-1 (see page 3-14), the height of the steel poles proposed to be installed would range between 60 feet (i.e., not 18 feet) to 135 feet.
- O3-3 The comment presents a summary of the past procedural activities that have been associated with the project. As a point of clarification, construction of the project commenced in 2010, not in 2011. For additional information about past CPUC procedural activities, see Master Response 2, *Non-CEQA Issues* in Section 3.1.2.
- O3-4 To clarify, the construction activities cited by the commenter are described in Draft EIR Section 2.3, *Past Construction Activities*, not just in Table 2-1.
- O3-5 The commenter’s definition of terms for purposes of the letter is acknowledged, as is the fact that the commenter’s characterization of the Proposed Project differs from the CPUC’s. See Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O3-6 The Proposed Project is clearly described in Draft EIR Chapter 3, *Project Description*. Analysis of potential impacts of the Proposed Project is provided on a resource-by-resource basis throughout Chapter 5, *Environmental Analysis*. To clarify the context in which the Proposed Project was proposed, refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*. Also, note that disagreement with Draft EIR’s methodology or conclusions does not establish that the analysis is deficient. (*Marin Municipal Water District v. KG Land California Corporation* (1991) 235 Cal.App.3d 1652, 1663.)
- O3-7 In response to this comment, the second and third sentences of the second paragraph on Draft EIR page 2-26 has been modified as follows:

Electric transmission lines are recognized as exempt from the zoning ordinance in the City of Thousand Oaks, are a permitted use in the City of Moorpark, and are a conditionally permitted use requiring a Planning Director approval in Open Space, Agricultural, and Residential zones in Ventura County. ~~Therefore, past construction activities were consistent with these plans and associated policies.~~

O3-8 The commenter notes that land disturbance associated with prior construction activities associated with the project occurred within SCE utility easements that existed prior to the initiation of construction. The commenter recommends that the EIR be revised to include a table that lists all ROW easements SCE had obtained prior to initiation of construction; however, this information is not required to be disclosed in the EIR and no facts, data, or other evidence is offered that suggests the EIR is inaccurate or inadequate without it. See, e.g., CEQA Guidelines Section 15204(a) (“CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors...” so long as the report, when looked at as a whole, reflects a good faith effort at full disclosure). As discussed in Draft EIR Chapter 1, page 1-2, “For the purposes of this CEQA review, the Proposed Project includes only those portions of the Moorpark-Newbury 66 kV Subtransmission Line project that have yet to be constructed.”

The commenter further requests that the EIR describe the types of construction activities that occurred within each ROW. Chapter 2, *Background*, Section 2.3 (pages 2-2, et seq.), describes past construction activities by geographic segment.

O3-9 In response to this comment, the following has been added to the Section 5.7, *Geology and Soils*, regulatory setting discussion after the Ventura County General Plan discussion on Draft EIR page 5.7-17:

Ventura County Grading Ordinance

All grading, drainage improvement, and site development within unincorporated Ventura County shall be conducted in a manner consistent with the requirements of the Grading Ordinance for the County of Ventura, Article 3, non-Development Standards, regardless of whether or not a permit is required by the article. Unless otherwise recommended or approved in a Geotechnical Report or Grading Plan, cuts and fills shall be designed, constructed, and maintained during construction in compliance with this ordinance.

O3-10 For discussion of the alternatives identified in the Draft EIR, including explanation as to why all of the potential project alternatives were eliminated from detailed consideration in the EIR, refer to Master Response 1, *Alternatives*. Regarding why past construction activities are not considered part of the Proposed Project (and so also not considered as a potential project alternative), see Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.

O3-11 As discussed in the Draft EIR (see, e.g., Section 5.11, *Land Use and Planning*) and CPUC General Order No. 131-D, the CPUC has exclusive jurisdiction over Proposed Project siting and design. Because approval of the Proposed Project would result in the issuance of Permit to Construct (PTC), the Proposed Project would be regulated by this General Order, and would be exempt from local land

use and zoning regulations and discretionary permitting. Therefore, the Proposed Project is not subject to local requirements such as the Ventura County Initial Study Assessment Guidelines. Furthermore, the CPUC is the lead agency of this CEQA review and adheres to the criteria identified in CEQA Guidelines Appendix G for guidance related to impact significance thresholds. The comment does not include facts, data, or other evidence that suggests that the EIR's reliance on CEQA Guidelines Appendix G results in an inaccurate or inadequate analysis of potential environmental effects.

O3-12 The commenter correctly notes that “marker ball spacing would be in accordance with FAA Advisory Circular AC 70/7460-1K, and markers would be spaced equally along the wire at intervals of approximately 200 feet or a fraction thereof” (see Draft EIR page 3-16). However, the commenter incorrectly assumes that marker balls would be installed along the entire length of the proposed subtransmission line. As stated in Draft EIR Chapter 3, *Project Description* (pages 3-7, 3-8, and 3-14), the Proposed Project would include installation of marker balls on the conductor between poles 25 and 26, and poles 27 and 28 (Segment 2); between poles 32 and 33, and poles 39 and 40 (Segment 3); and between poles 40 and 41; or as otherwise recommended by the FAA. Of the visual simulations of the Proposed Project Area provided in Draft EIR Section 5.1, *Aesthetics*, two include views of potential marker-ball locations:

- Figure 5.1-7, Visual Simulation C: Santa Rosa Road looking southwest toward poles 24 through 28. Marker balls would be installed along approximately 1,800 feet of conductor starting at the middle of the mountain side and going to the top of the mountain. Viewers on Santa Rosa Road would be approximately 0.4 mile to 0.8 mile from the marker ball locations.
- Figure 5.1-9, Visual Simulation E: COSCA-Managed Open Space looking north toward poles 40 through 44. Marker balls would be installed to the west and to the south of the northern-most pole in this viewshed. Viewers in the COSCA-managed open space area would be approximately 0.4 mile from the marker ball locations.

Based on these simulations and the explanation of numbers and locations of these features, the proposed addition of marker balls to the existing landscape was considered in the evaluation of aesthetic impacts analyzed in Section 5.1, *Aesthetics*. Nonetheless, in response to this comment Draft EIR Section 5.1 has been revised for clarity as follows:

The second full paragraph on Draft EIR page 5.1-33:

Figure 5.1-7 presents an existing view and visual simulation of the Proposed Project as seen from Santa Rosa Road at Hill Canyon Road, looking southwest. The viewer would be approximately 0.5 mile away from the Proposed Project, placing the Proposed Project in the foreground/midground. In this

viewshed, the existing portal-type tower transmission line transitions to a lattice-tower type transmission line as it climbs in elevation. Low growing crops and an existing wood-pole electrical line are in the foreground, on the south side of the road. The Proposed Project would result in the installation of TSPs and conductor parallel to the east side of the existing portal-type/lattice tower type transmission line. The TSPs would have a simpler, more streamlined profile than the portal-type and lattice-type towers, and would not be immediately apparent due to distance and as details become indiscernible. Not shown in Figure 5.1-7, marker balls would be installed on the conductor between poles 25 and 26, and poles 27 and 28, at intervals of approximately 200 feet or a fraction thereof. The proposed subtransmission line would result in an incremental visual effect change to the viewshed, as the new TSPs, ~~and conductor, and marker balls~~ would be nearly imperceptible, with little to no visual contrast. They would be fully subordinate to other features in the landscape, and would not block or substantially alter the intrinsic character or composition of the existing view. Overall visual change would be low. In conjunction with the moderate visual sensitivity of Santa Rosa Road, impacts would be adverse but not significant.

Draft EIR Page 5.1-35, first paragraph:

As shown in Photos 10 and 11 on Figure 5.1-4, electricity-related infrastructure is prominent in existing views, including LSTs and LWS poles, conductor, and access roads. Figure 5.1-9 presents an existing view and visual simulation of the Proposed Project as seen from a trail located within the Conejo Canyons Open Space area, approximately 1,000 feet north of North Wendy Drive. The Proposed Project would be in the foreground as viewed from this location. In these photos the Proposed Project travels north (away from the viewpoint) for approximately 0.4 mile. The Proposed Project would result in the installation of conductor on existing LWS poles in the ROW. As shown in the visual simulation, this change would not be immediately perceptible to the common viewer. The visual contrast would be none, as the element contrast is not visible. The proposed conductor would not alter the intrinsic character or composition of the existing view. Not shown on Figure 5.1-9, the Proposed Project would result in the installation of marker balls on the conductor between poles 39 and 40, and poles 40 and 41, at intervals of approximately 200 feet. The addition of these marker balls would create a weak visual contrast, as they would be visible but not attract attention or dominate the characteristic landscape, given the distance between the marker balls and viewers. Moreover, the marker balls would not block or impair views of the scenic landscape. Despite the high visual sensitivity of the Conejo Canyons Open Space area, the overall visual change would be low and the associated impacts would be adverse but not significant.

- O3-13 This comment has been addressed in Response O3-12, above.
- O3-14 No protected trees would be removed under the Proposed Project. See Response O2-35.
- O3-15 The commenter restates the Draft EIR assessment that 16 trees would be removed under the Proposed Project and summarizes County code related to tree removal, trimming, and pruning. No inaccuracies or deficiencies in the Draft EIR are identified in the comment.
- O3-16 As discussed in Response O3-14, no Heritage Trees or Historical Trees would be removed due to the Proposed Project. Also see Response O2-34, which explains why routine vegetation pruning and trimming on existing roads is consistent with County exemptions. No inaccuracies or deficiencies in the Draft EIR are identified in the comment, which is acknowledged.
- O3-17 The commenter states that the biological clearance surveys should include all areas that will be affected by the project, including areas that require brush clearance and should not be limited to areas that are directly affected by construction. Such surveys are required for all portions of the Proposed Project area where sensitive plant and wildlife species, or sensitive resources may be encountered. For example, APM BIO-4 (see Draft EIR page 5.4-34) requires surveys to avoid potential significant impacts to protected common and special-status birds and their nests.

The commenter mentions that rare plant surveys should be conducted as part of the Draft EIR process, and appropriate mitigation measures provided within the Draft EIR in accordance with County guidelines. Rare plant surveys were completed in 2015 for all areas that would be impacted by the Proposed Project (Environmental Intelligence, LLC, 2015). As discussed in Response 3-11, the CPUC has exclusive jurisdiction over Proposed Project siting and design, and the Proposed Project is not subject to local requirements such as the Ventura County Initial Study Assessment Guidelines. Botanical survey findings summarized in the 2015 report were performed consistent with state (CDFW) guidelines. The comment does not include facts, data, or other evidence that suggests that the EIR's reliance on CEQA Guidelines Appendix G results in an inaccurate or inadequate analysis of potential environmental effects.

- O3-18 The comment states that the biological analysis should be prepared by qualified biologist and summarized in the format of the Ventura County *Initial Study Biological Assessment* (ISBA) report, consistent with County Initial Study Assessment Guidelines. Each of the biological resource studies that support the Draft EIR analysis are available as part of the formal record for the Draft EIR and provide the same level of environmental analysis that would be provided in an ISBA. This comment identifies no inaccuracies or deficiencies relating to the analysis of biological resource. See Response O3-11, which explains why the

technical report formatting standards of the County Planning Division do not apply to the CPUC's CEQA review of the Proposed Project.

- O3-19 The comment provides links to the County of Ventura's Initial Study Assessment Guidelines (ISAG), including a link to the 2014 Locally Important Plant List. The comment states that the County's ISAG designates plant species with a California Rare Plant Rank (CRPR) of 1, 2, or 4 as a "Special Status Species." As discussed in response to Comment O3-11, the CPUC has exclusive jurisdiction over Proposed Project siting and design, and the Proposed Project is not subject to local requirements such as the Ventura County Initial Study Assessment Guidelines. Botanical survey findings summarized in the 2015 report were performed consistent with state (CDFW) guidelines. The comment does not include facts, data, or other evidence that suggests that the EIR's reliance on CEQA Guidelines Appendix G results in an inaccurate or inadequate analysis of potential environmental effects.
- O3-20 As discussed in response to Comment O2-22, direct impacts to Lyon's pentachaeta will be fully avoided and indirect impacts would be reduced to less than significant. Botanical surveys in 2010 and 2015 also characterized the distribution of Conejo dudleya (Bonterra, 2010a³; Environmental Intelligence, LLC, 2015⁴). Surveys found that no Conejo dudleya occur in areas that would be subject to direct effects of the Proposed Project. In addition, APM BIO-2 (*Special Status Plants*) would provide focused surveys for Lyon's pentachaeta within suitable habitat prior to construction to ensure that plants are not present at the time of construction. Under the APM, all areas supporting Conejo dudleya would be flagged and avoided during construction, with a full-time biological monitor during activities near plant populations. Hence, direct impacts to Conejo dudleya would be fully avoided, and indirect impacts would be reduced to less than significant. No revisions were made to the Draft EIR in response to this comment.
- O3-21 As discussed in response to Comments O3-11 and O3-19, the CPUC has exclusive jurisdiction over siting and design of the Proposed Project, and the Proposed Project is not subject to local requirements such as the Ventura County Initial Study Assessment Guidelines or Ventura County General Plan. The comment does not include facts, data, or other evidence that suggests that the EIR's reliance on CEQA Guidelines Appendix G results in an inaccurate or inadequate analysis of potential environmental effects.
- O3-22 The commenter suggests that the project may cause direct and indirect impacts to San Diego desert woodrat and American badger, species for which potential habitat

³ BonTerra, 2010a. Results of Focused Plant Surveys for the Moorpark-Newbury 66-kilovolt Project, Ventura County, California, Prepared for Southern California Edison, July 21, 2010.

⁴ Environmental Intelligence, LLC, 2015. Botanical Survey Report for Moorpark-Newberry 66kV Subtransmission Line Project Located in Ventura County, California. Prepared for Southern California Edison, August 21, 2015.

was identified in and near the project area. Habitat disturbance would not occur near the single identified woodrat nest near Pole 5, and badger dens were not reported in the project area. As identified in SCE's Proponent's Environmental Assessment (PEA; see page 4-132), woodrat middens were not observed during focused surveys of the project area in 2010 and 2011.

No direct impacts would be anticipated to these species; however, construction activities may result in limited indirect impacts such as noise and human presence, temporary dust, and periodic vibrations. Impacts to these species are considered to be less than significant and additional mitigation is not warranted. In response to the comment, the following discussion of potential impacts to San Diego desert woodrat and American badger have been added to Draft EIR page 5.4-41 after the discussion for Impact 5.4-4:

Impact 5.4-4a: Construction activities could result in adverse impacts to San Diego desert woodrat and American badger. Less than significant (Class III)

Potential habitat for San Diego desert woodrat and American badger was identified in and near the Proposed Project area (SCE, 2013a; page 4-132).*
No direct impacts are anticipated to these species; however, construction activities may result in limited indirect impacts such as noise and human presence, temporary dust, and periodic vibrations. Impacts to these species are considered to be less than significant.

Mitigation: None required.

Separately, the comment notes that Applicant Proposed Measure (APM) BIO-1 "General" does not provide specific actions that would be taken if special-status wildlife were identified in the project area, or provide measures to prevent wildlife from re-entering the Proposed Project sites. As identified in Draft EIR Mitigation Measure 5.4-2 (page 5.4-39), if special status reptiles are identified during surveys of the immediate construction area footprint, individuals shall be relocated from work areas by an individual who is authorized by CDFW to undertake species relocation. A suitable relocation area shall be identified and confirmed in advance with CDFW prior to preconstruction surveys. The implementation of APM BIO-4 (see Draft EIR page 5.4-34) would avoid potential impacts to protected common and special-status birds and their nests. The need to relocate special-status mammals is not anticipated; hence, relocation measures were not identified for San Diego desert woodrat and American badger.

* Southern California Edison (SCE), 2013a. Proponent's Environmental Assessment Moorpark-Newbury 66 kV Subtransmission Line Project. Submitted to the Public Utilities Commission of the State of California, October 28, 2013.



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division**

MEMORANDUM

DATE: June 30, 2015

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Transportation Department *for RMA MZ*

SUBJECT: REVIEW OF DOCUMENT 14-006-1 (13-510) Draft Environmental Impact Report (DEIR)
Project: **Southern California Edison (SCE) Moorpark-Newbury 66 kv Subtransmission Line Project (Project)**
Lead Agency: **California Public Utilities Commission (CPUC)**
Construction and electrical improvements along nine (9) miles of the proposed Moorpark-Newbury 66 kv Subtransmission Line from Moorpark Substation in City of Moorpark south to Newbury Substation in City of Thousand Oaks (SCE).

Pursuant to your request, the Public Works Agency Transportation Department (PWATD) has reviewed the 1,276-page DEIR (Schedule No. 2014031073) for the Southern California Edison (SCE) Moorpark-Newbury 66 kv Subtransmission Line Project (Project).

The proposed 10-month project includes the construction of electrical improvements along a 9-mile subtransmission line/route from the Moorpark Station in the City of Moorpark near Los Angeles Avenue (State Route 118) and Tierra Rejada Road south to the Newbury Station in the City of Thousand Oaks about 1.6 miles east of the jurisdictional boundary of Thousand Oaks at US 101. According to the document, the proposed project will be built entirely within existing right-of-way (R/W), easements, public R/W, and on existing SCE "fee-owned" property. The project is needed to ensure safe and reliable electric service to meet customer demand in the Electrical Needs Area which includes eastern Ventura County and western Los Angeles County. The basic objectives of the project are to increase electrical capacity, maintain sufficient voltage, maintain system reliability, utilize/manage existing R/W in a prudent manner for upgrading existing transmission lines or constructing new transmission lines, maintain consistency with CPUC GO 95, and design/construct the project in conformance with acceptable standards for electrical construction.

O4-1

We offer the following comments for the DEIR dated June 2015:

1. We provided comments for the Notice of Application for the Permit to Construct in a letter dated November 13, 2013 (attached).
2. We acknowledge the Traffic and Circulation impacts and mitigation measures in Table ES-3 shown on Page ES-31 of the DEIR.

3. The proposed route also crosses State Route 118 (Los Angeles Avenue). We concur with the comment by Caltrans in a letter dated April 21, 2014, with regard to peak and off-peak hours. The traffic generated by the project should avoid the peak hours Monday through Friday. The morning peak period for Santa Rosa Road is from 6:30 a.m. to 9 a.m. The afternoon/evening peak period is from 4 p.m. to 6:30 p.m.

O4-2

4. When the construction duration is greater than six months, it is PWATD policy to ask the Project Proponent to pay a Traffic Impact Mitigation Fee (TIMF), including any reciprocal fee, as a mitigation measure to reduce the traffic impacts to less than significant levels.

O4-3

The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate Traffic Impact Mitigation Fee (TIMF) should be paid to the County. Based on the information provided in the DEIR, the fee due to the County would be:

County TIMFs

MP TD #4	38% x 148 ADT x \$19.78 / ADT	= \$ 1,112.43
TO TD #6	62% x 148 ADT x \$ 6.99 / ADT	= \$ 641.40
		<u>\$ 1,753.83</u>

Notes

- a. According to the DEIR on Page 5.17-9, the project would generate a maximum of 180 daily vehicle trips. The normalized trip generation over one year is 148 daily vehicle trips (148 = 180 trips / day x (10 months x 30 days / month / 365 days)).
- b. The route crosses two traffic districts, therefore 38% of the trips will be in the Moorpark Traffic District #4 (38% = 3.3 miles / 8.7 miles) and 62% of the trips will be in the Thousand Oaks Traffic District #6 (62% = 5.4 miles / 8.7 miles). The percentages were determined from measurements taken from Figure ES-1. The boundary of the two traffic districts is at Presilla Road.
- c. SCE should contact City of Moorpark and City of Thousand Oaks with regard to the payment of the TIMF, if required.
- d. The above-estimated fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. The estimate above is based only on information provided in the DEIR.

5. Please provide the PWATD with a copy of the FEIR when it becomes available for our review and comment.

O4-4

Our review is limited to the impacts this project may have on the County's Regional Road Network.

T:\Planning\Land Development\Non_County\14-006-1 (13-510 SCE).doc

county of ventura

PUBLIC WORKS AGENCY
JEFF PRATT
Agency Director

November 13, 2013

Watershed Protection District
Tully K. Clifford, Director

Transportation Department
David L. Fleisch, Director

Engineering Services Department
Herbert L. Schwind, Director

Water & Sanitation Department
R. Reddy Pakala, Director

Central Services Department
Janice E. Turner, Director

California Public Utilities Commission (CPUC)
505 Van Ness Avenue
San Francisco, California 94102

**SUBJECT: SOUTHERN CALIFORNIA EDISON (SCE)
MOORPARK-NEWBURY 66 KILOVOLT (KV)
SUBTRANSMISSION PROJECT**

To Whom It May Concern:

The County of Ventura – PWA Transportation Department received the Notice of Application for a Permit to Construct the 9-mile Moorpark-Newbury 66 Kilovolt (kV) Subtransmission Project, located between SCE’s Newbury Substation in the City of Thousand Oaks to the Moorpark Substation in the City of Moorpark. According to the Notice dated October 28, 2013, the project commenced in the fall of 2010, but was later suspended in November 2011. Sixty percent (60%) of the project has been completed. The project is planned to commence again in late 2015 and become operational in mid-to late 2016.

We offer the following comments:

- 1) The Notice does not specify whether the work will be conducted in existing utility right-of-way; however, any work or traffic impacts within the right-of-way of a County road would require an Encroachment Permit (EP) from the County of Ventura Transportation Department (TD). Of particular interest to the County are the potential traffic impacts to Santa Rosa Road west of Gerry Road and Hitch Boulevard south of State Route 118 (Los Angeles Avenue).
- 2) A Traffic Control Plan (TCP) is required from the TD for any road closure, partial road closure, or detours on County roads. The TCP shall be submitted to the TD for review and approval. The plan must be approved a minimum of seven calendar days prior to the actual closure or detour.
- 3) Since this project may impact State Route 118 (Los Angeles Avenue), Caltrans should also review this project. An EP is required from Caltrans for any work or traffic impacts within the right-of-way of a state highway. Traffic impacts to County roads and the state highway shall be coordinated with Caltrans and the TD.
- 4) SCE should be made aware that County policy precludes any trenching work on

O4-5



CPUC
November 13, 2013
Page 2

County-maintained roads rehabilitated within the last five years unless a full width overlay is provided after trenching is completed. This policy does not appear to apply to Santa Rosa Road or Hitch Boulevard; however, if any other County roads are impacted by this project, then this policy may apply. SCE should contact the Encroachment Permits Division at (805) 654-2055 for more information.

O4-5
(cont.)

- 5) Proper precautions shall be taken to protect County-maintained roads during construction. Any road or road facility damaged during construction shall be replaced in accordance with current applicable construction standards.
- 6) Please provide the TD with a copy of the subsequent environmental document when it becomes available for our review and comment.

Our review is limited to the impacts this project may have on the County's Regional Road Network. If you have any questions, please contact the Encroachment Permits Division at (805) 654-2055.

Very truly yours,



Ben Emami
Engineering Manager II
Transportation Department

ec: Anitha Balan, Engineering Manager – Permits Division

3.2.4 Letter O4 – Responses to Comments from County of Ventura Public Works Agency; Transportation Department; Traffic, Advance Planning and Permits Division

- O4-1 To clarify, the Electrical Needs Area (ENA) does not include Western Los Angeles County. The ENA is shown in Draft EIR Figure 3-2 (page 3-5), and includes a portion of the City of Thousand Oaks and some locations in unincorporated Ventura County. The commenter may be referring to the Moorpark 66 kV Subtransmission System (the Moorpark System), which serves customers in the communities of western Simi Valley, Moorpark, Thousand Oaks, Newbury Park, Westlake Village, Agoura, Agoura Hills, Oak Park, Hidden Hills, Topanga Canyon, Calabasas, and Malibu.
- O4-2 Comment acknowledged. As discussed in Draft EIR Section 5.17, *Transportation and Traffic* (see page 5.17-10), Proposed Project generated truck trips would be spread over the course of the work day, and construction workers would commute to and from the worksite primarily before or after peak traffic hours.
- O4-3 As identified in Draft EIR *Cumulative Effects Analysis* Section 7.2.17, *Transportation and Traffic* (see page 7-17 and 17-18), pursuant to implementation of Applicant Proposed Measure (APM) TRA-1, and in conjunction with implementation of Mitigation Measure 5.17-7, the Proposed Project’s contribution to any transportation and traffic-related cumulative impacts during construction would not be cumulatively considerable and the associated cumulative impact would be less than significant. Therefore, from a CEQA perspective, implementation of additional mitigation such as payment of an Impact Mitigation Fee is not required.
- O4-4 The commenter has been added to the Final EIR mailing list, and will be provided a copy of this Final EIR.
- O4-5 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter is referred to Draft EIR Section 5.17, *Transportation and Traffic*, for discussion on traffic related issues that would be associated with the Proposed Project.



County of Ventura Public Works Agency Integrated Waste Management Division MEMORANDUM

Date: June 26, 2015

To: Michael Rosauer, Rincon Consultants

From: Derrick Wilson, Staff Services Manager
Integrated Waste Management Division

Subject: Non-County Project: RMA Ref. # 14-006-1
Draft Environmental Impact Report (DEIR) for the Moorpark-Newbury
66kV Subtransmission Line Project

Lead Agcy: California Public Utilities Commission (CPUC)
Contact: Michael Rosauer, 805/889-7441

Thank you for providing the Integrated Waste Management Division (IWMD) with an opportunity to provide comments on the DEIR prepared for the Moorpark-Newbury 66kV Subtransmission Line Project.

The IWMD requests the California Public Utilities Commission (CPUC), as Lead Agency, to comply, to the extent feasible, with the general requirements of Ventura County Ordinance #4445 (solid waste handling, disposal, waste reduction, and waste diversion) and Ordinance #4421 (requirements for the diversion of construction and demolition debris from landfills by recycling, reuse, and salvage) to assist the County in its efforts to meet the requirements of Assembly Bill 939 (AB 939). AB 939 mandates all cities and counties in California to divert a minimum of 50% of their jurisdiction’s solid waste from landfill disposal. Ordinances 4445 and 4421 may be reviewed in their entirety at these websites: www.vcpublicworks.org/ord4445 and www.vcpublicworks.org/ord4421.

O5-1

Pursuant to IWMD review and responsibilities, the following contract specifications shall apply to this project:

Recyclable Construction Materials

Contract specifications for this project shall include a requirement that recyclable construction materials (e.g., metal, concrete, asphalt, wood) generated during the construction phase of the project be recycled at a permitted recycling facility. For a comprehensive list of permitted recyclers, County-franchised haulers, and solid waste & recycling facilities in Ventura County, see: www.vcpublicworks.org/C&D.

O5-2

Soil - Recycling & Reuse

Contract specifications for this project shall include a requirement that soil that is not reused on-site during the construction phase of the project be transported to a permitted facility for recycling or reuse. Illegal disposal and landfilling of soil is prohibited. For a comprehensive list of local facilities permitted to recycle soil, see: www.vcpublicworks.org/greenwaste.

O5-3

Green Materials - Recycling & Reuse

The Contract Specifications for this project shall include a requirement that wood waste and vegetation removed during the construction phase of this project be diverted from the landfill. This can be accomplished by on-site chipping and land-application at various project sites, or by transporting the materials to a permitted greenwaste facility in Ventura County. A complete list of permitted greenwaste facilities is located at: www.vcpublishworks.org/greenwaste.

O5-3
(cont.)

Report Quantifying Materials Diverted from Landfill Disposal by On-Site Reuse or Off-site Recycling

The contract specifications for this project shall include a requirement that all contractors and sub-contractors working on this project submit a *Summary Table* to the IWMD at the conclusion of their work on this project. The *Summary Table* must include the contractor’s name, address, and phone number, the project’s name, the types of recyclable materials generated during the project (e.g., metal, concrete, asphalt, wood, soil, greenwaste) and the *approximate* weight of recyclable materials that were:

- Reused on-site, or
- Transported to permitted facilities in Ventura County for recycling and/or reuse.

O5-4

Please include the name, address, and phone number of the facilities where recyclable materials were transported for recycling or reuse in the *Summary Table*. Receipts and/or documentation are required for each entry in the *Summary Table* to verify recycling and/or reuse occurred, and that recyclable greenwaste, wood, soil, and metal generated by this project was not landfilled.

Should you have any questions regarding this memo, please contact Pandee Leachman at 805/658-4315 or via email at pandee.leachman@ventura.org.

3.2.5 Letter O5 – Responses to Comments from County of Ventura Public Works Agency, Integrated Waste Management Division

- O5-1 The commenter is referred to Draft EIR Section 5.18, *Utilities and Service Systems*, for discussion of the Proposed Project relative to compliance with federal, state, and local statutes and regulations for solid waste. Waste generated as part of the Proposed Project would occur during the construction phase. As discussed on Draft EIR pages 5.18-10 and 5.18-11, SCE would reduce construction material and treated wood pole waste consistent with Ventura County recycling and reduction policies.
- O5-2 The contract specifications described in the comment are consistent with the waste disposal techniques described in Chapter 2, *Project Description*, and Section 5.18, *Utilities and Service Systems*, under significance criteria f) and g). Solid waste from the Proposed Project, including excavated materials, would be delivered to one of the following locations: Toland Road Landfill, Simi Valley Landfill and Recycling Center, Bradley Landfill and Recycle, or Antelope Valley Landfill (see Draft EIR page 3-31). In addition, SCE would reduce construction material and treated wood pole waste consistent with Ventura County recycling and reduction policies.
- O5-3 The contract specifications described in the comment are consistent with the waste disposal techniques described in Chapter 2, *Project Description*, and Section 5.18, *Utilities and Service Systems*, under criteria f) and g): “Soil and vegetative material excavated for the Proposed Project would either be used as fill, backfill, made available for use by the landowner, reused, or disposed of off-site in accordance with applicable requirements. Soils and vegetative matter unsuitable for backfill use would be disposed of at appropriate disposal sites” (Draft EIR page 5.18-10). SCE would not illegally dispose of construction-related excess soil.
- O5-4 As discussed in Draft EIR in Chapter 2, *Project Description*, and Section 5.18, *Utilities and Service Systems*, SCE would comply with Ventura County recycling and reduction policies, including Ordinance 4421, pertaining to recycling and diversion of construction and demolition debris. Additional language from Ordinance 4421 has been added to Draft EIR page 5.18-5, as follows, to highlight requirements of this ordinance:

Ventura County Construction and Demolition Debris Ordinance

Ventura County Ordinance 4421 establishes regulations for the recycling and diversion of construction and demolition (C&D) waste within Ventura County. This ordinance requires permit applicants working C&D projects within unincorporated areas of the county to practice waste prevention; reuse, recycle, or salvage; and, least preferred, landfilling solid wastes (VCPWA,

2014). Section 4781-8 in this ordinance outlines the following requirements for a C&D Debris Recycling Report to show compliance with this section:

(a) Final Report. Prior to Completion of a Covered Project pursuant to Sec. 4781-2(k), the Permit Applicant shall submit a C&D Debris Recycling Report, under penalty of perjury, to a C&D Debris Recycling Compliance Official in a form approved by the County of Ventura. The report shall include the following information:

(1) The dates on which Grading, Building, Paving, Demolition and/or Construction actually commenced and were completed; (2) The actual weight of C&D Debris, listed by each material type; (3) The actual weight of C&D Debris that was diverted, listed by each material type; (4) A specification of the method used to determine the weights (the CIWMB-approved solid waste weight conversion tables are strongly recommended) and a certification that the method used was the most accurate, commercially reasonable method available; and (5) Original receipts from all vendors and permitted Recycling Facilities, which collected or received C&D Debris, indicating actual weights and volumes, by individual material type, received by each.

Reference to Ordinance 4421 has also been added to last paragraph of the criterion g) discussion on Draft EIR page 5.18-11, as follows, to acknowledge that SCE would implement the requirements of this ordinance:

Nevertheless, as stated in Section 5.18.1, Regulatory Setting, Ventura County has a C&D ordinance that establishes diversion requirements for construction and demolition occurring within unincorporated areas. SCE would reduce construction material and treated wood pole waste through the processes described above in Impact 5.18-2 consistent with Ventura County recycling and reduction policies, including Ordinance Number 4421. Thus, the Proposed Project would not result in impacts related to conflict with statutes or regulations related to solid waste and recycling (No Impact).



VENTURA COUNTY WATERSHED PROTECTION AGENCY
PLANNING AND REGULATORY DIVISION
 800 South Victoria Avenue, Ventura, California 93009
 Zia Hosseinipour – Manager, Advance Planning (805) 654-2454

MEMORANDUM

DATE: July 21, 2015

TO: Laura Hocking, RMA Planner

FROM: Zia Hosseinipour, Manager *Zia Hosseinipour*

SUBJECT: RMA 14-006, Moorpark-Newbury 66 kV Subtransmission Line Project Draft Environmental Impact Report (DEIR) Cities of Moorpark & Thousand Oaks & Unincorporated Ventura County Arroyo Simi, Conejo Creek, Gabbert Canyon, Hill Canyon, North Branch Hill Canyon; Conejo Creek Watershed; Zone 3

Pursuant to your request, this office has reviewed the Draft Environmental Impact Report (DEIR) for the construction of the Moorpark-Newbury 66 kV Subtransmission Line Project in the City of Moorpark, City of Thousand Oaks, and the Unincorporated Ventura County.

PROJECT DESCRIPTION

The proposed project is located in the Conejo Creek Watershed. According to the NOP which was prepared by the State of California Public Utilities Commission (CPUC) dated March 25, 2014, Page 1, the majority of the project has already been constructed prior to November 2011 when the CPUC issued Decision 11-11-019 which ordered Southern California Edison (SCE) to cease all construction activity, provide certain specified information, and to file a permit to construct (PTC) Application in order to complete the project. The Applicant is requesting a PTC for the remaining portions of the Moorpark-Newbury 66 kV Subtransmission Line Project that have yet to be constructed.

VENTURA COUNTY WATERSHED PROTECTION DISTRICT COMMENTS:

On April 17, 2014 the Ventura County Watershed Protection District (District) provided technical comments on the Project's Notice of Preparation (NOP) of an Environmental Impact Report (EIR). The District is unable to determine from the Draft Environmental Impact Report (DEIR) if its submitted comments have been addressed and requests that the California Public Utilities Commission provide a written response that addresses each of the District's April 17, 2014 comments as follows:

1. Based on Figure 1 of the NOP, the proposed project is likely to cross and potentially impact a number of Ventura County Watershed Protection District

O6-1

July 21, 2015
 RMA 14-006, Moorpark-Newbury 66 kV Subtransmission Line
 Page 2 of 2

(District) jurisdictional red line channels including Arroyo Simi, Gabbert Canyon, Conejo Creek, Hill Canyon, and North Branch Hill Canyon. Please identify and label on all maps, figures and exhibits of the environmental document all District jurisdictional red line channels that are located in areas of proposed work.

O6-1
(cont.)

2. Please include in the environmental document that the method of crossing District jurisdictional red line channels is normally by methods similar to horizontal directional drilling. This should be anticipated on the project plans. The District should be consulted regarding such details as pit setback from channel crossings, depth below invert for crossings, and geotechnical considerations. The determination of the method of crossing may be subject to change upon review of the final design plans.

O6-2

3. Please identify and discuss in the environmental document if there are any new drainage connections to the District's jurisdictional red line channels as a result of the proposed project.

O6-3

4. Please include in the Background Setting and other applicable sections of the environmental document the following Ventura County Watershed Protection Ordinance WP-2 standards:

(i) In accordance with Ventura County Watershed Protection District Ordinance W-2 effective October 10, 2013, no person shall impair, divert, impede or alter the characteristics of the flow of water running in any jurisdictional red line channel, or establish any new drainage connection to a District jurisdictional channel without first obtaining a written permit from the District. Where applicable, Watercourse or Encroachment Permit applications must be submitted to the District for any proposed work.

O6-4

(ii) Any activity in, on, over, under or across any District jurisdictional red line channel, including the channel bed and banks of Arroyo Simi, Gabbert Canyon, Conejo Creek, Hill Canyon, and North Branch Hill Canyon will require permits from the Ventura County Watershed Protection District.

O6-5

(iii) It is the Ventura County Watershed Protection District's standard for mitigating any increase in impervious area that the peak flow after development shall not exceed the peak flow under existing conditions for any frequency of event.

O6-6

5. The District requests that all subsequent documentation pertaining to this project be returned to the District for subsequent review and comments.

O6-7

End of Text

3.2.6 Letter O6 – Responses to Comments from Ventura County Watershed Protection Agency, Planning and Regulatory Division

- O6-1 The commenter requests that the Draft EIR identify and label on all maps, figures, and exhibits of the environmental document all Ventura County Watershed Protection District (VCWPD) jurisdictional red line channels that are located in areas of the proposed work.

All VCWPD “red line” channels in the Proposed Project vicinity are shown in Figure 5.10-1. As described in Draft EIR Section 5.10, *Hydrology and Water Quality* (page 5.10-2), the surface channels described and depicted on Figure 5.10-1 are those under the jurisdiction of the VCWPD (i.e., “red line” streams). One of the sources for Figure 5.10-1 is VCWPD (2012), which is the “redline” stream GIS data (see *References* at the end of Draft EIR Section 5.10, *Hydrology and Water Quality*). VCWPD jurisdictional channels are addressed in further detail on Draft EIR page 5.10-16.

- O6-2 The commenter requests that the method of crossing VCWPD jurisdictional channels (e.g., horizontal directional drilling) be disclosed in the environmental document. Contrary to what the commenter seems to infer, there would be no underground crossings of VCWPD jurisdictional channels as part of the Proposed Project. All such crossings would simply be overhead power lines and would not impact the channels at these locations. This is discussed in the Draft EIR Section 5.10, *Hydrology and Water Quality* (see page 5.10-16).

- O6-3 The commenter asks that the Draft EIR identify any new drainage connections to VCWPD jurisdictional red line channels. It is unclear what the commenter means by “connection,” nevertheless there are no channels that would be associated with the Proposed Project that would connect, or tie-in, directly with any VCWPD red line channel. All potential impacts related to surface drainage patterns are discussed and analyzed in the Draft EIR Section 5.10, *Hydrology and Water Quality* (pages 5.10-19 to 5.10-25)

- O6-4 The commenter asks that particular Ventura County Watershed Protection Ordinance WP-2 standards be included in the Draft EIR. The standards cited by the commenter are summarized in the Draft EIR Section 5.10, *Hydrology and Water Quality* on page 5.10-16.

- O6-5 The commenter asks that particular Ventura County Watershed Protection Ordinance WP-2 standards be included in the Draft EIR, and states that any activity in, on, over, under, or across any VCWPD jurisdictional red line channel would require permits from the VCWPD. The following sentence has been added to the third paragraph of the Ventura County Watershed Protection District discussion on

Draft EIR page 5.10-16 to clarify that SCE would consult with VCWPD regarding permit applicability to the Proposed Project:

Segments of the Proposed Project would cross a few delineated watercourses (see Figure 5.10-1 *FEMA Flood Zones and Surface Hydrology in the Proposed Project Vicinity*); however, only the subtransmission conductor would actually cross or span the watercourses, and these are unlikely to be considered “structures” in the context of this ordinance. However, SCE would consult with, and as necessary obtain required permits from, the VCWPD for all construction activities that would be conducted over or across a VCWPD red line channel.

- O6-6 The commenter asks that particular Ventura County Watershed Protection Ordinance WP-2 standards be included in the Draft EIR and summarizes VCWPD’s standard for mitigating any increase in impervious area. The Proposed Project would add a negligible amount of impervious surface from the installation of tubular steel pole (TSP) foundations (as discussed in Draft EIR Section 5.10 *Hydrology and Water Quality* on page 5.10-11). Once the Proposed Project would be constructed, the peak flow in the area should not exceed the peak flow under existing conditions.
- O6-7 The CPUC will provide the VCWPD with a copy of the Final EIR for the Proposed Project when it is released to the public.

From: Shelly Mason [mailto:SMason@toaks.org]
Sent: Monday, July 27, 2015 3:07 PM
To: Moorpark-Newbury
Subject: Moorpark-Newbury Project Question

Hi Michael,

Can you tell me the height of the lattice steel towers and wood poles to be removed in Segments 3 and 4 of the Moorpark-Newbury project? Also, on Figure 1: Proposed Project Area (map included with the public notice) I don't see any wood poles proposed for removal, is that because they were already removed in the first phase or were they never planned for removal?

┆ O7-1
┆
┆ O7-2
┆

Thank you,

Shelly

Shelly Mason
COSCA Manager
Conejo Open Space Conservation Agency
(805) 449-2339

3.2.7 Letter O7 – Responses to Comments from Conejo Open Space Conservation Agency

- O7-1 The range of heights of the existing towers and wood poles in Segments 3 and 4 is between 52 and 102 feet above the ground surface.
- O7-2 The commenter refers an overview figure enclosed in the Notice of Availability and indicates that the wood poles to be removed are not shown on the figure. For an illustration of the locations for the wood poles proposed to be removed from Newbury Substation, Refer to Draft EIR Figure 3-7 on page 3-12.



**BOARD OF SUPERVISORS
COUNTY OF VENTURA**
GOVERNMENT CENTER, HALL OF ADMINISTRATION
800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

Comment Letter O8

MEMBERS OF THE BOARD
KATHY I. LONG
Chair
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LINDA PARKS
PETER C. FOY
JOHN C. ZARAGOZA

KATHY I. LONG
SUPERVISOR, THIRD DISTRICT
(805) 654-2276
FAX: (805) 654-2226
E-mail: Kathy.Long@ventura.org

July 21, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd, Ste 200
Petaluma, CA 94954

RE: Draft Environmental Impact Report, Moorpark-Newbury 66 kV Sub transmission Line Project (A.13-10-021) SCH No. 2014031073

Dear Mr. Rosauer,

The County of Ventura continues to request that alternatives to the proposed Moorpark-Newbury 66kV Sub transmission Line Project be considered. On October 28, 2008 the Ventura County Board of Supervisors asked for the California Public Utilities Commission (CPUC) to consider alternative locations for the lines, undergrounding, or co-location on existing polls. On June 23, 2009, the County informed the CPUC that our Board unanimously approved a request for a hearing because we were unable to resolve our differences with Southern California Edison (SCE).

O8-1

As described in the 2008 letter, our Board asked that an alternative location be selected that didn't place new high voltage lines closer to existing homes in Santa Rosa Valley than the 220kV towers that already abut homes there. We also expressed concerns about impacts associated with the project including impacts to view sheds, agricultural lands, the habitat of endangered species, and cumulative impacts. Additionally, we expressed concern that there was a lack of California Environmental Quality Act (CEQA) review.

O8-2

We appreciate that the CPUC has since agreed with the appellants and determined that CEQA review is warranted. However, we are concerned that the Draft Environmental Impact Report (DEIR) does not consider impacts and mitigation measures that we asked be considered.

O8-3

Specifically, the DEIR does not address mitigation to impacts caused by SCE construction on the Moorpark-Newbury Project that occurred in the Santa Rosa Valley while the exemption was under appeal, and before the DEIR was prepared. Because the DEIR fails to consider the partially built project's impacts, DEIR mitigation measures are insufficient, as are analyses of cumulative impacts. The unusual provision in the DEIR of two "No Project" alternatives – one before and one after the impacts were caused to the Santa Rosa Valley – piecemeal the project into different segments.

Finally, the DEIR Alternative Analysis does not consider a number of less expensive and more environmentally friendly alternatives, including reducing energy consumption, conservation, and clean and sustainable energy sources.

O8-4

Thank you for this opportunity to comment, and we appreciate your consideration of our concerns that are shared by residents and the Santa Rosa Valley Municipal Advisory Council.

Sincerely,



Kathy I. Long, Chair
Supervisor, Third District

3.2.8 Letter O8 – Responses to Comments from Board of Supervisors, County of Ventura

- O8-1 The commenter requests that alternatives to the Proposed Project be considered and presents a summary of the Board of Supervisors involvement in the CPUC’s Advice Letter Proceeding for the project. The comment includes no direct criticism of the Draft EIR. The commenter is directed to Draft EIR Chapter 4, *Project Alternatives*, for discussion of alternatives to the Proposed Project that were considered within the Draft EIR.
- O8-2 The comment summarizes concerns identified by the Board of Supervisors in its 2008 letter to the CPUC associated with the Advice Letter Proceeding. The comment includes no direct criticism of the Draft EIR; therefore, a response is not necessary.
- O8-3 The Draft EIR analysis does not identify mitigation to reduce the effects of SCE’s past construction activities because the past construction activities have already occurred and are not considered to be part of the Proposed Project subject to this CPUC approval. For discussion related to splitting or piecemealing of the project, refer to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*. These discussions are presented in Final EIR Section 3.1.3.

The commenter also indicates that the Draft EIR’s No Project Alternatives result in piecemealing the project into two different segments. The CPUC is not aware of how the No Project Alternatives evaluated in the Draft EIR equates to piecemealing of the project.

- O8-4 Refer to Section 4.5.5, *Alternative 5 – Demand-Side Management*, for the Draft EIR’s consideration of reducing energy consumption and energy conservation as an alternative to the Proposed Project; and refer to Section 4.5.6, *Alternative 6 – Renewable and Distributed Energy Generation Resources*, for the Draft EIR’s consideration of clean and sustainable energy sources as an alternative to the Proposed Project.

July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd, Ste 200
Petaluma, CA 94954
Phone: (707) 795-0926
Moorpark-Newbury@esassoc.com

Re: Draft Environmental Impact Report for the Moorpark-Newbury 66 kV Subtransmission Line Project (A.13-10-021) SCH No. 2014031073)

Dear Mr. Rosauer:

Enclosed please find SCE's comments to the above-referenced Draft Environmental Impact Report (DEIR) circulated by the California Public Utilities Commission (CPUC) on June 11, 2015.

In addition to the enclosed comment table, SCE wishes to provide the following update regarding the Project need due to the fact SCE's annual 10-year forecast has been recently approved and is due to be finalized, likely in August 2015. The recently approved 10-year forecast confirms the need for the Proposed Project is triggered by two criteria violations, both of which are projected to occur within the 10-year planning horizon of 2015-2024.

The first criteria violation shown in the results of the analysis of the 2015-2024 forecast is present in 2015, the first year of the forecast, and is an N-1 abnormal system condition voltage drop of greater than 5% at both Newbury and Pharmacy Substations during an outage of the Moorpark-Newbury-Pharmacy 66 kV line and after the re-energization of Pharmacy Substation.

The second violation is the projected base case overload on the Moorpark-Newbury-Pharmacy 66 kV line, which is now forecasted to occur in 2024 under normal system conditions.

The DEIR correctly recognizes both of these criteria violations in the analysis of alternatives in Chapter 4. For example, the DEIR correctly notes that in the event of an N-1 outage of the Moorpark-Newbury-Pharmacy 66 kV line, the re-energization of Pharmacy Substation would lead to voltage drop problems in the future, *even if other alternatives (such as reconductoring of existing lines and reconnection of Camgen Substation to the Moorpark System) were implemented.* (DEIR, at pp. 4-12, 4-25, 4-28 – 4-29.)

SCE's 2015-2024 peak demand forecast has now confirmed that the voltage drop problem is even more imminent than previously believed, as the N-1 voltage drop violation is projected to occur in 2015 and would result in a voltage drop magnitude of 10.3% at Newbury Substation and 10.4% at Pharmacy Substation, both of which are much greater than the 5% trigger for a new project. Without addressing both criteria violations, this problem would likely worsen over time, and as the DEIR recognizes, even the alternatives would only delay, but not prevent, it from

occurring. Therefore, as the DEIR correctly notes, the Proposed Project is the Environmentally Superior Alternative that would sufficiently address both criteria violations and meet the two primary project objectives as reiterated on DEIR page 4-4 of: 1) maintaining sufficient voltage in accordance with applicable requirements during normal and abnormal system conditions; and 2) adding capacity to meet forecasted electrical demand while providing long-term, safe, and reliable electrical service in the Electrical Needs Area.

O9-2
(cont.)

Thank you for the opportunity to comment on the DEIR.

Sincerely,



Christine McLeod
Principal Advisor - SCE Regulatory Affairs

Enclosure – SCE Comment Table

MOORPARK-NEWBURY DRAFT ENVIRONMENTAL IMPACT REPORT

SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
ES.1	ES-1	<p>The third paragraph under the heading Introduction states:</p> <p>“In its application, SCE requested authorization to construct the new Moorpark-Newbury 66 kV Subtransmission Line and upgrade the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.”</p>	<p>SCE would like to clarify that the proposed upgrade of sections of the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line does not in and of itself address the need for the project but rather is made necessary to accommodate the safe construction of the new line, which will achieve the purpose and need for the project. Please revise as follows:</p> <p>“In its application, SCE requested authorization to construct the new Moorpark-Newbury 66 kV Subtransmission Line and upgrade the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to <u>collectively</u> address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.”</p>
ES1.2	ES-5	<p>The discussion regarding Segment 4 under the heading Proposed Project states:</p> <p>“Segment 4: Installation of approximately 1 mile of conductor for the new Moorpark-Newbury 66 kV Subtransmission Line to be collocated with the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line on previously installed lightweight steel (LWS) poles into Newbury Substation. In addition, four TSP foundations, four TSPs, two LWS poles, and a new 66 kV subtransmission line position would be installed, and six wood poles would be removed at Newbury Substation. The existing subtransmission, distribution, and telecommunications facilities would be transferred onto the new TSPs and LWS poles.”</p>	<p>Please clarify that the Moorpark- Newbury-Pharmacy 66 kV Subtransmission Line is an existing line as recommended below.</p> <p>“Segment 4: Installation of approximately 1 mile of conductor for the new Moorpark-Newbury 66 kV Subtransmission Line; to be collocated with the <u>existing</u> Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line on previously installed lightweight steel (LWS) poles into Newbury Substation. In addition, four TSP foundations, four TSPs, two LWS poles, and a new 66 kV subtransmission line position would be installed, and six wood poles would be removed at Newbury Substation. The existing subtransmission, distribution, and telecommunications facilities would be transferred onto the new TSPs and LWS poles.”</p>

O9-3

O9-4

MOORPARK-NEWBURY DRAFT ENVIRONMENTAL IMPACT REPORT

SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
1.2	1-1	<p>The first sentence under the heading Project Overview states:</p> <p>“The Proposed Project would include constructing the new Moorpark-Newbury 66 kV Subtransmission Line and upgrading the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.”</p>	<p>SCE would like to clarify that the proposed upgrade of sections of the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line does not in and of itself address the need for the project but rather is made necessary to accommodate the safe construction of the new line, which will achieve the purpose and need for the project. Please revise as follows:</p> <p>“The Proposed Project would include constructing the new Moorpark-Newbury 66 kV Subtransmission Line and upgrading the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to <u>collectively</u> address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.”</p>
3.4.2	3-7	<p>The fifth bullet under the discussion of Segment 2 states as follows:</p> <p>“Installation of marker balls on the conductor between poles 25 and 26, and between poles 27 and 28, or as otherwise recommended by the Federal Aviation Administration (FAA).”</p>	<p>Please note that FAA determinations are recommendations, not requirements. Accordingly, SCE will implement FAA recommendations into the design to the extent reasonable and feasible:</p> <p>“Installation of marker balls on the conductor between poles 25 and 26, and between poles 27 and 28, or as otherwise recommended by the Federal Aviation Administration (FAA)-, <u>to the extent reasonable and feasible.</u>”</p>
3.4.3	3-8	<p>The fifth bullet under the discussion of Segment 3 states as follows:</p> <p>“Installation of marker balls on the conductor between poles 23 and 33, and poles 39 and 40, or otherwise recommended by FAA.”</p>	<p>Please note that FAA determinations are recommendations, not requirements. Accordingly, SCE will implement FAA recommendations into the design to the extent reasonable and feasible:</p> <p>“Installation of marker balls on the conductor between poles 23 and 33, and poles 39 and 40, or otherwise recommended by FAA-, <u>to the extent reasonable and feasible.</u>”</p>
Figure 3-8	3-13	<p>There is an asterisk on the drawing with no explanation.</p>	<p>Footnote should be added for the asterisk on the Segment 4 figures, Typical Pole Design Figure 3-8 as recommended below:</p> <p>“* These dimensions may vary depending on the space available on each particular pole, as well as the height of the pole and field conditions.”</p>

O9-5

O9-6

O9-7

O9-8

MOORPARK-NEWBURY DRAFT ENVIRONMENTAL IMPACT REPORT

SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
3.4.4	3-14	The seventh bullet under the discussion of Segment 4 states as follows: “Installation of marker balls on conductor between poles 40 and 41, or otherwise recommended by FAA.”	Please note that FAA determinations are recommendations, not requirements. Accordingly, SCE will implement FAA recommendations into the design to the extent reasonable and feasible: “Installation of marker balls on conductor between poles 40 and 41, or otherwise recommended by FAA, <u>to the extent reasonable and feasible.</u> ”
3.5.1.2	3-17	Under the heading Below-Ground Conductor, the first sentence of the second paragraph states: “Three separate 3,000 kcmil copper underground cables approximately 1,200 feet in length each would be installed through the TSP and conduit within the duct bank.”	Please note that SCE may be using aluminum underground cable in the future. Accordingly, please allow for flexibility in the event aluminum cable is ultimately utilized by clarifying as follows: “Three separate 3,000 kcmil copper <u>or aluminum</u> underground cables approximately 1,200 feet in length each would be installed through the TSP and conduit within the duct bank.”

O9-9

O9-10

MOORPARK-NEWBURY DRAFT ENVIRONMENTAL IMPACT REPORT

SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
3.6.2	3-22	<p>Under the heading Staging Areas, the last sentence of the first paragraph on page 3-22 states:</p> <p>“Contractor construction personnel would be managed by SCE construction management personnel and based out of the Contractor’s existing yard or the Moorpark Substation staging areas.”</p>	<p>Please add the following language at the end of Section 3.6.2 to note that additional staging areas may be required. Note that language similar to this language proposed below has been utilized in other CPUC EIRs, including the Aliso Canyon Turbine Replacement Project EIR.</p> <p>“Contractor construction personnel would be managed by SCE construction management personnel and based out of the Contractor’s existing yard, or the Moorpark Substation staging areas, <u>or additional staging areas to be established prior to start of construction for the Project.</u></p> <p><u>Note that during final engineering and construction of the proposed project, additional staging areas may be determined to be required to optimize construction efficiency. Final siting of staging areas would depend upon availability of appropriately zoned property that is suitable for this purpose. If additional staging areas are required for the proposed project that may result in land disturbance other than that identified in the EIR and other than that which would occur in the locations identified by text and on the figures documented by this EIR, SCE will provide to the CPUC figures, environmental surveys and other information about the property in question to ensure that the CPUC’s and SCE’s responsibilities set forth in this EIR (including Chapter 10) are satisfied.”</u></p>

O9-11

MOORPARK-NEWBURY DRAFT ENVIRONMENTAL IMPACT REPORT

SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
3.6.5	3-22	<p>Under the heading Vehicle Maintenance and Refueling, the first paragraph states:</p> <p>“Routine maintenance and refueling of construction equipment and fuel storage by SCE personnel would occur at SCE’s Thousand Oaks Service Center, Valencia Service Center, or Ventura Service Center. These locations are equipped with approved fuel stations. All refueling and storage of fuels at these facilities would be in accordance with site-specific stormwater permits, and refueling equipment procedures would be included within the Storm Water Pollution and Prevention Plan (SWPPP).”</p>	<p>To facilitate efficient construction please note that certain types of equipment would require refueling onsite due to the remote locations. Accordingly, please revise as follows:</p> <p>“Routine maintenance and refueling of construction equipment and fuel storage by SCE personnel would occur at SCE’s Thousand Oaks Service Center, Valencia Service Center, or Ventura Service Center. These locations are equipped with approved fuel stations. <u>In addition, normal maintenance and refueling of construction equipment would also be conducted at staging areas, construction laydown areas, and construction work sites.</u> All refueling and storage of fuels at these <u>locations facilities</u> would be in accordance with site-specific stormwater permits, and refueling equipment procedures would be included within the Storm Water Pollution and Prevention Plan (SWPPP).”</p>
3.6.8.4	3-27	<p>Under the heading Guard Structures, the first sentence states:</p> <p>“Guard structures are temporary facilities that would be installed at some conductor transportation, flood control, and utility crossings.”</p>	<p>There appears to be a typo in this sentence and SCE recommends it be revised as follows:</p> <p>“Guard structures are temporary facilities that would be installed at some conductor transportation, flood control, and utility crossings.”</p>
3.6.8.5	3-28	<p>Under the heading Installation of Marker Balls, the DEIR states as follows:</p> <p>“Marker balls would be installed on several of the Proposed Project subtransmission line span where appropriate, in accordance with FAA recommendations.”</p>	<p>Please note that FAA determinations are recommendations, not requirements. Accordingly, SCE will implement FAA recommendations into the design to the extent reasonable and feasible:</p> <p>“Marker balls would be installed on several of the Proposed Project subtransmission line span where appropriate, in accordance with FAA recommendations, <u>to the extent reasonable and feasible.</u>”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations	
3.6.17	3-36	<p>Under the heading Construction Schedule, the first sentence states:</p> <p>“SCE anticipates that construction of the Proposed Project would take approximately 10 months and expects that construction would occur between fall of 2015 and summer 2016; clean-up would continue through December 2016.”</p>	<p>SCE recommends the following edits based on the current status of the CPUC’s review of SCE’s PTC application:</p> <p>“SCE anticipates that construction of the Proposed Project would take approximately 10 months, and expects that construction would occur between fall of 2015 and summer 2016; clean-up would continue through December 2016. <u>Construction would commence following CPUC approval, final engineering, procurement activities, and receipt of applicable permits. Clean-up would continue for approximately four to five months thereafter.</u>”</p>	O9-15
3.9	3-45	<p>Under the heading Electric and Magnetic Fields Summary, the first sentence states:</p> <p>“Extremely low frequency (ELF) electric and magnetic fields (EMF) include alternating current (AC) fields and other electromagnetic, non-ionizing radiation from 1 Hz to 300 Hz.”</p>	<p>Please note that 3 -3000 Hz is the frequency range for ELF according to the Electromagnetic Spectrum in the 2002 NIEHS booklet page 8 and is also consistent with SCE’s Field Management Plan filed with SCE’s Permit to Construct Application. Accordingly, SCE recommends the following revision:</p> <p>“Extremely low frequency (ELF) electric and magnetic fields (EMF) include alternating current (AC) fields and other electromagnetic, non-ionizing radiation from 1 <u>3</u> Hz to 300 <u>3000</u> Hz.”</p>	O9-16
Table 5.1-1	5.1-12	<p>Table 5.1-1 notes SR 118 as “Eligible Ventura County Scenic Highway”.</p>	<p>SCE recommends this reference be clarified to accurately characterize where the eligible portion of SR 118 is located in relation to the Proposed Project. Specifically, please strike “Eligible Ventura County Scenic Highway” and insert “NA” with a footnote to read: “<u>Portion of SR 118 east of SR23, which is not crossed or impacted by Proposed Project, is an Eligible Ventura County Scenic Highway.</u>”</p>	O9-17
Impact 5.1-3	5.1-30	<p>Under the discussion of Impact 5.1-3, the first sentence states:</p> <p>“Temporary pulling/splicing sites would be staged at approximately 32 locations along the Proposed Project alignment.”</p>	<p>Please correct the number of stringing sites; 10 stringing sites are disclosed in Table 2-1. Please revise as follows:</p> <p>“Temporary pulling/splicing sites would be staged at approximately 32 <u>10</u> locations along the Proposed Project alignment.”</p>	O9-18

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
Impact 5.1-2	5.1-30	<p>Mitigation Measure 5.1-2b: SCE shall coordinate with the Conejo Open Space Conservation Agency (COSCA) to ensure that designated trails in the vicinity of the Proposed Project are not blocked by the laydown or conductor stringing areas. SCE shall coordinate with COSCA to post signage at trailheads within the Conejo Canyons Open Space area, alerting recreationalists to construction locations and dates.</p>	<p>Please note that SCE does not intend to block any trails with laydown or conductor stringing areas. However, because SCE’s proposed laydown or conductor stringing areas in the Conejo Canyon Open Space area may overlap trails, SCE will, to the extent feasible, employ measures to facilitate the continued safe public use of these trails and will consult with COSCA as appropriate, as SCE did during past construction activities. Please see recommended revisions below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.1-2b: SCE shall coordinate with the Conejo Open Space Conservation Agency (COSCA) to ensure that designated trails in the vicinity of the Proposed Project are not blocked, <u>to the extent feasible</u>, by the laydown or conductor stringing areas, <u>or otherwise provide for safe substitute means of access for recreational trail users</u>. SCE shall coordinate with COSCA to post signage at trailheads within the Conejo Canyons Open Space area, alerting recreationalists to construction locations and dates.”</p>
Impact 5.1-3	5.1-31	<p>Under the discussion of Impact 5.1-3, the second full sentence at the top of page 5.1-31 states:</p> <p>“Some pulling/splicing sites would be visible scenic vistas along recreational trails; in particular, the stringing site near pole 40 would be highly visible from and could impede access to the Western Plateau Trail and the Peninsula Loop Trail.”</p>	<p>Impeding access to any trails in the area would not have an impact on aesthetics. Additionally, sites are not scenic vistas. Accordingly, please revise the text as follows:</p> <p>“Some pulling/splicing sites would be visible scenic vistas along recreational trails; in particular, the stringing site near pole 40 would be highly visible from and could impede access to the Western Plateau Trail and the Peninsula Loop Trail.”</p>
Impact 5.1-6	5.1-36	<p>Under the discussion of Impact 5.1-6, the last sentence states:</p> <p>“With implementation of Mitigation Measure 5.1-6, which requires a Construction Lighting Mitigation Plan with the use of shielded lighting elements, directed fixtures, and motion or timing sensors, this impact would be reduced to less than significant.”</p>	<p>SCE is not aware of any type of portable construction lighting that would include motion or timing sensors. Accordingly, please revise as follows:</p> <p>“With implementation of Mitigation Measure 5.1-6, which requires a Construction Lighting Mitigation Plan with the use of shielded lighting elements, and directed fixtures, and motion or timing sensors, this impact would be reduced to less than significant.”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
Impact 5.1-6	5.1-30	<p>Mitigation Measure 5.1-6 states:</p> <p>“Mitigation Measure 5.1-6, SCE shall design and install all lighting at Project facilities, including construction and storage yards and staging areas, such that light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination of the project facilities, vicinity, and nighttime sky is minimized. SCE shall submit a <i>Construction Lighting Mitigation Plan</i> to the CPUC for review and approval at least 90 days prior to the start of construction or the ordering of any exterior lighting fixtures or components, whichever comes first. SCE shall not order any exterior lighting fixtures or components until the <i>Construction Lighting Mitigation Plan</i> is approved by the CPUC. The Plan shall include but is not limited to the following measures:</p> <ul style="list-style-type: none"> • Lighting shall be designed so exterior lighting is hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light sources are shielded to prevent light trespass outside the Project boundary. • All lighting shall be of minimum necessary brightness consistent with worker safety. • High illumination areas not occupied on a continuous basis shall have switches or motion detectors to light the area only when occupied.” 	<p>This mitigation measure appears to be infeasible as currently written. In the event of night construction, portable light standards used to ensure worker safety likely would be visible from public viewing areas. In addition, portable light standards are not generally equipped with motion detectors.</p> <p>In addition, SCE assumes this measure is applicable to construction areas rather than “Project facilities” such as SCE’s existing substations where installed lighting already exists as part of the existing baseline conditions. Accordingly, SCE recommends the following clarifications below to this measure. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.1-6, SCE shall design and install all <u>new</u> lighting at <u>construction areas</u> Project facilities, including construction and storage yards and staging areas, such that, <u>to the extent feasible</u>, light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination <u>of the staging areas, construction laydown areas, and construction work sites</u> project facilities, vicinity, and nighttime sky is minimized. SCE shall submit a <i>Construction Lighting Mitigation Plan</i> to the CPUC for review and approval at least 90 days prior to the start of construction or the ordering of any exterior lighting fixtures or components, whichever comes first. SCE shall not use <u>order</u> any exterior lighting fixtures or components until the <i>Construction Lighting Mitigation Plan</i> is approved by the CPUC. The Plan shall include but is not limited to the following measures:</p> <ul style="list-style-type: none"> • Lighting shall be designed so exterior lighting is hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized <u>to the extent feasible</u>. The design of the lighting shall be such that the luminescence or light sources are shielded to prevent, <u>to the extent feasible</u>, light trespass outside the <u>area requiring illumination</u> Project boundary. • All lighting shall be of minimum necessary brightness consistent with worker safety. • High illumination areas not occupied on a continuous basis shall have switches or motion detectors <u>be illuminated</u> to light the area only when occupied.”

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.3.4	5.3-11	<p>Under the heading Approach to Analysis, SCE notes that even though the proposed project is located within the VCAPCD, the lead agency has elected to use criteria pollutant significance thresholds for short-term construction activities developed by the SCAQMD. The DEIR states that the reason for these thresholds is because the VCAPCD does not identify significance thresholds for short-term construction emissions. However, most significance thresholds for criteria pollutants developed by air districts are based on air basin conditions such as meteorology and topography, planned emission inventory, and the air basin attainment status for the criteria pollutants. Therefore, applying significance thresholds for criteria pollutants from other air districts could lead to an inaccurate representation of air quality impacts.</p>	<p>SCE recommends that significance for criteria pollutants for short-term construction activities be determined utilizing the guidance documents provided by the local jurisdiction, VCAPCD’s “Ventura County Air Quality Assessment Guidelines” rather than those utilized in the DEIR which are applicable to SCAQMD jurisdictions. This evaluation has the potential of altering the significance determination of certain Air Quality impacts in the DEIR. Please revise accordingly.</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.3.4	5.3-14	<p>Mitigation Measure 5.3-1 states:</p> <p>“For diesel-fueled off-road construction equipment of more than 50 horsepower, SCE shall make a good faith effort to use available construction equipment that meets the highest USEPA-certified tiered emission standards. An Exhaust Emissions Control Plan that identifies each off-road unit’s certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC for review and approval at least 30 days prior to commencement of construction activities. Construction activities cannot commence until the plan has been approved. For all pieces of equipment that would not meet Tier 3 emission standards, the Exhaust Emissions Control Plan shall include documentation from two local heavy construction equipment rental companies that indicates that the companies do not have access to higher-tiered equipment for the given class of equipment.”</p>	<p>Due to the methodology in which transmission and subtransmission lines are constructed, SCE would have multiple contractors working at various stages of Project construction and not all contractors would be selected 30 days before commencement of construction activities, and therefore, specifics about the equipment that the selected contractors would utilize would not yet be available.</p> <p>In order to meet the intent of Mitigation Measure 5.3-1 while still maintaining a reasonable schedule, SCE proposes to submit an Exhaust Emissions Control Plan 30 days prior to commencement of construction activities for CPUC review and approval. The Plan would specify the expectations of SCE for its crews and contractors in order to minimize exhaust emissions. Separate from the Exhaust Emissions Control Plan, as each construction contractor or crew is added to the Project, SCE would submit to the CPUC for review an inventory of construction equipment that identifies each off-road unit’s certified Tier specification and BACT information prior to the equipment being brought on site.</p> <p>SCE recommends the following language be added to Mitigation Measure 5.3-1. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“For diesel-fueled off-road construction equipment of more than 50 horsepower, SCE shall make a good faith effort to use available construction equipment that meets the highest USEPA-certified tiered emission standards. An Exhaust Emissions Control Plan that identifies each off-road unit’s certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC for review and approval at least 30 days prior to commencement of construction activities. Construction activities cannot commence until the plan has been approved. <u>Separate from the Exhaust Emissions Control Plan, an inventory of off-road diesel equipment over 50 hp that identifies each off-road unit’s certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC prior to mobilization of that unit.</u> For all pieces of equipment that would not meet Tier 3 emission standards, the Exhaust Emissions Control Plan <u>inventory submittal</u> shall include documentation from two local heavy construction equipment rental companies that indicates that the companies do not have access to higher-tiered equipment for the given class of equipment.”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.3.4	5.3-17	<p>Under the heading of Impact 5.3-3, the first full sentence at the top of page 5.3-17 states:</p> <p>“Mobile source emissions-related activities associated with Proposed Project operation would be limited to up to 15 maintenance and inspection trips per month and an annual inspection using a helicopter.”</p>	<p>While SCE appreciates the conservative approach taken by the Commission in the Air Quality Analysis related to O&M activities, as stated in the PEA, it is expected that there would be approximately 3 to 4 routine maintenance trips per year, not including any trips for emergency repair. Note, however, with respect to emergency response related trips, it’s highly unlikely that such trips combined with routine maintenance trips would amount to 15 trips per month as discussed in this section of the DEIR. Please revise the DEIR analysis accordingly.</p>
5.3.4	5.3-18	<p>Under the heading of Impact 5.3-4, the third sentence in the second paragraph states:</p> <p>“Mitigation Measure 5.3-1 would help reduce NOx emissions; however, Nox emissions could continue to exceed the VCAPCD significance threshold.”</p>	<p>Since the CPUC in the DEIR opted to utilize conservative SCAQMD thresholds within VCAPCD jurisdiction, the following clarification is recommended:</p> <p>“Mitigation Measure 5.3-1 would help reduce NOx emissions; however, Nox emissions could continue to exceed the VCAPCD <u>SCAQMD</u> significance threshold.”</p>
5.4.1	5.4-10	<p>Under the heading Special-Status Plants, the third sentence in the last paragraph on page 5.4-10 states as follows:</p> <p>“As identified in Table 5.4-2, seven non-listed special-status plants were identified with at least a moderate potential to occur in the study area: round-leaved filaree (<i>California macrophylla</i>), Santa Susana tarplant (<i>Deinandra minthornii</i>), Blochman’s dudleya (<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>), Conejo buckwheat (<i>Eriogonum crocatum</i>), mesa horkelia (<i>Horkelia cuneata</i> ssp. <i>puberula</i>), white-veined Monardella (<i>Monardella hypoleuca</i> ssp. <i>hypoleuca</i>), and Ojai navarretia (<i>Navarretia ojaiensis</i>). A single CRPR List 4 species, Catalina mariposa lily (<i>Calochortus catalinae</i>), was also observed within the Proposed Project study area during botanical surveys.”</p>	<p>SCE conducted rare plant surveys in 2015. The following text provides updated survey results. The 2015 survey report will be submitted to CPUC when finalized.</p> <p>“As identified in Table 5.4-2, seven non-listed special-status plants were identified with at least a moderate potential to occur in the study area: round-leaved filaree (<i>California macrophylla</i>), Santa Susana tarplant (<i>Deinandra minthornii</i>), Blochman’s dudleya (<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>), Conejo buckwheat (<i>Eriogonum crocatum</i>), mesa horkelia (<i>Horkelia cuneata</i> ssp. <i>puberula</i>), white-veined Monardella (<i>Monardella hypoleuca</i> ssp. <i>hypoleuca</i>), and Ojai navarretia (<i>Navarretia ojaiensis</i>). <u>Conejo buckwheat, a CRPR List 1.B.2 species, and two</u> A single CRPR List 4 species, Catalina mariposa lily (<i>Calochortus catalinae</i>) <u>and Hubby's phacelia (<i>Phacelia hubbyi</i>),</u> was were also observed within the Proposed Project study area during botanical surveys.”</p>

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Section	Page	DEIR Language	SCE Recommendations
5.4.1	5.4-21	<p>Under the heading Western Yellow-billed Cuckoo, the first complete sentence on page 5.4-21 states:</p> <p>“Potentially suitable habitat for western yellow-billed cuckoo may be present in California sycamore woodlands and other riparian communities in the study area. This species was not observed during focused surveys for least Bell’s vireo conducted within similar suitable habitat (BonTerra, 2010c).”</p>	<p>SCE is conducting USFWS protocol surveys (pursuant to the April 22, 2015 protocol) for Western yellow-billed cuckoo in 2015. Surveys results are negative to date. Additional field surveys are scheduled in July and August 2015. The 2015 survey report will be submitted to CPUC when finalized. Accordingly, please revise as follows:</p> <p>“Potentially suitable habitat for western yellow-billed cuckoo may be present in California sycamore woodlands and other riparian communities in the study area. This species was not observed during focused surveys for least Bell’s vireo conducted within similar suitable habitat (BonTerra, 2010c). <u>Protocol surveys for western yellow-billed cuckoo are in progress in 2015.</u>”</p>
5.4.1	5.4-21	<p>Under the heading Southwestern Willow Flycatcher, the third sentence in the first paragraph states:</p> <p>“Potentially suitable habitat for southwestern willow flycatcher may be present in California sycamore woodlands and other riparian communities in the study area. This species was not observed during focused surveys for least Bell’s vireo conducted within similar suitable habitat (BonTerra, 2010c).”</p>	<p>SCE is conducting protocol surveys for southwestern willow flycatcher in 2015. Survey results are negative to date. One additional field survey is scheduled in June/July 2015. The 2015 survey report will be submitted to CPUC when finalized. Accordingly, please revise as follows:</p> <p>“Potentially suitable habitat for southwestern willow flycatcher may be present in California sycamore woodlands and other riparian communities in the study area. This species was not observed during focused surveys for least Bell’s vireo conducted within similar suitable habitat (BonTerra, 2010c). <u>Focused surveys for southwestern willow flycatcher are in progress in 2015.</u>”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.4.1	5.4-21	<p>Under the heading Coastal California Gnatcatcher, the first paragraph states:</p> <p>“Coastal California gnatcatcher is a federally-listed Threatened species and a California SSC. In California, this subspecies is an obligate resident of coastal sage scrub vegetation types. Focused surveys were conducted to determine species presence within suitable habitat in the Proposed Project study area. Within 500 feet of the Proposed Project right-of-way (ROW), Leopold Biological Services (2014) mapped 113.53 acres of suitable California gnatcatcher habitat (see Figure 5.4-4, <i>California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity</i>). This included 7.25 acres of suitable habitat in Segment 2 on the south side of Santa Rosa Valley; 62.24 acres of suitable habitat in Segment 3; and 44.04 acres in Segment 4. Within these areas, 10 coastal California gnatcatchers were observed in four occupied territories totaling 32.44 acres. Active gnatcatcher territories were described in association with coastal sage scrub habitat near the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2 (Leopold Biological Services, 2014) (see Figure 5.4-4). Native vegetation in these areas includes rosemary flat-topped buckwheat, California sagebrush, black sage, gray coast buckwheat, coastal prickly pear, purple sage, bladderpod (<i>Isomeris arborea</i>), bush sunflower (<i>Encelia californica</i>), lemonadeberry, coyote brush, western poison oak, bush monkeyflower, laurel sumac, and deerweed. Three nesting pairs were identified near the alignment within the Conejo Open Space (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014).”</p>	<p>SCE proposes the following edits clarifying the focused survey results for coastal California gnatcatcher based on the survey reports (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014) and consistent with DEIR Figure 5.4-4. Coastal California gnatcatcher was observed in Segment 4 only. Suitable habitat occurs in Segments 2, 3 and 4.</p> <p>“Coastal California gnatcatcher is a federally-listed Threatened species and a California SSC. In California, this subspecies is an obligate resident of coastal sage scrub vegetation types. Focused surveys were conducted to determine species presence within suitable habitat in the Proposed Project study. Within 500 feet of the Proposed Project right-of-way (ROW), Leopold Biological Services (2014) mapped 113.53 acres of suitable California gnatcatcher habitat (see Figure 5.4-4, California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity). This included 7.25 acres of suitable habitat in Segment 2 on the south side of Santa Rosa Valley; 62.24 acres of suitable habitat in Segment 3; and 44.04 acres in Segment 4. <u>Focused surveys were conducted to determine species presence within suitable habitat in the Proposed Project study area in 2008, 2010, 2011 and 2014 (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014). No coastal California gnatcatcher were observed in 2008. Within Segment 4 and the Conejo Open Space near pole locations 48 through 63, eight coastal California gnatcatchers were observed in three territories in 2010; four coastal California gnatcatchers plus an unspecified number of nestlings were observed in two territories in 2011; and</u> Within these areas, 10 coastal California gnatcatchers were observed in four occupied territories totaling 32.44 acres <u>in 2014 (see Figure 5.4-4).</u> Active gnatcatcher territories were described in association with coastal sage scrub habitat near <u>pole locations 48 through 63</u>the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2 (Leopold Biological Services, 2014) (see Figure 5.4-4). Native vegetation in these areas includes rosemary flat-topped buckwheat, California sagebrush, black sage, gray coast buckwheat, coastal prickly pear, purple sage, bladderpod (<i>Isomeris arborea</i>), bush sunflower (<i>Encelia californica</i>), lemonadeberry, coyote brush, western poison oak, bush monkeyflower, laurel sumac, and deerweed. Three nesting pairs were identified near the alignment within the Conejo Open Space (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014).”</p>

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Section	Page	DEIR Language	SCE Recommendations
5.4.1	5.4-23	<p>Under the heading Least Bell’s Vireo, the last sentence of the first paragraph states:</p> <p>“Protocol surveys were conducted within this area between May and July, 2010, and no least Bell’s vireos were detected (BonTerra, 2010c).”</p>	<p>SCE is conducting protocol surveys for least Bell’s vireo in 2015. Survey results are negative to date. Additional field surveys are scheduled in July 2015. The 2015 survey report will be submitted to CPUC when finalized. Accordingly, SCE recommends the following revisions:</p> <p>“Protocol surveys were conducted within this area between May and July, 2010, and no least Bell’s vireos were detected (BonTerra, 2010c). <u>Focused surveys for least Bell’s vireo are in progress in 2015</u>”</p>
5.4-1	5.4-27	<p>Under the heading of State in the Regulatory Setting section, page 5.4-27 includes the following paragraph:</p> <p>“Riparian Communities in California. Riparian communities have a variety of functions, including providing high-quality habitat for resident and migrant wildlife, streambank stabilization, and runoff water filtration. Throughout the U.S., riparian habitats have declined substantially in extent and quality compared with their historical distribution and condition. These declines have increased concerns about dependent plant and wildlife species, leading federal agencies to adopt policies to arrest further loss.”</p>	<p>It is unclear which State regulation this paragraph addresses. SCE suggests removing the paragraph for clarity.</p> <p>“Riparian Communities in California. Riparian communities have a variety of functions, including providing high-quality habitat for resident and migrant wildlife, streambank stabilization, and runoff water filtration. Throughout the U.S., riparian habitats have declined substantially in extent and quality compared with their historical distribution and condition. These declines have increased concerns about dependent plant and wildlife species, leading federal agencies to adopt policies to arrest further loss.”</p>

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Section	Page	DEIR Language	SCE Recommendations
5.4.4	5.4-37	<p>Under the heading Impact 5.4-1, the third paragraph states:</p> <p>“Botanical surveys performed by BonTerra in spring 2008 and 2010 focused on the potential presence of Lyon’s pentachaeta and Conejo dudleya and did not assess the potential presence for all special-status plant species that could occur on-site (BonTerra, 2008; 2010). While many rare plant species potentially present either share an overlapping blooming period with Conejo dudleya and Lyon’s pentachaeta or are perennial species recognizable throughout the year, there remain some annual or perennial bulb species that do not have overlapping blooming periods and may not have been detectable during the focused surveys conducted for Conejo dudleya and Lyon’s pentachaeta. In particular, the following three non-listed late-blooming species were identified for which further surveys would be needed to characterize their presence or absence on- site: Plummer’s mariposa lily; white rabbit tobacco; and chaparral ragwort.”</p>	<p>SCE conducted rare plant surveys in 2015. This survey was conducted during the blooming season for Plummer’s mariposa lily and chaparral ragwort. This survey was not conducted during the blooming season for white rabbit tobacco or Santa Susana tarplant (identified in Table 5.4-2), however, these species, if present, would have been present and identifiable during the 2015 survey dates. Therefore, SCE concludes that the 2015 survey results are sufficient to determine presence/absence of all species listed in Table 5.4.2.</p> <p>The following text provides updated survey results. The 2015 survey report will be submitted to CPUC when finalized.</p> <p>“Botanical surveys performed by BonTerra in spring 2008 and 2010 focused on the potential presence of Lyon’s pentachaeta and Conejo dudleya and did not assess the potential presence for all special-status plant species that could occur on-site (BonTerra, 2008; 2010). While many rare plant species potentially present either share an overlapping blooming period with Conejo dudleya and Lyon’s pentachaeta or are perennial species recognizable throughout the year, there remain some annual or perennial bulb species that do not have overlapping blooming periods and may not have been detectable during the focused surveys conducted for Conejo dudleya and Lyon’s pentachaeta. In particular, the following three non-listed late-blooming species were identified for which further surveys would be needed to characterize their presence or absence on-site: Plummer’s mariposa lily; white rabbit tobacco; and chaparral ragwort.</p> <p><u>Botanical surveys performed by Environmental Intelligence in spring and summer 2015 included systematic searches for Lyon’s pentachaeta and Conejo dudleya in addition to all other special status plant species that could occur on-site (see Table 5.4-2). The botanical surveys were comprehensive and floristic in nature and were not restricted to, or focused only on species listed in Table 5.4-2. The following rare species were observed in 2015: Conejo dudleya, Lyon’s pentachaeta, Conjeo buckwheat (<i>Eriogonum crocatum</i>; List 1B.2), Hubby’s phacelia (<i>Phacelia hubbyi</i>; List 4.2), and Catalina mariposa lily (<i>Calochortus catalinae</i>; List 4.2). “</u></p>

O9-33

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.4.4	5.4-38	<p>Mitigation Measure 5.4-1a states:</p> <p>“Mitigation Measure 5.4-1a: Areas of future ground disturbance shall be surveyed for rare plants, including Plummer’s mariposa lily, white rabbit tobacco, and chaparral ragwort, in accordance with CDFW’s 2009 <i>Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities</i>, unless otherwise agreed to by CDFW. If no rare plants are encountered, no further mitigation is required. If rare plants are found, the applicant proposed measures related to special-status plants shall be implemented for any identified CRPR Rank 1 or Rank 2 species.”</p>	<p>SCE conducted rare plant surveys in 2015. This survey was conducted during the blooming season for Plummer’s mariposa lily and chaparral ragwort. This survey was not conducted during the blooming season for white rabbit tobacco or Santa Susana tarplant (identified in Table 5.4-2), however, these species, if present, would have been present and identifiable during the 2015 survey dates. Therefore, SCE concludes that the 2015 survey results are sufficient to determine presence/absence of all species listed in Table 5.4.2. SCE recommends updating Mitigation Measure 5.4-1a to provide for preconstruction surveys as follows below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.4-1a: <u>SCE and/or its contractors shall perform preconstruction surveys for rare plants in areas</u> Areas of future ground disturbance shall be surveyed for rare plants, including Plummer’s mariposa lily, white rabbit tobacco, and chaparral ragwort, in accordance with CDFW’s 2009 <i>Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities</i>, unless otherwise agreed to by CDFW. If no rare plants are encountered, no further mitigation is required. If rare plants are <u>known to occur or new populations are</u> found, the applicant proposed measures related to special-status plants shall be implemented for any identified CRPR Rank 1 or Rank 2 species.”</p>

O9-34

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.4.4	5.4-38	<p>Mitigation Measure 5.4-1b reads as follows:</p> <p>“Mitigation Measure 5.4-1b: To reduce the potential for introduction or spread of invasive weeds in sensitive habitats during ground-disturbing activities, SCE shall prepare and implement a Weed Control Plan. The Weed Control Plan shall address the following:</p> <p>1) A pre-construction weed inventory to be conducted by surveying all areas subject to ground-disturbing activity, including, but not limited to, pole installation sites and construction areas, tower removal sites, pulling and tensioning sites, guard structures, and areas subject to grading for new or improved access and spur roads.</p> <p>2) During construction of the Project, implement measures to control the introduction and spread of noxious weeds in the Project work area. These shall include:</p> <p>a. washing vehicles (including wheels, undercarriages, and bumpers) at existing construction yards, commercial car washes, or similar suitable sites prior to commencing work in off-road areas;</p> <p>b. washing tools such as chainsaws, hand clippers, pruners, etc., prior to use in off-road areas;</p> <p>c. ensuring that all seeds and erosion-control materials used in off-road areas are weed-free, and any imported gravel or fill material are certified weed free by the county Agriculture Commissioners’ Offices before use; and</p> <p>d. during Proposed Project operation and maintenance activities, clearing invasive weeds from helicopter landing areas, assembly and laydown areas, spur and access roads, staging areas, and other weed-infested areas; and disposing of weeds in appropriate off-site locations.”</p>	<p>SCE suggests clarifying Mitigation Measure 5.4-1b part 2d to indicate that when weeding is required during operations and maintenance activities that SCE will appropriately dispose of weed material. We interpret the intent of this measure to be the control of weed spread not the eradication of existing weed populations. Accordingly, please revise as follows below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.4-1b: To reduce the potential for introduction or spread of invasive weeds in sensitive habitats during ground-disturbing activities, SCE shall prepare and implement a Weed Control Plan. The Weed Control Plan shall address the following:</p> <p>1) A pre-construction weed inventory to be conducted by surveying all areas subject to ground-disturbing activity, including, but not limited to, pole installation sites and construction areas, tower removal sites, pulling and tensioning sites, guard structures, and areas subject to grading for new or improved access and spur roads.</p> <p>2) During construction of the Project, implement measures to control the introduction and spread of noxious weeds in the Project work area. These shall include:</p> <p>a. washing vehicles (including wheels, undercarriages, and bumpers) at existing construction yards, commercial car washes, or similar suitable sites prior to commencing work in off-road areas;</p> <p>b. washing tools such as chainsaws, hand clippers, pruners, etc., prior to use in off-road areas;</p> <p>c. ensuring that all seeds and erosion-control materials used in off-road areas are weed-free, and any imported gravel or fill material are certified weed free by the county Agriculture Commissioners’ Offices before use; and</p> <p>d. during Proposed Project operation and maintenance activities, that require clearing invasive weeds from helicopter landing areas, assembly and laydown areas, spur and access roads, staging areas, and other weed-infested areas; <u>SCE will dispose and disposing</u> of weeds in appropriate off-site locations.”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.4.4	5.4-39	<p>Mitigation Measure 5.4-2 reads as follows: “Mitigation Measure 5.4-2: Within areas that provide potentially suitable habitat for special-status reptiles, SCE and/or its contractors shall perform preconstruction surveys within 24 hours of initial ground disturbance to identify the potential presence of western pond turtle, coast horned lizard, silvery legless lizard, two-striped garter snake, and South Coast garter snake within work areas. If any of these species are identified during surveys of the immediate construction area footprint, individuals shall be relocated from work areas by an individual who is authorized by CDFW to undertake species relocation. A suitable relocation area shall be identified and confirmed in advance with CDFW prior to preconstruction surveys.”</p>	<p>SCE suggests the following language based on industry standard best practices related to the qualifications of biologists performing relocation activities and the methods of relocation for these specific species. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.4-2: Within areas that provide potentially suitable habitat for special-status reptiles, SCE and/or its contractors shall perform preconstruction surveys within 24 hours of initial ground disturbance to identify the potential presence of western pond turtle, coast horned lizard, silvery legless lizard, two-striped garter snake, and South Coast garter snake within work areas. If any of these species are identified during surveys of the immediate construction area footprint, individuals shall be relocated from work areas by an individual who is authorized by CDFW <u>holds a valid scientific collection permit issued by CDFW</u> to undertake species relocation. A suitable relocation area shall be identified <u>within suitable habitat at a minimum of 250-500 feet outside of the project footprint and confirmed in advance with CDFW prior to preconstruction surveys.</u>”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.4.4	5.4-39	<p>Under the discussion of Impact 5.4-3, the first paragraph states as follows:</p> <p>“In 2014, four active coastal California gnatcatcher territories were identified in the Proposed Project area in association with coastal sage scrub habitat near the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2 (Leopold Biological Services, 2014). In all, 113.53 acres of suitable California gnatcatcher habitat was identified within 500 feet of Proposed Project activities; however, habitat impacts would be limited to a fraction of this area. As identified in Impact 5.4-5, 2.38 acres of temporary ground disturbance is anticipated within native grassland and sage scrub vegetation habitat. Within this area of native vegetation disturbance, 0.07 acre of coastal sage scrub habitat (370 linear feet) in Segment 4 would be disturbed by the Proposed Project in support of access road rehabilitation. On the basis of survey findings, the Proposed Project would cause the temporary loss of potential coastal California gnatcatcher habitat in the vicinity of pole locations 45 and 46, in areas there were unoccupied by gnatcatcher in 2014 (see Figure 5.4-4, <i>California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity</i>) (Leopold Biological Services, 2014). Coastal California gnatcatchers could breed within the unoccupied habitat at a later date, prior to disturbance; however, this species was not detected and is presently considered absent from disturbance areas within potentially suitable habitat. No disturbance is proposed within active territories. Because the gnatcatcher was not identified in disturbance sites during protocol-level surveys and the Proposed Project is outside of designated critical habitat for this species, no compensatory mitigation is proposed for coastal California gnatcatcher habitat losses. Note that disturbances to sage scrub habitat are separately addressed by APM BIO-1, which provide that restoration activities in disturbed areas of native habitat (coastal sage scrub) will be implemented in accordance the CDFW SAA and HRMP requirements, and Mitigation Measure 5.4-5.”</p>	<p>SCE proposes the following edits clarifying the focused survey results for coastal California gnatcatcher based on the survey reports (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014) and consistent with DEIR Figure 5.4-4. Coastal California gnatcatcher was observed in Segment 4 only. Suitable habitat occurs in Segments 2, 3 and 4.</p> <p>In addition, this paragraph assesses impacts on coastal California gnatcatcher habitat; therefore, SCE proposes to clarify that occupied habitat would not be impacted by ground disturbance.</p> <p>“In 2014, four active coastal California gnatcatcher territories were identified in the Proposed Project area in association with coastal sage scrub habitat near <u>pole locations 48 through 63 in Segment 4</u> the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2 (Leopold Biological Services, 2014). In all, 113.53 acres of suitable California gnatcatcher habitat was identified within 500 feet of Proposed Project activities; however, habitat impacts would be limited to a fraction of this area. As identified in Impact 5.4-5, 2.38 acres of temporary ground disturbance is anticipated within native grassland and sage scrub vegetation habitat. Within this area of native vegetation disturbance, 0.07 acre of coastal sage scrub habitat (370 linear feet) in Segment 4 would be disturbed by the Proposed Project in support of access road rehabilitation. On the basis of survey findings, the Proposed Project would cause the temporary loss of potential coastal California gnatcatcher habitat in the vicinity of pole locations 45 and 46, in areas there were unoccupied by gnatcatcher in 2014 (see Figure 5.4-4, <i>California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity</i>) (Leopold Biological Services, 2014). Coastal California gnatcatchers could breed within the unoccupied habitat at a later date, prior to disturbance; however, this species was not detected and is presently considered absent from <u>ground</u> disturbance areas within potentially suitable habitat. No <u>ground</u> disturbance is proposed within active territories. Because the gnatcatcher was not identified in disturbance sites during protocol-level surveys and the Proposed Project is outside of designated critical habitat for this species, no compensatory mitigation is proposed for coastal California gnatcatcher habitat losses. Note that disturbances to sage scrub habitat are separately addressed by APM BIO-1, which provide that restoration activities in disturbed areas of native habitat (coastal sage scrub) will be implemented in accordance the CDFW SAA and HRMP requirements, and Mitigation Measure 5.4-5.”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.4.4	5.4-42	<p>Mitigation Measure 5.4-5 states:</p> <p>“Mitigation Measure 5.4-5: Revegetation of native habitat areas will follow the prescriptions identified in the 2012 revegetation plan prepared by Wildscape Restoration for the Proposed Project, included as PEA Appendix F5, <i>Habitat Restoration and Monitoring Plan</i>. The revegetation plan, which was subject to CDFW review and approval, proposes the use of native revegetation for temporary impacts created by the Proposed Project. Implementation of the plan in disturbed areas will ensure that the functions and values of the disturbed habitat are restored by protecting and restoring soil conditions, restoring topography and topsoil following construction, using local native plants, and controlling aggressive non-native plant species.”</p>	<p>The <i>Habitat Restoration and Monitoring Plan</i> (Wildscape Restoration 2012) is a site specific plan that was subject to CDFW review and approval under Streambed Alteration Agreement File No. 1600-2011-0325-R5. SCE supports the recommendations in the plan and will use the plan as a template for the creation of a new restoration plan for remaining restoration activities, including those related to additional native vegetation communities and/or site specific prescriptions not addressed in the 2012 Wildscape Restoration Plan. Please note the new restoration plan will not require CDFW review or approval because the Proposed Project remaining activities do not trigger a CDFW permit. Accordingly, SCE recommends the following revisions below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.4-5: <u>SCE will develop a revegetation plan to restore temporarily impacted native habitats consistent with Revegetation of native habitat areas will follow</u> the prescriptions identified in the 2012 revegetation plan prepared by Wildscape Restoration for the Proposed Project, included as PEA Appendix F5, <i>Habitat Restoration and Monitoring Plan</i>. The <u>2012</u> revegetation plan, which was subject to CDFW review and approval, proposes the use of native revegetation for temporary impacts created by the Proposed Project. <u>Implementation of Consistency with</u> the plan in disturbed areas will ensure that the functions and values of the disturbed habitat are restored by protecting and restoring soil conditions, restoring topography and topsoil following construction, using local native plants, and controlling aggressive non-native plant species.”</p>
5.5.4	5.5-20	<p>The second paragraph of Mitigation Measure 5.5-1b states:</p> <p>“If avoidance of site P-56-001797 is demonstrated to be infeasible, prior to the issuance of any grading or building permits, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist.”</p>	<p>SCE does not need to obtain a grading or building permit for work at this specific location, due to site conditions; therefore, please modify the language as shown below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“If avoidance of site P-56-001797 is demonstrated to be infeasible, prior to the <u>start of construction in the vicinity of site P-56-001797</u>issuance of any grading or building permits, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist.”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.6.4	5.6-5	<p>Under the discussion of Impact 5.6-1, the fourth sentence in the second paragraph states:</p> <p>“Construction activities would not reduce or interrupt existing electrical or natural gas services due to insufficient supply, nor would they interrupt existing local SCE service.”</p>	<p>Please note there may be planned outages. Please modify the language as shown below:</p> <p>“Construction activities would not reduce or interrupt existing electrical or natural gas services due to insufficient supply, nor would they interrupt existing local SCE service, <u>with the exception of minor short term planned outages as necessary for construction, safety, and operational requirements.</u>”</p>
5.6.5	5.6-7	<p>Under the discussion of No Project Alternative 1, the fourth statement states:</p> <p>“Although No Project Alternative 1 would consume no energy during construction, operation, and maintenance, it could result in a long-term loss of reliability in the local electrical distribution system. This impact is considered less than significant, as another project would likely be constructed to address this deficiency.”</p>	<p>Under SCE’s 2014-2023 peak demand forecast, No Project Alternative 1, as described in Section 4.4.1, would result in a long-term loss of reliability in the local electrical distribution system. Therefore, No Project Alternative 1 would result in a significant impact under Energy Conservation criterion (e). Please revise the text accordingly:</p> <p>“Although No Project Alternative 1 would consume no energy during construction, operation, and maintenance, it could result in a long-term loss of reliability in the local electrical distribution system. This impact is considered less than significant, as another project would likely be constructed to address this deficiency. <u>as DEIR Section 4.4.1 provides that although demand-side management programs could reduce customer energy consumption and overall electricity use, Section 4.5.5 states that SCE cannot guarantee that such voluntary programs would provide either the capacity or reliability needs in the ENA, as stated in the Proposed Project objectives.</u>”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations	
5.6.5	5.6-8	<p>Under the discussion of No Project Alternative 2, the last sentence of the first paragraph states as follows:</p> <p>“This could result in a long-term loss of reliability in the local electrical distribution system, although this impact is considered less than significant, as another project would likely be constructed to address this deficiency.”</p>	<p>Under SCE’s 2014-2023 peak demand forecast, No Project Alternative 2, as described in Section 4.4.2, would result in a long-term loss of reliability in the local electrical distribution system. Therefore, No Project Alternative 2 would result in a significant impact under Energy Conservation criterion (e). Please revise the text accordingly:</p> <p>“Although No Project Alternative 2 would consume no energy during construction, operation, and maintenance, it could result in a long-term loss of reliability in the local electrical distribution system. This impact is considered less than significant, as another project would likely be constructed to address this deficiency as DEIR Section 4.4.2 provides that although demand-side management programs could reduce customer energy consumption and overall electricity use, Section 4.5.5 states that SCE cannot guarantee that such voluntary programs would provide either the capacity or reliability needs in the ENA, as stated in the Proposed Project objectives.”</p>	O9-42
5.7.1	5.7-2	<p>Under the heading Soils, the last sentence of the second paragraph states:</p> <p>“Soil engineering properties were also evaluated at specific boring locations identified in the geotechnical data report prepared for previous construction along the alignment, shown in Figure 5.7-2, <i>Well Boring Locations</i>”</p>	<p>The borings were drilled for geotechnical soil data, not for well installation or construction. Accordingly, please revise as follows:</p> <p>“Soil Engineering properties were also evaluated at specific boring locations identified in the geotechnical data report prepared for previous construction along the alignment, shown in Figure 5.7-2, Well <u>Geotechnical Boring Locations</u>”</p>	O9-43
Figure 5.7-2	5.7-4	<p>The title of Figure 5.7-2 reads:</p> <p>“Figure 5.7.2 Well Boring locations”</p>	<p>The borings were drilled for geotechnical soil data, not for well installation or construction. Accordingly, please revise as follows:</p> <p>“Figure 5.7.2 Well <u>Geotechnical Boring</u> locations”</p>	O9-44
Figure 5.7-2	5.7-4	<p>The legend of Figure 5.7-2 reads:</p> <p>“Figure 5.7.2 Well Boring locations”</p>	<p>The borings were drilled for geotechnical soil data, not for well installation or construction. Accordingly, please revise as follows:</p> <p>“Well <u>Geotechnical Boring</u> locations”</p>	O9-45

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations	
5.7.4	5.7-19	<p>Under the discussion of Impact 5.7-1, the first sentence of the second paragraph reads as follows:</p> <p>“However, the single TSP within the A-P Zone would not be constructed directly on a fault trace.”</p>	<p>As noted in SCE’s PEA, SCE will place the subtransmission facilities at locations on opposite sides of the mapped fault traces. Accordingly, please revise as follows:</p> <p>“However, the single TSP within the A-P Zone would not be constructed directly on a <u>mapped</u> fault trace.”</p>	O9-46
5.7.4	5.7-20	<p>Under the discussion of Impact 5.7-3, the fourth sentence in the first paragraph reads as follows:</p> <p>“The amount of sand in the well borings taken from the Little Simi Valley near Moorpark Substation indicates liquefaction could occur at the site”</p>	<p>The borings were drilled for geotechnical soil data, not for well installation or construction. Accordingly, please revise as follows:</p> <p>“The amount of sand in the <u>well geotechnical</u> borings taken from the Little Simi Valley near Moorpark Substation indicates liquefaction could occur at the site”</p>	O9-47
5.7.4	5.7-20	<p>Under the discussion of Impact 5.7-3, the last sentence in the first paragraph states as follows:</p> <p>“However, in accordance with APM GEO-1, the Proposed Project would be designed to minimize the potential impacts from hazards including liquefaction by incorporating recommendations from future geotechnical reports.”</p>	<p>SCE plans to perform additional geotechnical analysis to provide design recommendations. However, we do not plan to prepare additional geotechnical “reports”. Accordingly, please revise as follows:</p> <p>“However, in accordance with APM GEO-1, the Proposed Project would be designed to minimize the potential impacts from hazards including liquefaction by incorporating recommendations from future geotechnical <u>reports analysis</u>.”</p>	O9-48
5.7.4	5.7-22	<p>The impact determination in the heading for Impact 5.7-5 is noted as:</p> <p>“Less than significant (Class III)”.</p>	<p>Please note that the significance determination should read “Less than significant with mitigation” consistent with the analysis presented for Impact 5.7-5.</p>	O9-49
5.7.4	5.7-25	<p>The statement at the end of the discussion for Impact 5.7-5 states:</p> <p>“Mitigation: None required.”</p>	<p>Due to the fact the analysis refers to MM 5.10-1, SCE recommends this statement be corrected to refer to MM 5.10-1.</p>	O9-50
5.7.4	5.7-25	<p>Under the discussion of Impact 5.7-6, the last sentence of the first paragraph states:</p> <p>“One of the TSPs would be constructed over a location found to have landslide deposits (borings B-9a and B-9b) (Converse, 2011).”</p>	<p>The TSP will not be constructed <i>over</i> landslide deposits. The TSP foundation is located <i>near</i> Borings B-9a and B-9b. (within approximately 50 feet). Accordingly, please revise as follows:</p> <p>“One of the TSPs would be constructed over <u>near</u> a location found to have landslide deposits (borings B-9a and B-9b) (Converse, 2011).”</p>	O9-51

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.8.4	5.8-7 – 5.8-8	<p>Under the Construction Emissions heading under the discussion of Impact 5.8-1, the third paragraph states:</p> <p>“The short-term construction emissions estimates provided by SCE do not include helicopter emissions estimates or indirect emissions estimates associated with the proposed use of 37 acre feet of water for dust suppression. Therefore, ESA supplemented SCE’s emissions estimates to include construction-related helicopter emissions estimated using emission factors obtained from the Emissions and Dispersion Modeling System (EDMS) version 5.1.4.1 and The Climate Registry (TCR) (TCR, 2014), as well as indirect short-term electricity usage-related GHG emissions associated with proposed water use for dust control activities using emission and use factors established by the California Energy Commission (CEC) and TCR (CEC, 2005; TCR, 2014). See Appendix D for all emission factors and assumptions used to estimate GHG emissions that would be associated with construction of the Proposed Project.”</p>	<p>The short term construction emission estimates provided by SCE in the PEA did in fact include estimates for a Hughes 500E helicopter during stringing of conductor in the CalEEMod emissions estimator model classified as “Other Construction Equipment”. Accordingly SCE questions whether the ESA supplement to the SCE emission estimates might have double counted helicopter emissions.</p>
5.8.4	5.8-8	<p>Under the Operations and Maintenance Emissions heading under the discussion of Impact 5.8-1, the first sentence states:</p> <p>“Mobile source emissions-related activities associated with Proposed Project operation would be limited to 180 maintenance and inspection trips per year and one annual inspection using a helicopter.”</p>	<p>While SCE appreciates the conservative approach taken by the Commission in the Greenhouse Gas Analysis related to O&M activities, as stated in the PEA, it is expected that there would be approximately 3 to 4 routine maintenance trips per year, not including any trips for emergency repair. Note, however, with respect to emergency response related trips, it’s highly unlikely that such trips combined with routine maintenance trips would amount to 180 trips as discussed in this section of the DEIR. Please revise the analysis accordingly.</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.8.4	5.8-8	<p>Under the heading Operations and Maintenance Emissions under the discussion of Impact 5.8-1, the fourth sentence states:</p> <p>“As part of the CPUC’s Permit to Construct application process, SCE provided a long-term SF6 emissions estimate; however, the estimate was calculated using an unsupported circuit breaker leak rate of 0.5 percent of the total SF6 capacity of the proposed circuit breakers. Therefore, ESA revised the long-term SF6 operational emissions estimate using a USEPA SF6 published leak rate for electrical circuit breakers manufactured in and after 1999 of up to 1.0 percent (USEPA, 2006). Using the USEPA referenced leak rate of 1.0 percent, annual SF6 emissions that would be associated with the Proposed Project have been estimated to be equivalent to approximately 12 metric tons CO2e per year (ESA, 2014).”</p>	<p>SCE’s PEA assumed a 0.5 percent circuit breaker leak rate of SF6 based on the International Electrotechnical Commission Standard of 0.5 percent and resulting published manufacturer’s guaranteed maximum leak rate of 0.5 percent for the new circuit breakers, which would be more efficient than older equipment. The USEPA’s SF6 leak rate represents an average estimate for breakers manufactured in and after 1999, which includes model years of equipment that would therefore overestimate the SF6 emissions of the new circuit breakers. SCE recommends the following edits:</p> <p><u>“As part of the CPUC’s Permit to Construct application process, SCE provided a long-term SF6 emissions estimate; however, the estimate was calculated using an unsupported circuit breaker leak rate of 0.5 percent of the total SF6 capacity of the proposed circuit breakers. Therefore, ESA has opted to utilize a conservative revised the long-term SF6 operational emissions estimate using a USEPA SF6 published leak rate for electrical circuit breakers manufactured in and after 1999 of up to 1.0 percent (USEPA, 2006), even though the manufacturer’s guaranteed maximum leak rate for new electrical equipment is 0.5 percent. Using the USEPA referenced leak rate of 1.0 percent, annual SF6 emissions that would be associated with the Proposed Project have been estimated to be equivalent to approximately 12 metric tons CO2e per year (ESA, 2014).”</u></p>
5.9	5.9-18	<p>Under the heading 5.9 Hazards and Hazardous Materials Significant Criteria f), the DEIR states as follows:</p> <p>“As part of the Proposed Project, marker balls may be required by FAA to be installed on several of the subtransmission line spans. In Segment 2, marker balls may be installed on the conductor between poles 25 and 26, and between poles 27 and 28. In Segment 3, marker balls may be installed on the conductor between poles 32 and 33, and poles 39 and 40. Marker balls would increase the visibility of the new lines and as required by the FAA. This impact would be less than significant.”</p>	<p>Please note that FAA determinations are recommendations, not requirements. Accordingly, SCE will implement FAA recommendations into the design to the extent reasonable and feasible:</p> <p><u>“As part of the Proposed Project, marker balls may be required recommended by FAA to be installed on several of the subtransmission line spans. In Segment 2, marker balls may be installed on the conductor between poles 25 and 26, and between poles 27 and 28. In Segment 3, marker balls may be installed on the conductor between poles 32 and 33, and poles 39 and 40. Marker balls would increase the visibility of the new lines. and as required by the FAA. This impact would be less than significant.”</u></p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.9.4	5.9-19	<p>Under the discussion of the Impact 5.9-6, the sentence introducing Mitigation Measure 5.9-6 and the first sentence of Mitigation Measure 5.9-6 state as follows:</p> <p>“However, to ensure that potentially significant wildland fire impacts associated with the Proposed Project are reduced to less than significant, implementation of Mitigation Measure 5.9-6 would require the preparation of a Health and Safety/Fire Safety Plan and appropriate fire protection equipment.</p> <p>Mitigation Measure 5.9-6: SCE and/or its contractors shall prepare and implement a Health and Safety/Fire Safety Plan to ensure the health and safety of construction workers and the public.</p>	<p>It is unclear to SCE if a separate Health & Safety Plan and a separate Fire Safety Plan are required. If separate plans are required, please modify the language on page 5.9-19 as shown below. Alternately, if a single Health & Safety/Fire Safety Plan is required, please modify the language throughout Section 5.9 so that all instances of “Health & Safety Plan” are changed to “Health & Safety Plan/Fire Safety Plan”.</p> <p>“However, to ensure that potentially significant wildland fire impacts associated with the Proposed Project are reduced to less than significant, implementation of Mitigation Measure 5.9-6 would require the preparation of a Health and Safety/ <u>and a</u> Fire Safety Plan and appropriate fire protection equipment.</p> <p>Mitigation Measure 5.9-6: SCE and/or its contractors shall prepare and implement a Health and Safety/ <u>and a</u> Fire Safety Plan to ensure the health and safety of construction workers and the public.”</p>
5.9.4	5.9-20	<p>The sixth bullet under Mitigation Measure 5.9-6 states:</p> <p>“Prior to construction, SCE shall contact and coordinate with the VCFD to determine the appropriate amounts of fire equipment to be carried on the vehicles and appropriate locations for the water tanks if water trucks are not used. SCE shall submit verification of its consultation with CalFire and the local fire departments to the CPUC.”</p>	<p>Please make the following change. There is only one fire department in the Project area with whom to consult.</p> <p>“Prior to construction, SCE shall contact and coordinate with the VCFD to determine the appropriate amounts of fire equipment to be carried on the vehicles and appropriate locations for the water tanks if water trucks are not used. SCE shall submit verification of its consultation with CalFire and the local fire departments to the CPUC.”</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.10.4	5.10-21	<p>Mitigation Measure 5.10-1 states:</p> <p>“Mitigation Measure 5.10-1: For all improved or rehabilitated access roads that would be within 300 feet of an existing surface water channel (i.e., one that has a distinct bed and banks, including irrigation ditches where no berm/levee is currently in place) and traverse a ground slope greater than two percent, the following protective measures shall be adhered to and/or installed:</p> <ul style="list-style-type: none"> • All access roads shall be out-sloped; • Cross-drains (road surface drainage, e.g., waterbars, rolling dips, or channel drains) shall be installed at intervals based upon the finished road slope: road slope 5 percent or less, cross-drain spacing shall be 150 feet; road slope 6 to 15 percent, cross-drain spacing shall be 100 feet; 16 to 20 percent, cross-drain spacing shall be 75 feet; and 21 to 25 percent, cross-drain spacing shall be 50 feet; and • Energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at all cross-drain outlets.” 	<p>SCE’s existing network of access roads that would be used for the Project primarily consist of in-sloped access roads with berm, drainage swales, and energy dissipators where needed. SCE’s practice of in-sloping roads is in alignment with the referenced <i>Handbook for Forest and Ranch Roads</i> as the referenced handbook recommends in-sloped roads where out-sloping would create unsafe driving conditions. Due to SCE’s use of high center-of-gravity vehicles, out-sloping roads is considered unsafe. In select areas within the SCE territory, SCE has constructed new roads with an out-slope design where safety has not been a concern and site specific conditions have allowed, however implementing a prescriptive approach for out-sloped roads as part of an improvement or rehabilitation to the existing in-slope portions of the Project access road network would have the substantial effects of:</p> <ol style="list-style-type: none"> 1. Creating additional costly grading resulting from changing the access roads from their current in-slope design to an out-slope design. 2. Exposing the undocumented fill portion of previously constructed in-sloped cut/fill roads to erosion potential from surface drainage. 3. Requiring additional improvements not evaluated for impacts or considered in the initial cost estimates. <p>SCE recognizes the concern for protecting existing surface waters and will comply with the Construction General Permit through implementation of appropriate site specific BMPs as recommended by the Project Qualified SWPPP Developers. Separately, the recommended cross-drain spacing would appear to be more applicable to highly erosive soils defined as fine, friable soils, silt, or fine sands which does not apply to the entire project route. Applying the recommended spacing without site specific evaluation would likely create additional unnecessary earthwork and disturbance. Accordingly, please revise as follows below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.10-1: For all improved or rehabilitated access roads that would be within 300 feet of an existing surface water channel (i.e., one that has a distinct bed and banks, including irrigation ditches where no berm/levee is currently in place) and traverse a ground slope greater than two percent, the following protective measures shall be adhered to and/or installed:</p> <ul style="list-style-type: none"> • <u>All rehabilitation or improvement of access roads shall be out-sloped match the existing in-slope or out-slope construction;</u> • <u>Cross-drains (road surface drainage, e.g., waterbars, rolling dips, or channel drains) and energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at intervals based upon the finished road slope: road slope 5 percent or less, cross-drain spacing shall be 150 feet; road slope 6 to 15 percent, cross-drain spacing shall be 100 feet; 16 to 20 percent, cross-drain spacing shall be 75 feet; and 21 to 25 percent, cross-drain spacing shall be 50 feet; and SCE’s roads specifications that are in general alignment with Table 1 of the latest version (2014) of the <i>Handbook for Forest, Ranch and Rural Roads</i>. Table 1 of the manual is shown below for reference.</u> • <u>Energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at all cross-drain outlets.</u>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations																				
			<p>TABLE 1. An example of ditch-relief culvert and rolling dip spacing guidelines is found in the University of California's Publication 8262, <i>Rural Roads: A Construction and Maintenance Guide for California Landowners</i> (Kocher et al. 2006, adopted from Keller and Sherar 2003). Note that spacing of rolling dips and ditch relief culverts should be a function of proximity to a watercourse, with closer spacing near the channel.</p> <table border="1" data-bbox="1192 683 1818 1029"> <thead> <tr> <th data-bbox="1192 683 1402 808" rowspan="2">Road Grade (percent)</th> <th colspan="2" data-bbox="1402 683 1818 732">Soil Erodibility</th> </tr> <tr> <th data-bbox="1402 732 1619 808">Low to Nonerosive soils</th> <th data-bbox="1619 732 1818 808">Erosive soils</th> </tr> </thead> <tbody> <tr> <td data-bbox="1192 808 1402 857">0-3%</td> <td data-bbox="1402 808 1619 857">400'</td> <td data-bbox="1619 808 1818 857">250'</td> </tr> <tr> <td data-bbox="1192 857 1402 906">4-6%</td> <td data-bbox="1402 857 1619 906">300'</td> <td data-bbox="1619 857 1818 906">160'</td> </tr> <tr> <td data-bbox="1192 906 1402 954">7-9%</td> <td data-bbox="1402 906 1619 954">250'</td> <td data-bbox="1619 906 1818 954">130'</td> </tr> <tr> <td data-bbox="1192 954 1402 1003">10-12%</td> <td data-bbox="1402 954 1619 1003">200'</td> <td data-bbox="1619 954 1818 1003">115'</td> </tr> <tr> <td data-bbox="1192 1003 1402 1029">12+</td> <td data-bbox="1402 1003 1619 1029">160'</td> <td data-bbox="1619 1003 1818 1029">100'</td> </tr> </tbody> </table> <p>Note: (1) Low Erosion Soils = Coarse Rocky Soils, Gravel, and Some Clay (2) High Erosion Soils = Fine, Friable Soils, Silt, Fine Sands</p>	Road Grade (percent)	Soil Erodibility		Low to Nonerosive soils	Erosive soils	0-3%	400'	250'	4-6%	300'	160'	7-9%	250'	130'	10-12%	200'	115'	12+	160'	100'
Road Grade (percent)	Soil Erodibility																						
	Low to Nonerosive soils	Erosive soils																					
0-3%	400'	250'																					
4-6%	300'	160'																					
7-9%	250'	130'																					
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O9-58 (cont.)

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.10-4	5.10-23	<p>Mitigation Measure 5.10-2 states:</p> <p>“Mitigation Measure 5.10-2: Regarding dewatering activities and discharges, the following measures shall be implemented as part of Proposed Project construction:</p> <ul style="list-style-type: none"> • If degraded soil or groundwater is encountered during excavation (e.g., there is an obvious sheen, odor, or unnatural color to the soil or groundwater), SCE and/or its contractor shall excavate, segregate, test, and dispose of degraded soil or groundwater in accordance with state hazardous waste disposal requirements. • All dewatering activities shall, where feasible, discharge to the land surface in the vicinity of the particular installation or construction site. The discharges shall be contained, such that the water is allowed to infiltrate back into the soil, and eventually to the groundwater table, and the potential for inducing erosion and subsequent sediment delivery to nearby surface waterways is eliminated. Further, the holding tank or structure shall be protected from the introduction of pollutants including but not limited to oil or fuel contamination from nearby equipment. Concerning such activities, SCE shall apply and comply with the provisions of SWRCB Order 2003-0003-DWQ, including development and submittal of a discharge monitoring plan. • If discharging to a community sewer system is feasible or necessary, SCE shall discharge to a community sewer system that flows to a wastewater treatment plant. Prior to discharging, SCE shall inform the responsible organization or municipality and present them with a description of and plan for the anticipated discharge. SCE shall comply with any specific requirements that the responsible organization or municipality may have. • If discharging to surface waters, including to storm drains, would be necessary, SCE shall obtain and comply with the provisions of the LARWQCB Dewatering General Permit. SCE shall perform a reasonable analysis using a representative sample(s) of the groundwater to be discharged; this shall include analyzing the sample(s) for the constituents listed in the LARWQCB Dewatering General Permit, including TDS and nitrate. Further, the sample(s) shall be compared to the screening criteria listed in the LARWQCB Dewatering General Permit and the Basin Plan, and it shall be demonstrated that the discharge would not exceed any of the applicable water quality criteria or objectives. If necessary, SCE shall develop and submit to the LARWQCB a treatment plan and design. • SCE shall provide to the CPUC proof of compliance with LARWQCB plans and permits prior to the commencement of construction activities.” 	<p>Dewatering is not anticipated to be necessary for the Proposed Project. However, if it is determined that dewatering is necessary, SCE will comply with Mitigation Measure 5.10-2 as amended below. Please also revise the reference to this measure in both the Executive Summary and Chapter 10.</p> <p>“Mitigation Measure 5.10-2: Regarding dewatering activities and discharges, the following measures shall be implemented as part of Proposed Project construction:</p> <ul style="list-style-type: none"> • If degraded soil or groundwater is encountered during excavation (e.g., there is an obvious sheen, odor, or unnatural color to the soil or groundwater), SCE and/or its contractor shall excavate, segregate, test, and dispose of degraded soil or groundwater in accordance with state hazardous waste disposal requirements. • All dewatering activities shall, where feasible, discharge to the land surface in the vicinity of the particular installation or construction site. The discharges shall be contained, such that the water is allowed to infiltrate back into the soil, and eventually to the groundwater table, and the potential for inducing erosion and subsequent sediment delivery to nearby surface waterways is eliminated. Further, the holding tank or structure shall be protected from the introduction of pollutants including but not limited to oil or fuel contamination from nearby equipment. Concerning such activities, SCE shall apply and comply with the provisions of SWRCB Order 2003-0003-DWQ, including development and submittal of a discharge monitoring plan. • If discharging to a community sewer system is feasible or necessary, SCE shall discharge to a community sewer system that flows to a wastewater treatment plant. Prior to discharging, SCE shall inform the responsible organization or municipality and present them with a description of and plan for the anticipated discharge. SCE shall comply with any specific requirements that the responsible organization or municipality may have. • If discharging to surface waters, including to storm drains, would be necessary, SCE shall obtain and comply with the provisions of the LARWQCB Dewatering General Permit. SCE shall perform a reasonable analysis using a representative sample(s) of the groundwater to be discharged; this shall include analyzing the sample(s) for the constituents listed in the LARWQCB Dewatering General Permit, including TDS and nitrate. Further, the sample(s) shall be compared to the screening criteria listed in the LARWQCB Dewatering General Permit and the Basin Plan, and it shall be demonstrated that the discharge would not exceed any of the applicable water quality criteria or objectives. If necessary, SCE shall develop and submit to the LARWQCB a treatment plan and design. • SCE shall provide to the CPUC proof of compliance with LARWQCB plans and permits prior to the commencement of construction activities, <u>if required.</u>”

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.14.4	5.14-4 and 5.14-5	<p>The conclusion at the end of the discussion under Impact 5.14-1 states:</p> <p>“Therefore, implementation of the Proposed Project would not be expected to result in any significant increase to the local population or adverse effect on the housing market.”</p>	<p>The reference to any potential effects on the housing market should be deleted because economic and social impacts are outside the purview of CEQA. (See <i>Anderson First Coalition v. City of Anderson</i> (2004) 130 Cal.App.4th 1173, 1182.) Accordingly, please revise as follows:</p> <p>“Therefore, implementation of the Proposed Project would not be expected to result in any significant increase to the local population or adverse effect on the housing market.”</p>
5.15.5	5.15-7	<p>Under the heading No Project Alternative 2, the second sentence states:</p> <p>“Construction impacts associated with No Project Alternative 2 would be similar to those of the Proposed Project because this alternative would require construction activities within the same SCE right-of-way, and would require a similar, yet smaller, temporary construction workforce as the Proposed Project.”</p>	<p>Please modify the language as shown below. Similar language is used in Section 5.14.5; the modifications below will ensure consistency between these two sections.</p> <p>“Construction impacts associated with No Project Alternative 2 would be similar to those of the Proposed Project because this alternative would require construction activities within the same SCE right-of-way, and would require a similar, yet smaller, temporary construction workforce as the Proposed Project.”</p>
5.17.4	5.17-9	<p>Under the heading Approach to Analysis, the second sentence in the first paragraph under the heading states:</p> <p>“Occasional post-construction maintenance activities involving fewer than 15 vehicle trips (30 one-way trips) per month would briefly affect only local segments. Therefore, long-term operational impacts would be inconsequential, and the analysis presented herein focuses on temporary impacts during construction of the Proposed Project.”</p>	<p>Please refer to SCE’s comment with respect to Air Quality Section Impact 5.3-3 regarding post construction operations and maintenance vehicle trips, and revise accordingly.</p>
5.17.4	5.17-10	<p>Under the Impact 5.17-1 Operations and Maintenance Impacts discussion, the fourth sentence of the first paragraph states as follows:</p> <p>“The estimated number of vehicle trips associated with normal operation of the Proposed Project would be fewer than 15 per month; therefore, impacts to the current circulation system would be less than significant, and the Proposed Project would not create any inconsistency or conflict with an applicable plan, ordinance, or policy that establishes measures of effectiveness.”</p>	<p>Please refer to SCE’s comment with respect to Air Quality Section Impact 5.3-3 regarding post construction operations and maintenance vehicle trips, and revise accordingly.</p>

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SCE COMMENTS

Section	Page	DEIR Language	SCE Recommendations
5.17.4	5.17-11	<p>Under Impact 5.17-2, the fifth sentence states as follows:</p> <p>“The estimated number of vehicle trips associated with normal operation of the Proposed Project would be fewer than 15 per month.”</p>	<p>Please refer to SCE’s comment with respect to Air Quality Section Impact 5.3-3 regarding post construction operations and maintenance vehicle trips, and revise accordingly.</p>
5.17.4	5.17-12	<p>Under the discussion of Impact 5.17-3, the fifth paragraph under Construction Impacts states:</p> <p>“Project-related helicopter use would create a new air traffic pattern by adding flights to new destinations; however, there would be few trips total and they would not result in substantial safety risks to other pilots because the Proposed Project-related helicopter activities would occur in areas that are not commonly shared airspace. It also would not result in substantial safety risks to people on the ground. This impact would be less than significant.”</p>	<p>SCE disagrees about the statement that helicopter use would create new traffic patterns. Please revise as noted below:</p> <p>“Project-related helicopter use would create a new air traffic pattern by adding flights to new destinations <u>follow substantially the same routes and patterns as existing helicopter use along the existing subtransmission and transmission lines in the Project area. Because of this, and because</u> there would be few trips total, <u>and they would not result in substantial safety risks to other pilots in a manner materially different than what exists under existing (baseline) conditions.</u> because the Proposed Project related helicopter activities would occur in areas that are not commonly shared airspace. It also would not result in substantial safety risks to people on the ground. This impact would be less than significant.”</p>
5.18.1	5.18-3	<p>The discussion under the heading Electricity and Natural Gas states:</p> <p>“Southern California Edison (SCE) is the primary provider of electrical services and natural gas throughout Ventura County (Ventura County, various dates).”</p>	<p>Please modify language as shown below; the Gas Company provides natural gas service in the Project Area, not Southern California Edison.</p> <p>“Southern California Edison (SCE) is the primary provider of electrical services <u>and natural gas</u> throughout Ventura County, <u>and the Gas Company is the primary provider of natural gas.</u> (Ventura County, various dates).”</p>
5.18.4	5.18-10	<p>The sixth paragraph under the discussion of Impact 5-18-2 states:</p> <p>“The existing wood poles removed for the Proposed Project would be returned to the staging yard, and either reused by SCE, returned to the manufacturer, disposed of in a Class I hazardous waste landfill, or disposed of in the lined portion of a municipal landfill which the RWQCB has approved for the disposal of treated wood waste.”</p>	<p>Please modify the language as shown below. The sentence as written could be misconstrued to imply that only a single staging yard would be used for the Project. As stated in SCE’s comments to the Project Description, several staging yards may be utilized.</p> <p>“The existing wood poles removed for the Proposed Project would be returned to the <u>a</u> staging yard, and either reused by SCE, returned to the manufacturer, disposed of in a Class I hazardous waste landfill, or disposed of in the lined portion of a municipal landfill which the RWQCB has approved for the disposal of treated wood waste.”</p>

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Section	Page	DEIR Language	SCE Recommendations
7.2.17	7-18	<p>The last paragraph under the heading Transportation and Traffic starts with the following sentence:</p> <p>“During operation, the increase in traffic due to maintenance activities to maintain the new and reconductored subtransmission lines and the associated corridors would be inconsequential (fewer than 15 vehicle trips per month).”</p>	<p>Please refer to SCE’s comment with respect to Air Quality Section Impact 5.3-3 regarding post construction operations and maintenance vehicle trips, and revise accordingly.</p>

O9-68

3.2.9 Letter O9 – Responses to Comments from Southern California Edison

O9-1 Subsequent to providing this comment, SCE has provided the CPUC with the power flow studies that incorporate SCE’s recently-approved 10-year forecast (SCE, 2015). The CPUC’s independent electrical transmission engineer assigned to this project, Paul Scheuerman of Scheuerman Consulting, has reviewed the power flow studies and concurs with SCE’s comment regarding the confirmed need for the project based on the two projected criteria violations identified by the commenter, which include a voltage drop of greater than five percent at Newbury and Pharmacy Substations beginning in 2015 during an N-1 abnormal system condition, as well as projected base case overload on the Moorpark-Newbury-Pharmacy 66 kV line under normal system conditions beginning in 2024. In addition to the two projected criteria violations identified by the commenter, the submitted power flow studies for the recently-approved 10-year forecast suggest that there would also be an overload on the Newbury-Thousand Oaks 66 kV line beginning in 2015 during an N-1 abnormal system condition.

Reference:

Southern California Edison (SCE), 2015. Data Request Response 7. DATA REQUEST SET A1310021 Moorpark-Newbury-ED-SCE-07, August 15, 2014, and Supplemental Responses submitted on September 8th and 9th, 2015.

O9-2 The commenter notes that the conclusions identified in the Draft EIR analysis of alternatives are supported by SCE’s power flow analysis using its recently approved 10-year forecast data. Based on the independent review of SCE’s new power flow studies for the project (see response to Comment O9-1), the CPUC concurs with this comment.

O9-3 The last paragraph in Draft EIR Section ES.1, *Introduction* (see page ES-1), has been revised as suggested to clarify that the proposed upgrade to the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would not in and of itself address the need for the project:

In its application, SCE requested authorization to construct the new Moorpark-Newbury 66 kV Subtransmission Line and upgrade the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to collectively address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.

O9-4 The first sentence of the fourth bullet on Draft EIR page ES-5 has been revised as suggested to clarify that the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line is an existing line:

Segment 4: Installation of approximately 1 mile of conductor for the new Moorpark-Newbury 66 kV Subtransmission Line to be collocated with the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line on previously installed lightweight steel (LWS) poles into Newbury Substation.

- O9-5 The first sentence in Draft EIR Section 1.1, *Project Overview* (see page 1-1), has been revised as suggested to clarify that the proposed upgrade to the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line would not in and of itself address the need for the project:

The Proposed Project would include constructing the new Moorpark-Newbury 66 kV Subtransmission Line and upgrading the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to collectively address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.

- O9-6 The comment suggests that SCE would only implement the Federal Aviation Administration (FAA) safety recommendations that it determines to be reasonable and feasible. In the event FAA identifies other recommendations not disclosed in the Draft EIR that SCE considers to be unreasonable and/or not feasible, SCE should work with FAA to ensure that the intent of the recommendations from a safety standpoint are implemented. To avoid issues that could arise due to the ambiguity of the terms “reasonable” and “feasible,” the suggested revisions have not been incorporated.

Further, the aviation safety discussion presented in the Draft EIR relied on the assumption that SCE would incorporate the FAA recommendations. However, considering that SCE has indicated that it may not implement the FAA suggestions, the following revisions have been incorporated to the Draft EIR Impact 5.9-5 discussion to ensure that the intent of any FAA recommendations for aviation safety are met.

The heading for Impact 5.9-5 on Draft EIR page 5.9-17 has been revised as follows to reflect the incorporation of mitigation:

Impact 5.9-5: The Proposed Project could result in a safety hazard for people working in the Proposed Project area because a nearby private helipad. *Less than significant with mitigation (Class II) (Class III)*

The last paragraph of the Impact 5.9-5 discussion on Draft EIR page 5.9-18 has been revised as follows to incorporate a mitigation measure requirement to ensure that the intent of any FAA recommendations are met:

As part of the Proposed Project, marker balls may be recommended ~~required~~ by FAA to be installed on several of the subtransmission line spans. In

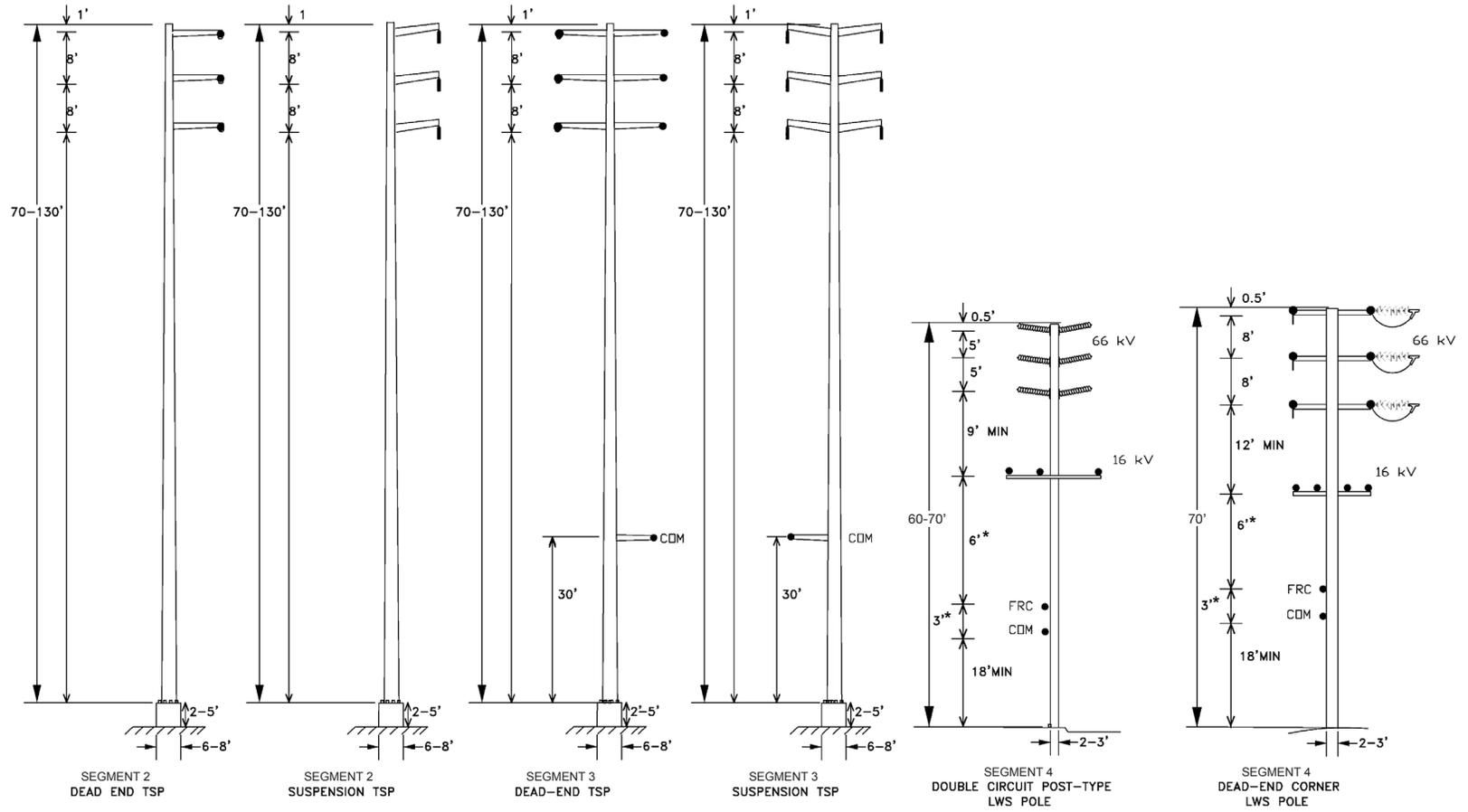
Segment 2, marker balls may be installed on the conductor between poles 25 and 26, and between poles 27 and 28. In Segment 3, marker balls may be installed on the conductor between poles 32 and 33, and poles 39 and 40. Marker balls would increase the visibility of the new lines ~~and as required by the FAA~~. Subsequent to the release of the Draft EIR, SCE has indicated that it may not implement FAA recommendations not currently identified in the Project Description if it determines the recommendations are not reasonable or feasible. To ensure that the desired intent of the FAA recommendations with regard to aviation safety are incorporated in the Proposed Project, implementation of Mitigation Measure 5.9-5 is suggested. Implementation of this measure would reduce this potentially significant impact to aviation safety to a less-than-significant level. This impact would be less than significant.

Mitigation: ~~None required.~~

Mitigation Measure 5.9-5: In the event that the Federal Aviation Administration (FAA) provides SCE with recommendations other than those identified in the EIR Project Description, SCE shall implement the recommendations to the extent feasible. If SCE determines that the recommendation is not feasible, SCE must attempt to consult with FAA to identify how the intent of the recommendation, in terms of aviation safety, can be achieved in a feasible manner. If SCE and FAA cannot agree on the aviation safety measures for the project, SCE shall submit to the CPUC a detailed report identifying the specific reasons why it has determined that the recommendations are not feasible. The report shall include documentation of SCE's correspondences with FAA and offer solutions to achieve the aviation safety intent of the FAA recommendations. The report shall be submitted to the CPUC for review and approval at least 90 days prior to installation of any conductor.

Significance after mitigation: Less than significant.

- O9-7 The suggested revisions have not been incorporated. Refer to response to Comment O9-6 for explanation.
- O9-8 The suggested asterisks footnote was inadvertently not included on Draft EIR Figure 3-8, *Typical Pole Design*. Therefore, the figure has been revised accordingly and is presented on the follow page.
- O9-9 The suggested revisions have not been incorporated. Refer to response to Comment O9-6 for explanation.



*These dimensions may vary depending on the space available on each particular pole, as well as the height of the pole and field conditions.

- O9-10 The following revision to the first sentence of the second paragraph under heading Below-Ground Conductor has been incorporated to the Draft EIR (see page 3-17) to allow flexibility in the type of underground cable that can be used for the Proposed Project:

Three separate 3,000 kcmil copper or aluminum underground cables approximately 1,200 feet in length each would be installed through the TSP and conduit within the duct bank.

- O9-11 It would not be appropriate for the Final EIR project description to include an open ended statement that indicates that any number of additional staging areas could be established prior to the start of construction solely for the purpose to optimize construction efficiency, as suggested by the commenter. It appears that SCE has not identified a specific need or site for a new construction staging area; therefore, there is no way for the CPUC to evaluate any potential effects that could be associated with any new staging areas not identified in the EIR. Therefore, the suggested revisions have not been incorporated.

With that said, it should be noted that if in the future SCE determines that additional construction staging area(s) are necessary, it could request that the CPUC approve a specific change to the project via a variance request process. However, as acknowledged on page 10-5 of Draft EIR Chapter 10, *Mitigation Monitoring, Reporting, and Compliance Program*, no project variance will be approved by the CPUC if it creates new significant environmental impacts. As indicated in Chapter 10, a variance should be strictly limited to minor project changes that will not trigger other permit requirements and does not increase the severity of an impact or create a new impact. If the requested change to the approved project would have the potential for creating significant environmental effects, the CPUC would be required to evaluate the requested change to determine whether supplemental CEQA review would be warranted.

- O9-12 Subsequent to providing this comment, SCE informed the CPUC that it only plans to store fuels at its Thousand Oaks Service Center, Valencia Service Center, and/or Ventura Service Center facilities; however, SCE confirmed that it now intends to also conduct normal maintenance and refueling of construction equipment at its staging areas, construction laydown areas, and construction work sites. The following revisions to the first paragraph on Draft EIR Section 3.6.5 (page 3-22) have been incorporated to reflect this change.

Routine maintenance and refueling of construction equipment and fuel storage by SCE personnel would occur at SCE's Thousand Oaks Service Center, Valencia Service Center, or Ventura Service Center. ~~These locations~~ facilities are equipped with approved fuel stations. In addition, normal maintenance and refueling of construction equipment would also be conducted at staging areas, construction laydown areas, and construction

work sites. All refueling and storage of fuels ~~at these facilities~~ would be in accordance with site-specific stormwater permits, and refueling equipment procedures would be included within the Storm Water Pollution and Prevention Plan (SWPPP).

In addition, Draft Mitigation Measure 5.9-1a (Draft EIR page 5.9-13 and 5.9-14) has been modified as follows to clarify that the identified best management practices related to refueling apply to all construction equipment, not just vehicles and to ensure that the proposed refueling activities at the staging areas, construction laydown areas, and construction work sites would be conducted in a manner that would contain any spilled fuel:

Mitigation Measure 5.9-1a: SCE and/or its contractors shall implement construction best management practices including but not limited to the following:

- Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction;
- Avoid overtopping construction equipment fuel gas tanks;
- Use tarps and adsorbent pads under construction equipment and vehicles when refueling to contain and capture any spilled fuel;
- During routine maintenance of construction equipment, properly contain and remove grease and oils; and
- Properly dispose of discarded containers of fuels and other chemicals.

O9-13 The first sentence in Draft EIR Section 3.6.8.4, *Guard Structures* (see page 3-27 on Draft EIR), has been revised as follows for clarification:

Guard structures are temporary facilities that would be installed at some conductor ~~transportation, flood control, and utility~~ crossings of transportation, flood control, and utility facilities.

O9-14 The suggested revisions have not been incorporated. Refer to response to Comment O9-6 for explanation.

O9-15 The first sentence in Draft EIR Section 3.6.17, *Construction Schedule*, on page 3-36 has been revised as follows to reflect the current construction schedule:

SCE anticipates that construction of the Proposed Project would take approximately 10 months ~~and expects that construction would occur between fall of 2015 and summer 2016; clean-up would continue through December of 2016.~~ Construction would commence following CPUC approval, final engineering, procurement activities, and receipt of applicable permits. Clean-up would continue for approximately 4 to 5 months thereafter.

O9-16 The first sentence in Draft EIR Section 3.9, *Electric and Magnetic Fields Summary*, on page 3-45 has been revised as follows to reflect the high end of extremely low frequency fields:

Extremely low frequency (ELF) electric and magnetic fields (EMF) include alternating current (AC) fields and other electromagnetic, non-ionizing radiation from 1 Hz to ~~300~~ 3,000 Hz.

O9-17 The commenter is correct that the portion of State Route (SR) 118 in the immediate vicinity of the Proposed Project is not designated as an Eligible Ventura County Scenic Highway. However, portions of the Proposed Project would be visible from locations on SR 118 that do have Eligible Ventura County Scenic Highway status, and as such, it is important that the designation be included in Table 5.1-1 (Draft EIR page 5.1-12). However, Table 5.1-1 has been revised as follows to clarify the scenic status of SR 118:

SR 118	Eligible Ventura County Scenic Highway <u>east of SR 23, approximately 2 miles east of the Proposed Project area</u>	Proposed Project crosses once and runs parallel within 600 feet to 1,500 feet for 0.6 mile.	High
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O9-18 In the discussion for Impact 5.1-3 (Draft EIR page 5.1-30), the number of pulling/splicing sites has been corrected as follows:

Temporary pulling/splicing sites would be staged at approximately ~~32~~ 10 locations along the Proposed Project alignment.

O9-19 Mitigation Measure 5.1-2b (Draft EIR page 5.1-30) has been revised as follows to offer flexibility in implementation, while maintaining the intent of the measure:

Mitigation Measure 5.1-2b: SCE shall coordinate with the Conejo Open Space Conservation Agency (COSCA) to ensure that designated trails in the vicinity of the Proposed Project are not blocked by the laydown areas or conductor stringing areas, or otherwise provide for safe substitute means of access for recreational trail users. SCE shall coordinate with COSCA to post signage at trailheads within the Conejo Canyons Open Space area, alerting recreationalists to construction locations and dates.

O9-20 The text under Impact 5.1-3 intended to show that temporary pulling/splicing sites would be visible from some scenic vista points along recreational trails. As such, the language on page 5.1-31 has been corrected as follows:

Some pulling/splicing sites would be visible from locations that provide views of scenic vistas along recreational trails; in particular, the stringing site

near pole 40 would be highly visible from and could impede access to the Western Plateau Trail and the Peninsula Loop Trail.

- 09-21 The discussion under Impact 5.1-6 (Draft EIR page 5.1-36) has been revised to reflect available portable construction lighting equipment:

With implementation of Mitigation Measure 5.1-6, which requires a *Construction Lighting Mitigation Plan* with the use of shielded lighting elements, and directed fixtures, ~~and motion or timing sensors~~, this impact would be reduced to less than significant.

- 09-22 Mitigation Measure 5.1-6 has been revised to reflect available portable construction lighting equipment and clarify that the mitigation measure applies to construction areas:

Mitigation Measure 5.1-6: SCE shall design and install all new lighting at ~~Project facilities~~ construction areas, including construction and storage yards and staging areas, such that light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination of the ~~project facilities~~ construction areas, vicinity, and nighttime sky is minimized. SCE shall submit a *Construction Lighting Mitigation Plan* to the CPUC for review and approval at least 90 days prior to the start of construction ~~or the ordering of any exterior lighting fixtures or components, whichever comes first~~. SCE shall not ~~order~~ use any exterior lighting fixtures or components until the *Construction Lighting Mitigation Plan* is approved by the CPUC. The Plan shall include but is not limited to the following measures:

- Lighting shall be designed so exterior lighting is hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light sources are shielded to ~~prevent~~ minimize light trespass outside the ~~Project boundary~~ area requiring illumination.
- All lighting shall be of minimum necessary brightness consistent with worker safety.
- High illumination areas not occupied on a continuous basis shall ~~have switches or motion detectors to light the area~~ be illuminated only when occupied.

- 09-23 As disclosed on Draft EIR page 5.3-11, the methods described in Ventura County Air Pollution Control District (VCAPCD)'s Ventura County Air Quality Assessment Guidelines do not include significance thresholds for construction emissions, and they recommend that construction-related reactive organic compounds (ROC) and oxides of nitrogen (NO_x) emissions not be counted towards the district's significance thresholds for operational activities, since these emissions are temporary. Although

the CPUC acknowledges that it may not be appropriate to gauge significance of construction-related emissions based on the VCAPCD's significance thresholds for long-term operations, the CPUC is of the opinion that the Proposed Project should be compared to significance thresholds for short-term construction emissions given the district's nonattainment status for several criteria pollutants, including ozone, PM₁₀, and PM_{2.5}. The fact that construction emissions would be temporary does not excuse the CPUC from evaluating construction-related exhaust emissions based on an assessment that utilizes significance thresholds.

Because the South Coast Air Quality Management District (SCAQMD) is an adjacent air district to VCAPCD with its geographic boundary located approximately 7 miles southeast of Newbury Substation, and because it has adopted well-defined construction mass emission significance thresholds that are supported by substantial evidence, the CPUC has opted to compare the estimated construction exhaust emissions that would be associated with the Proposed Project and alternatives to SCAQMD's significance thresholds for ozone precursors (i.e., NO_x and volatile organic compounds (VOCs)) and particulate matter (i.e., PM₁₀ and PM_{2.5}) to determine if construction exhaust emissions that would be associated with the Proposed Project could result in a violation of an air quality standard or contribute substantially to an existing or projected air quality violation. The suggested revisions have not been incorporated.

- O9-24 In order to provide flexibility in the construction schedule while maintaining the overall intent and effectiveness of the measure, Mitigation Measure 5.3-1 (Draft EIR page 5.3-14) has been revised as suggested:

Mitigation Measure 5.3-1: For diesel-fueled off-road construction equipment of more than 50 horsepower, SCE shall make a good faith effort to use available construction equipment that meets the highest USEPA-certified tiered emission standards. An Exhaust Emissions Control Plan ~~that identifies each off-road unit's certified tier specification and Best Available Control Technology (BACT)~~ shall be submitted to the CPUC for review and approval at least 30 days prior to commencement of construction activities. Construction activities cannot commence until the plan has been approved. Separate from the Exhaust Emissions Control Plan, an inventory of off-road diesel equipment over 50 hp that identifies each off-road unit's certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC prior to mobilization of that unit. For all pieces of equipment that would not meet Tier 3 emission standards, the ~~Exhaust Emissions Control Plan inventory submittal~~ shall include documentation from two local heavy construction equipment rental companies that indicates that the companies do not have access to higher-tiered equipment for the given class of equipment.

O9-25 The *Operation Impacts* discussion contained within PEA Section 4.16.5 (see PEA page 4-391) states “The estimated number of vehicle trips associated with normal operation of the Project would be less than 15 per month....” Therefore, to ensure conservative analyses within the Draft EIR, it was assumed that the Proposed Project would be limited to up to 15 maintenance and inspection-related trips per month. Since the commenter indicates that 3 to 4 maintenance trips per year would be required, and does not mention how many trips would be associated with inspections, it is assumed that the operation trips disclosed in the Draft EIR is a reasonable estimate, although conservative. The requested revision to the Draft EIR has not been incorporated.

O9-26 The third sentence of the second paragraph of Impact 5.3-4 (Draft EIR page 5.3-18) has been revised as follows to clarify that the NO_x significance threshold is not recommended by VCAPCD.:

Mitigation Measure 5.3-1 would help reduce NO_x emissions; however, NO_x emissions could continue to exceed the ~~VCAPCD~~ significance threshold.

O9-27 In response to the comment and findings cited in the 2015 botanical survey report (Environmental Intelligence, LLC, 2015), the Draft EIR setting discussion for rare plants in the third sentence of the last paragraph on page 5.4-10 is revised as follows:

As identified in Table 5.4-2, seven non-listed special-status plants were identified with at least a moderate potential to occur in the study area: round-leaved filaree (*California macrophylla*), Santa Susana tarplant (*Deinandra minthornii*), Blochman’s dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*), Conejo buckwheat (*Eriogonum crocatum*), mesa horkelia (*Horkelia cuneate* ssp. *puberula*), white-veined Monardella (*Monardella hypoleuca* ssp. *hypoleuca*), and Ojai navarretia (*Navarretia ojaiensis*). Conejo buckwheat, a CRPR List 1.B.2 species, and two A single CRPR List 4 species, Catalina mariposa lily (*Calochortus catalinae*) and Hubby's phacelia (*Phacelia hubbyi*), was were also observed within the Proposed Project study area during botanical surveys.

O9-28 The suggested revision is acknowledged; however, was not incorporated into the Final EIR as it does not relate to the adequacy of the Draft EIR analysis.

O9-29 The suggested revision is acknowledged; however, was not incorporated into the Final EIR as it does not relate to the adequacy of the Draft EIR analysis.

O9-30 In response to the clarifications identified by the commenter, the first sentence of the discussion entitled Coastal California Gnatcatcher on Draft EIR page 5.4-21 has been revised as follows:

Coastal California gnatcatcher is a federally-listed Threatened species and a California SSC. In California, this subspecies is an obligate resident of coastal sage scrub vegetation types. ~~Focused surveys were conducted to determine species presence within suitable habitat in the Proposed Project study area.~~ Within 500 feet of the Proposed Project right-of-way (ROW), Leopold Biological Services (2014) mapped 113.53 acres of suitable California gnatcatcher habitat (see **Figure 5.4-4, California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity**). This included 7.25 acres of suitable habitat in Segment 2 on the south side of Santa Rosa Valley; 62.24 acres of suitable habitat in Segment 3; and 44.04 acres in Segment 4. ~~Focused surveys were conducted to determine species presence within suitable habitat in the project study area in 2008, 2010, 2011, and 2014 (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014). No coastal California gnatcatchers were observed in 2008. Within Segment 4 and the Conejo Open Space near pole locations 48 through 63, eight coastal California gnatcatchers were observed in three territories in 2010; four coastal California gnatcatchers plus an unspecified number of nestlings were observed in two territories in 2011; and. Within these areas, 10 coastal California gnatcatchers were observed in four occupied territories totaling 32.44 acres in 2014. Active gnatcatcher territories were described in association with coastal sage scrub habitat near pole locations 48 through 63 the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2 (Leopold Biological Services, 2014) (see Figure 5.4-4). Native vegetation in these areas includes rosemary flat-topped buckwheat, California sagebrush, black sage, gray coast buckwheat, coastal prickly pear, purple sage, bladderpod (*Isomeris arborea*), bush sunflower (*Encelia californica*), lemonadeberry, coyote brush, western poison oak, bush monkeyflower, laurel sumac, and deerweed. Three nesting pairs were identified near the alignment within the Conejo Open Space (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014).~~

- O9-31 The suggested revision is acknowledged; however, was not incorporated into the Final EIR as it does not relate to the adequacy of the Draft EIR analysis.
- O9-32 In response to the clarifications identified by the commenter, the Draft EIR Regulatory Setting discussion for Riparian Communities on Draft EIR page 5.4-27 has been deleted as follows:

~~**Riparian Communities in California.** Riparian communities have a variety of functions, including providing high quality habitat for resident and migrant wildlife, streambank stabilization, and runoff water filtration. Throughout the U.S., riparian habitats have declined substantially in extent and quality compared with their historical distribution and condition. These~~

~~declines have increased concerns about dependent plant and wildlife species, leading federal agencies to adopt policies to arrest further loss.~~

- O9-33 In response to the comment and findings cited in the 2015 botanical survey report (Environmental Intelligence, LLC, 2015), the Draft EIR impact discussion for rare plants in the third paragraph of Draft EIR page 5.4-37 has been revised as follows:

Botanical surveys performed by BonTerra in spring 2008 and 2010 focused on the potential presence of Lyon's pentachaeta and Conejo dudleya and did not assess the potential presence for all special-status plant species that could occur on-site (BonTerra, 2008; 2010). While many rare plant species potentially present either share an overlapping blooming period with Conejo dudleya and Lyon's pentachaeta or are perennial species recognizable throughout the year, there remain some annual or perennial bulb species that do not have overlapping blooming periods and may not have been detectable during the focused surveys conducted for Conejo dudleya and Lyon's pentachaeta. ~~In particular, the following three non-listed late-blooming species were identified for which further surveys would be needed to characterize their presence or absence on-site: Plummer's mariposa lily; white rabbit tobacco; and chaparral ragwort.~~

Botanical surveys performed by Environmental Intelligence in spring and summer 2015 included systematic searches for Lyon's pentachaeta and Conejo dudleya in addition to all other special status plant species that could occur on-site (see Table 5.4-2). The botanical surveys were comprehensive and floristic in nature and were not restricted to, or focused only on species listed in Table 5.4-2. The following rare species were observed in 2015: Conejo dudleya, Lyon's pentachaeta, Conejo buckwheat (*Eriogonum crocatum*; List 1B.2), Hubby's phacelia (*Phacelia hubbyi*; List 4.2), and Catalina mariposa lily (*Calochortus catalinae*; List 4.2).

- O9-34 In response to the comment and findings cited in the 2015 botanical survey report (Environmental Intelligence, LLC, 2015), the Draft EIR Mitigation Measure 5.4-1a on page 5.4-38 is revised as follows:

Mitigation Measure 5.4-1a: SCE and/or its contractors shall perform preconstruction surveys for rare plants in areas ~~Areas of future ground disturbance shall be surveyed for rare plants, including Plummer's mariposa lily, white rabbit tobacco, and chaparral ragwort, in accordance with CDFW's 2009 Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities, unless otherwise agreed to by CDFW.~~ If no rare plants are encountered, no further mitigation is required. If rare plants are known to occur or new populations are found, the applicant proposed measures related to special-status plants shall be implemented for any identified CRPR Rank 1 or Rank 2 species.

O9-35 The commenter is correct that Mitigation Measure 5.4-1b sub-item 2) d, which describes the contents of the Weed Control Plan, was intended to describe proper weed disposal methods (see Draft EIR page 5.4-38). To clarify this requirement, Mitigation Measure 5.4-1b on page 5.4-38 is revised as follows:

Mitigation Measure 5.4-1b: To reduce the potential for introduction or spread of invasive weeds in sensitive habitats during ground-disturbing activities, SCE shall prepare and implement a Weed Control Plan. The Weed Control Plan shall address the following:

- 1) A pre-construction weed inventory to be conducted by surveying all areas subject to ground-disturbing activity, including, but not limited to, pole installation sites and construction areas, tower removal sites, pulling and tensioning sites, guard structures, and areas subject to grading for new or improved access and spur roads.
- 2) During construction of the Project, implement measures to control the introduction and spread of noxious weeds in the Project work area. These shall include:
 - a. washing vehicles (including wheels, undercarriages, and bumpers) at existing construction yards, commercial car washes, or similar suitable sites prior to commencing work in off-road areas;
 - b. washing tools such as chainsaws, hand clippers, pruners, etc., prior to use in off-road areas;
 - c. ensuring that all seeds and erosion-control materials used in off-road areas are weed-free, and any imported gravel or fill material are certified weed free by the county Agriculture Commissioners' Offices before use; and
 - d. during Proposed Project operation and maintenance activities, that require clearing invasive weeds from helicopter landing areas, assembly and laydown areas, spur and access roads, staging areas, and other weed-infested areas; and disposing SCE will dispose of weeds in appropriate off-site locations.

O9-36 The suggested revision has been reviewed and was not incorporated into the Final EIR. The relocation of special-status reptiles a substantial distance from the project footprint (a minimum of 250 to 500 feet, as recommended in the comment), may put animals of greater risk than it would to not specify a distance. As written, Draft EIR Mitigation Measure 5.4-2 (see page 5.4-39) leaves the determination of relocation areas to the qualified biologist. As used in the measure, we find that the term "authorized by CDFW" is equivalent to the suggested revision, "holds a valid scientific collection permit issued by CDFW;" hence, the suggested revision was not incorporated. The suggested revision to remove the requirement to confirm relocation areas with CDFW prior to surveys is acceptable. The most suitable

reptile relocation areas may only be discernable at the time of the survey; hence, approving relocation sites in advance on such a long, linear project may result in the identification of inappropriate relocation sites. As a result, Draft EIR Mitigation Measure 5.4-2 on Draft EIR page 5.4-39 has been revised as follows:

Mitigation Measure 5.4-2: Within areas that provide potentially suitable habitat for special-status reptiles, SCE and/or its contractors shall perform preconstruction surveys within 24 hours of initial ground disturbance to identify the potential presence of western pond turtle, coast horned lizard, silvery legless lizard, two-striped garter snake, and South Coast garter snake within work areas. If any of these species are identified during surveys of the immediate construction area footprint, individuals shall be relocated to nearby suitable habitat ~~from work areas~~ by an individual who is authorized by CDFW to undertake species relocation. ~~A suitable relocation area shall be identified and confirmed in advance with CDFW prior to preconstruction surveys.~~

O9-37 In response to the clarifications identified by the commenter, the Draft EIR setting discussion for coastal California gnatcatcher on Draft EIR pages 5.4-39 and 5.4-40 has been revised as follows:

In 2014, four active coastal California gnatcatcher territories were identified in the Proposed Project area in association with coastal sage scrub habitat near pole locations 48 through 63 in Segment 4 ~~the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2~~ (Leopold Biological Services, 2014). In all, 113.53 acres of suitable California gnatcatcher habitat was identified within 500 feet of Proposed Project activities; however, habitat impacts would be limited to a fraction of this area. As identified in Impact 5.4-5, 2.38 acres of temporary ground disturbance is anticipated within native grassland and sage scrub vegetation habitat. Within this area of native vegetation disturbance, 0.07 acre of coastal sage scrub habitat (370 linear feet) in Segment 4 would be disturbed by the Proposed Project in support of access road rehabilitation. On the basis of survey findings, the Proposed Project would cause the temporary loss of potential coastal California gnatcatcher habitat in the vicinity of pole locations 45 and 46, in areas there were unoccupied by gnatcatcher in 2014 (see Figure 5.4-4, California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity) (Leopold Biological Services, 2014). Coastal California gnatcatchers could breed within the unoccupied habitat at a later date, prior to disturbance; however, this species was not detected and is presently considered absent from ground disturbance areas within potentially suitable habitat. No ground disturbance is proposed within active territories. Because the gnatcatcher was not identified in disturbance sites during protocol-level surveys and the Proposed Project is outside of designated critical habitat for this species, no compensatory mitigation is proposed for coastal California gnatcatcher

habitat losses. Note that disturbances to sage scrub habitat are separately addressed by APMBIO-1, which provide that restoration activities in disturbed areas of native habitat (coastal sage scrub) will be implemented in accordance the CDFW SAA and HRMP requirements, and Mitigation Measure 5.4-5.

- O9-38 The revisions to Mitigation Measure 5.4-5 proposed by SCE on Draft EIR page 5.4-42 has been reviewed and partly incorporated, as follows:

Mitigation Measure 5.4-5: SCE will develop a revegetation plan to restore temporarily impacted native habitats consistent with ~~Revegetation of native habitat areas will follow~~ the prescriptions identified in the 2012 revegetation plan prepared by Wildscape Restoration for the Proposed Project, included as PEA Appendix F5, Habitat Restoration and Monitoring Plan. The 2012 revegetation plan, which was subject to CDFW review and approval, proposes the use of native revegetation for temporary impacts created by the Proposed Project. Implementation of the plan in disturbed areas will ensure that the functions and values of the disturbed habitat are restored by protecting and restoring soil conditions, restoring topography and topsoil following construction, using local native plants, and controlling aggressive non-native plant species.

- O9-39 The suggested revisions to the first sentence of the second paragraph to Draft EIR Mitigation Measure 5.5-1b on Draft EIR page 5.5-20 has been incorporated as follows:

If avoidance of site P-56-001797 is demonstrated to be infeasible, prior to the start of construction in the vicinity of site P-56-001797 ~~issuance of any grading or building permits~~, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist.

- O9-40 The fourth sentence of the second paragraph under Impact 5.6-1 on Draft EIR page 5.6-5 has been revised to acknowledge that planned outages may be required during construction activities.

Construction activities would not reduce or interrupt existing electrical or natural gas services due to insufficient supply, nor would they interrupt existing local SCE service with the exception of minor short term planned outages as necessary for construction, safety, and operational requirements.

- O9-41 Although it is acknowledged that No Project Alternative 1 would result in a long-term decrease in the reliability of the local electrical subtransmission grid during peak demand times and that demand-side management projects alone would not fix the reliability deficiency, as disclosed on Draft EIR page 5.6-7, this incremental impact is considered less than significant relative to the EIR baseline, which already includes existing substantial adverse conditions in the ENA relative to

potential voltage violations under emergency conditions with the Pharmacy Substation reconnected. The suggested comments have not been incorporated.

O9-42 Although it is acknowledged that No Project Alternative 2 would result in a long-term decrease in the reliability of the local electrical subtransmission grid during peak demand times and that demand-side management projects alone would not fix the reliability deficiency, as disclosed on Draft EIR page 5.6-8, this incremental impact is considered less than significant relative to the EIR baseline, which already includes existing substantial adverse conditions in the ENA relative to potential voltage violations under emergency conditions with the Pharmacy Substation reconnected. The suggested comments have not been incorporated.

O9-43 The comment clarifies that borings were drilled for geotechnical soil data, not for well installation or construction. To clarify information presented in the Draft EIR, the last sentence of the second paragraph under the Soils discussion on Draft EIR page 5.7-2 is revised as follows:

Soil engineering properties were also evaluated at specific boring locations identified in the geotechnical data report prepared for previous construction along the project alignment, shown in Figure 5.7-2, *Well-Geotechnical Boring Locations*.

O9-44 The title of Draft EIR Figure 5.7-2 on page 5.7-4 has been changed to clarify that borings were drilled for geotechnical soil data, not for well installation. The revised Figure is presented on the follow page.

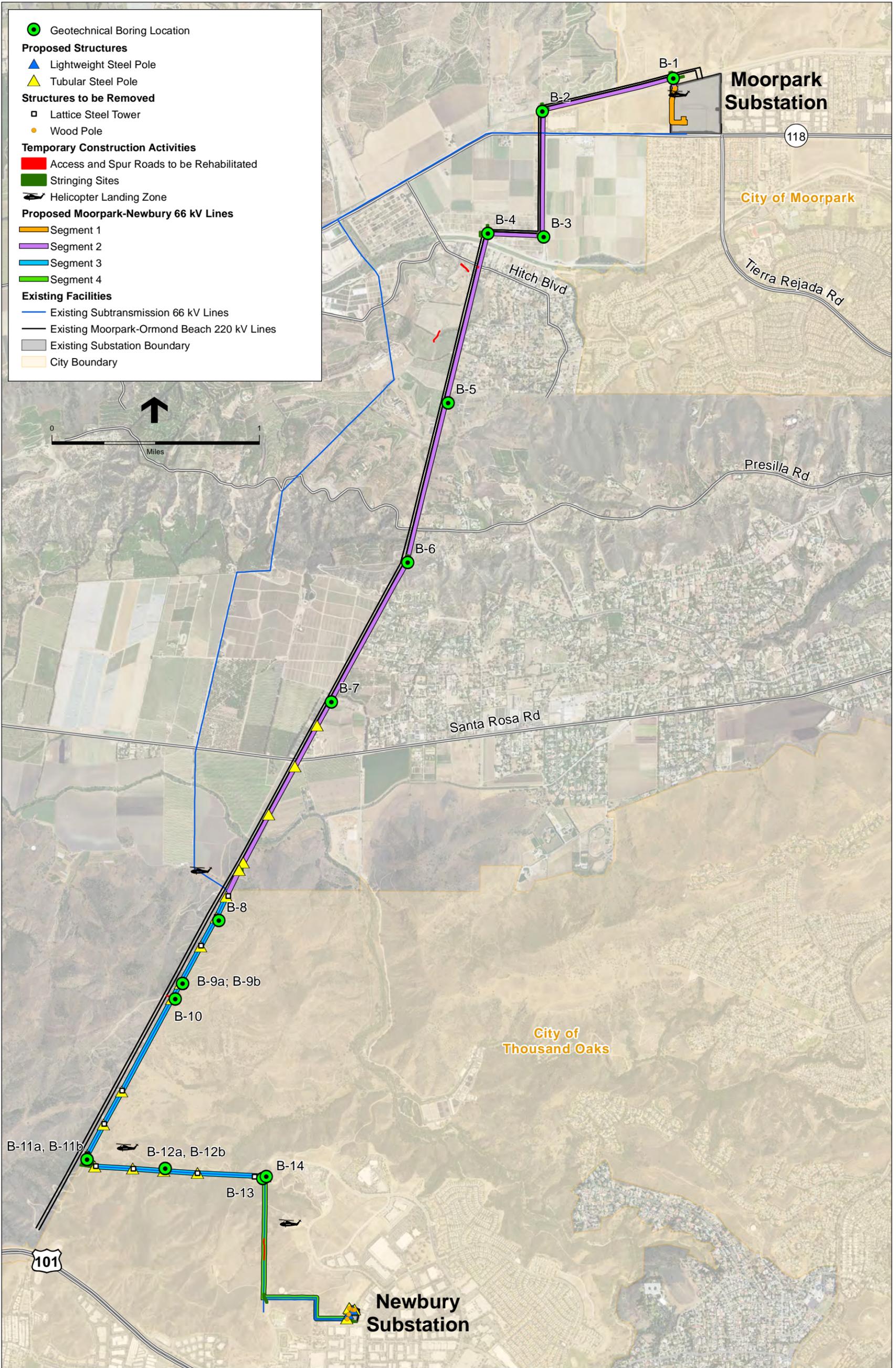
O9-45 The legend on Figure 5.7-2 on page 5.7-4 has been changed to clarify that borings were drilled for geotechnical soil data, not for well installation. The revised Figure is presented on the follow page.

O9-46 The commenter clarifies that SCE would place the subtransmission facilities at locations on opposite sides of the mapped fault traces. The first sentence of the second paragraph under Impact 5.7-1 on page 5.7-19 is revised accordingly as follows:

However, the single TSP within the A-P Zone would not be constructed directly on a mapped fault trace.

O9-47 The commenter clarifies that borings were drilled for geotechnical soil data, not for well installation or construction. On Draft EIR page 5.7-20, under the discussion of Impact 5.7-3, the fourth sentence in the first paragraph is revised as follows:

The amount of sand in the ~~well-geotechnical~~ borings taken from the Little Simi Valley near Moorpark Substation indicates liquefaction could occur at the site.



SOURCE: Converse, 2011

Moorpark-Newbury 66 kV Subtransmission Line Project. 207584.15

Figure 5.7-2
Geotechnical Boring Locations

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O9-48 The commenter clarifies that SCE plans to perform additional geotechnical analysis to confirm design recommendations. To clarify information presented in the Draft EIR on page 5.7-20, under the discussion of Impact 5.7-3, the second to last sentence in the first paragraph is revised as follows:

However, in accordance with APM GEO-1, the Proposed Project would be designed to minimize the potential impacts from hazards including liquefaction by incorporating recommendations from future geotechnical ~~reports analysis.~~

O9-49 Draft EIR Section 5.7, *Geology and Soils*, has been corrected as follows:

Page 5.7-22:

b) Result in substantial soil erosion or the loss of topsoil.

Impact 5.7-5: Construction, operation, and maintenance of the Proposed Project could result in erosion or the loss of topsoil. *Less than significant with mitigation* (Class ~~III~~ II)

Page 5.7-25:

Mitigation: ~~None required.~~ Implement Mitigation Measure 5.10-1.

Significance after mitigation: Less than significant.

Based on these changes, the following changes to the Draft EIR have also been made:

Executive Summary, page ES-25:

Impact 5.7-5: Construction, operation, and maintenance of the Proposed Project could result in erosion or the loss of topsoil.	Class III <u>II</u>	None required. <u>Implement Mitigation Measure 5.10-1.</u>	Less than significant.
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Chapter 10, *Mitigation Monitoring, Reporting, and Compliance Program*, Table 10-1, page 10-29:

Geology and Soils				
<u>Impact 5.7-5:</u> <u>Construction, operation, and maintenance of the Proposed Project could result in erosion or the loss of topsoil.</u>	<u>Mitigation:</u> <u>Implement Mitigation Measure 5.10-1.</u>	<u>See Mitigation Measure 5.10-1.</u>	<u>See Mitigation Measure 5.10-1.</u>	<u>See Mitigation Measure 5.10-1.</u>

O9-50 This comment has been addressed. See Response O9-49.

O9-51 Based on this comment, Draft EIR Section 5.7, *Geology and Soils*, Impact 5.7-6 (Draft EIR page 5.7-25) has been corrected:

One of the TSPs would be constructed ~~over~~ near a location found to have landslide deposits (borings B-9a and B-9b) (Converse, 2011).

O9-52 The comment states that the GHG emissions estimated by SCE using the CalEEMod emissions model include helicopter emissions for the conductor installation phase identified as “Other Construction Equipment,” and therefore, the supplemental helicopter emissions estimated by Environmental Science Associates (ESA) may represent a doubling of helicopter emissions. SCE’s CalEEMod output sheets (see Draft EIR Appendix D.3) show two off-road “Other Construction Equipment” types, one with 300 horsepower (hp) and one with 350 hp. However, the CalEEMod output sheets do not include enough detail to determine whether the emissions associated with either of these equipment types are representative of the helicopter that would conduct conductor stringing. It is acknowledged that the SCE emissions estimates include the same two equipment types for the duct bank installation phase of previous construction activities, which calls into question that either of these equipment types are representative of a helicopter given the subsurface nature of duct bank installation activities. Therefore, the CPUC cannot substantiate that helicopter emissions were adequately included in SCE’s emission estimates.

Regardless, the ESA helicopter emission estimates for the Proposed Project total 11 metric tons CO₂e, and when amortized over the 30-year life of the Proposed Project, the emissions equal less than 0.4 metric ton CO₂e per year, which is negligible when compared to the 10,000 metric ton annual significance threshold. Therefore, any double-counting of helicopter GHG emissions in the Draft EIR has a negligible effect on the overall emissions identified for the Proposed Project.

O9-53 This comment has been addressed. See Response O9-25.

O9-54 The fourth sentence of the Draft EIR paragraph under the *Operation and Maintenance Emissions* heading on page 5.8-8 has been revised as follows to acknowledge the source of SCE’s sulfurSF₆ emissions estimates:

As part of the CPUC’s Permit to Construct application process, SCE provided a long-term SF₆ emissions estimate; however, the estimate was calculated using ~~an unsupported~~ a circuit breaker leak rate of 0.5 percent of the total SF₆ capacity of the proposed circuit breakers. SCE’s PEA did not identify a source for the leak rate. Therefore, ESA revised the long-term SF₆ operational emissions estimate using a USEPA SF₆ published leak rate for electrical circuit breakers manufactured in and after 1999 of up to 1.0 percent

(USEPA, 2006). Using the USEPA referenced leak rate of 1.0 percent, annual SF₆ emissions that would be associated with the Proposed Project have been estimated to be equivalent to approximately 12 metric tons CO₂e per year (ESA, 2014). Subsequent to the release of the Draft EIR, SCE has disclosed that the SF₆ leak rate identified in the PEA is based on the manufacturer's guaranteed maximum leak rate. Using this leak rate, SF₆ emissions in the form CO₂e would be approximately 6 metric tons.

O9-55 The recommended edits have been incorporated into the second paragraph of the Impact 5.9-5 discussion on Draft EIR page 5.9-18 to clarify that the FAA recommendations are not requirements. For those edits and additional revisions to the Impact 5.9-5 discussion, refer to Response O9-6.

O9-56 The last sentence in the second paragraph of the Impact 5.9-7 discussion and the first two sentences of Mitigation Measure 5.9-7 (titled Impact 5.9-6 and Mitigation Measure 5.9-6, respectively, in the Draft EIR, page 5.9-19) have been revised as follows to clarify that the name of the required plan would be "Fire Safety Plan":

However, to ensure that potentially significant wildland fire impacts associated with the Proposed Project are reduced to less than significant, implementation of Mitigation Measure ~~5.9-6~~ 5.9-7 would require the preparation of a ~~Health and Safety~~/Fire Safety Plan and appropriate fire protection equipment.

Mitigation Measure ~~5.9-6~~ 5.9-7: SCE and/or its contractors shall prepare and implement a ~~Health and Safety~~/Fire Safety Plan to ensure the health and safety of construction workers and the public. The Ventura County Fire Department (VCFD) shall be consulted during plan preparation and include ~~health and safety~~/fire safety measures recommended by this agency.

O9-57 The sixth bullet to Mitigation Measure 5.9-7 (Draft EIR Mitigation Measure 5.9-6, page 5.9-20) has been revised as indicated below to clarify that SCE will submit verification of consultation with CalFire and the one local fire department:

- Prior to construction, SCE shall contact and coordinate with the VCFD to determine the appropriate amounts of fire equipment to be carried on the vehicles and appropriate locations for the water tanks if water trucks are not used. SCE shall submit verification of its consultation with CalFire and the local fire ~~departments~~ department to the CPUC.

O9-58 The commenter requests changes to Draft Mitigation Measure 5.10-1 to account for road safety considerations and also suggests that site-specific erosion susceptibility should be considered. However, based upon the ground slope criteria in the mitigation measure (i.e., greater than 2 percent), all areas the mitigation measure

would apply to would have a moderate to severe erosion hazard as disclosed in Draft EIR Section 5.7, *Geology and Soils* (Table 5.7-1; see pages 5.7-5 and 5.7-6).

Further, the commenter suggests adopting the spacing presented in a table from the updated (2014) version of the *Handbook for Forest, Ranch, and Rural Roads* (Handbook), which would be slightly greater spacing than that required by Mitigation Measures 5.10-1. However, the Handbook table itself notes that “the spacing of rolling dips and ditch relief culverts should be a function of proximity to a watercourse, with closer spacing near the channel.” Mitigation Measure 5.10-1 only applies to road segments in close proximity (i.e., within 300 feet) to existing surface water channels, and this is the reason for the closer spacing as compared to the table referenced by the commenter.

To account for road/vehicle safety considerations, and to clarify the measure, Draft Mitigation Measure 5.10-1 on Draft EIR page 5.10-21 has been modified as follows:

Mitigation Measure 5.10-1: For all improved or rehabilitated access roads that would be within 300 feet of an existing surface water channel (i.e., one that has a distinct bed and banks, including irrigation ditches where no berm/levee is currently in place) and traverse a ground slope greater than two percent, the following protective measures shall be adhered to and/or installed:

- All improved or rehabilitated access roads shall ~~be out-sloped~~ match the existing in-sloped or out-sloped construction;
- Cross-drains (road surface drainage, e.g., waterbars, rolling dips, or channel drains) and energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at intervals based upon the finished road slope: road slope 5 percent or less, cross-drain spacing shall be 150 feet; road slope 6 to 15 percent, cross-drain spacing shall be 100 feet; 16 to 20 percent, cross-drain spacing shall be 75 feet; and 21 to 25 percent, cross-drain spacing shall be 50 feet; ~~and~~.
- ~~Energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at all cross-drain outlets.~~

O9-59 No text changes are necessary. Mitigation Measure 5.10-2 is worded such that it only applies in the event of dewatering activities and discharges. As stated on Draft EIR page 5.10-22: “Mitigation Measure 5.10-2 would be required to specifically address the potential water quality impacts associated with dewatering discharge of previously contaminated groundwater, or of groundwater which exceeds existing surface water quality criteria or objectives for one or more constituents.” Moreover, the mitigation measure begins with the phrase, “Regarding dewatering activities and discharges...” (see Draft EIR page 5.10-23). If SCE does not conduct dewatering activities, the mitigation measures would not apply.

- O9-60 In Draft EIR Section 5.14, *Population and Housing*, the last sentence of the second paragraph under Impact 5.14-1 (pages 5.14-4 to 5.14-5) has been revised as follows:

Therefore, implementation of the Proposed Project would not be expected to result in any significant increase to the local population ~~or adverse effect on the housing market.~~

- O9-61 In Draft EIR Section 5.15, Public Services, under the heading **No Project Alternative 2** on Draft EIR page 5.15-7, the second sentence has been revised as follows:

Construction impacts associated with No Project Alternative 2 would be similar to those of the Proposed Project because this alternative would require construction activities within the same SCE right-of-way, and would require a similar, ~~yet smaller, temporary~~ construction workforce as the Proposed Project.

- O9-62 This comment has been addressed. See Response O9-25.

- O9-63 This comment has been addressed. See Response O9-25.

- O9-64 This comment has been addressed. See Response O9-25.

- O9-65 The suggested revisions have not been incorporated. The commenter refers to language that falls under the discussion of construction-related impacts. Construction of the Proposed Project would require the use of helicopters in locations and in patterns that do not occur under existing conditions, such as during installation of conductor and marker balls, and/or removal old infrastructure. As such, construction-related helicopter use would create new, albeit temporary, traffic patterns. No text change is necessary.

- O9-66 The commenter provides clarification regarding the natural gas provider in the Project Area. The discussion under the heading Electricity and Natural Gas on Draft EIR page 5.18-3 has been revised as follows:

Southern California Edison (SCE) is the primary provider of electrical services ~~and natural gas~~ throughout Ventura County, ~~and the Gas Company is the primary provider of natural gas~~ (Ventura County, various dates).

- O9-67 The sixth sentence of the second paragraph of the Impact 5.18-2 discussion on Draft EIR page 5.18-10 has been revised as requested to allow for the wood poles to be returned to either of the two proposed staging areas:

The existing wood poles removed for the Proposed Project would be returned to ~~the~~ a staging yard, and either reused by SCE, returned to the manufacturer,

disposed of in a Class I hazardous waste landfill, or disposed of in the lined portion of a municipal landfill which the RWQCB has approved for the disposal of treated wood waste.

Refer to Response O9-11 relative to SCE's request to identify additional construction staging areas at a later date.

O9-68 This comment has been addressed. See Response O9-25.



Community Development Department

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org
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John C. Prescott
Community Development Director

July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd, Ste 200
Petaluma, CA 94954

Re: Draft Environmental Impact Report for Southern California Edison
Moorpark-Newbury Park Subtransmission Line

Dear Mr. Rosauer,

Thank you for providing us the opportunity to review and comment on the Draft EIR. The proposed project involves a request from SCE to construct the new Moorpark-Newbury 66 kV Subtransmission Line and upgrade the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.

We will confine our comments to the construction within the City of Thousand Oaks, Segments 3 and 4 as depicted on Figure ES-1. We understand that all of the construction would take place within the existing easements, public ROW and existing SCE "fee-owned property". Of particular concern are the portions of the alignment which traverse open space owned by the Conejo Open Space Conservation Agency (COSCA) and the City of Thousand Oaks (City).

In general, we feel that the EIR has done a good job in addressing the issues and mitigating impacts to sensitive resources, trails and cultural resources.

Our comments are as follows:

Biological Resources

We note that both Lyons pentachaeta (*Pentachaeta lyonii*) and Conejo dudleya (*Dudleya parva*) are found within the project area. Mitigation measures, particularly APM Bio 2, appear to be adequate to protect these species.

O10-1

O10-2

However, it should be noted that Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*) is found within the Conejo Canyons Open Space in Segment 3. Mitigation measures within APM Bio 2 should be applied to this sensitive species as well.

↑
O10-2
(cont.)

It should be noted that in August 2011, during grading operations for the first phase of this project, SCE's grading contractor pushed excessive amounts of soil and rock onto the slopes below the existing dirt roads adjacent to Towers 38, 39 and 40 in the Conejo Canyons Open Space (Segment 3). The side-casting from this over-grading created steep, unstable slopes, covered native coastal sage vegetation, and deposited large boulders partially within an ephemeral drainage channel. The total impacted area was approximately 0.5 acres.

O10-3

SCE notified City staff immediately, received a Streambed Alteration Permit from the California Department of Fish and Wildlife to mitigate the damage, and entered into a compensatory mitigation in-lieu fee agreement with COSCA. SCE and COSCA oversaw the restoration of the damaged areas and SCE assured the City and COSCA that the grading contractor who caused the damage would not work on this project again. The City and COSCA appreciate SCE's swift and thorough response to this incident and are confident that over-grading and damage to the open space resources will be prevented in the future.

O10-4

Thank you for your consideration of these comments. Should you have any questions, don't hesitate to call Rick Burgess at (805) 449-2326 or Shelly Mason at (805) 449-2339.

Sincerely,


Richard A. Burgess
Senior Planner


Shelly Mason
COSCA Manager

H:\common\cosca\resource management\SCE Subtransmission Line Project EIR Comment Letter.doc



3.2.10 Letter O10 – Responses to Comments from City of Thousand Oaks, Community Development Department

- O10-1 The comment is a summary statement of concerns and an acknowledgement that the EIR has done a good job addressing the issues. No response is warranted.
- O10-2 The commenter notes that Blochman’s dudleya occurs within the Conejo Canyons Open Space in Segment 3 and suggests that APM BIO-2 should be modified to apply to this species. Blochman’s dudleya is a CRPR Rank 1 species that was not detected in the project area during focused botanical surveys. Draft EIR Mitigation Measure 5.4-1a requires that applicant proposed measures for special-status plants apply to all CRPR Rank 1 species. Therefore, the suggestion to apply APM BIO-2 to Blochman’s dudleya is not necessary and no changes are needed to address the comment.
- O10-3 The comment summarizes activities conducted by an SCE grading contractor in August 2011 that resulted in side castings that created steep, unstable slopes, covered native coastal sage vegetation, and depositing large boulders partially with an ephemeral drainage channel. This is not a comment relative to the adequacy of the Draft EIR; therefore, no response is warranted.
- O10-4 The comment expressed appreciation of SCE’s response to the side-casting incident described above, and confidence that over-grading and damage to the open space resource would be prevented in the future. This is not a comment relative to the adequacy of the Draft EIR; therefore, no response is warranted.



Santa Rosa Valley Municipal Advisory Council

Council Members:

- Chair, Kevin Cannon**
- Vice-Chair, Rosemary Allison**
- Mark Burley**
- Janis Gardner**
- Ruth Means**

Mr. Michael Rosauer
 Moorpark-Newbury Project
 c/o Environmental Science Associates
 1425 N. McDowell Blvd., Suite 200
 Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: Draft Environmental Impact Report

As the Municipal Advisory Council for the community of Santa Rosa Valley, we are disappointed that the Scoping Report and Draft EIR utterly disregarded the concerns of our community and our MAC, as expressed in our letters of April 18th, 2014 and June 20th, 2015.

This Draft EIR should not be certified. Instead, it should be discarded and a new, impartial review undertaken of the *entire* Moorpark-Newbury Project. The Scoping Report arbitrarily segmented all remaining construction from “the Project.” ESA had to use a subtitle – “the Proposed Project” - to show that it was reviewing something separate from “the Project” as described in the PTC Application and NOP. Therefore, either the Draft EIR is inadequate in its failure to analyze “the Project,” or the PTC Application and NOP failed to properly give public notice that “the Project” under review was only a portion of the Moorpark-Newbury Project.

O11-1

Thus, the Draft EIR is incomplete. It omits facts. It is flawed in its scope. It is flawed in its assumptions and methodology. The following are specific examples of its shortcomings:

1. It fails to review the impacts of “the Project” as a whole. It also fails to include all of nearby projects that are pending approval, like SCE’s proposed generation plant in Oxnard that will utilize the same right of way.

O11-2

2. It arbitrarily segments completed construction from remaining construction.

O11-3

3. It treats the first half of construction as “baseline.” It attempts to characterized prior disruption as the state of the environment before “the Project,” even though all existing disruption occurred as part of “the Project,” under the CPUC’s watch and during the last 3 months before it vacated project approval.

O11-4

4. It specifically fails to address the cumulative impact of past construction and other “closely related” past projects. It also fails to consider “closely related” future projects, such as the proposed Oxnard plant.

O11-5

5. It overlooks and underplays significant impacts. For example, the photographs in Chapter 5.1 are all distance shots. They fail to capture the closeness of pole sites to neighborhood streets and residences, and thus, downplay the more significant impacts on the public using and residents abutting the ROW along Chestnut Lane, the west end of Presilla Road, Churchman Lane, Buggy Drive, Oatfield Way, and the north end of Yucca Drive.

O11-6

6. Regarding mitigation, because of the skew of the report, it fails to disclose how SCE’s self-policed mitigation measures to date have resulted in encroachments and disruptions that it sought to avoid.

O11-7

7. The report fails to independently analyze viable alternatives, instead accepting all of SCE’s assertions of their shortcomings. It also give short shrift to all preferred resources, such as solar and distributed energy, counter to Governor Brown’s instruction that we must increase reliance on such.

O11-8

8. It fails to scrutinize SCE’s overload projections modeled to justify “the Project.” Those projections have proven false from 2005 to 2010 (when overload was predicted in the same year of each projection) and in 2011 and 2012 (when it was predicted in 2013, which did not happen). For 2013 and 2014, SCE moved its projection to 2021, a long way away given this dawning age of “green” resources and SCE’s recent Distributed Resources Plan.

O11-9

For the foregoing reasons, we submit the Draft EIR should be abandoned. An independent lead agency and an independent environmental firm should be appointed due to the CPUC’s involvement in the original project approval, CEQA exemption and approval of construction during the pending appeal.

O11-10

Kindest regards,



Rosemary Allison

Santa Rosa Valley MAC

CC: Supervisor Linda Parks

Dr. Alan and Margaret Ludington

3.2.11 Letter O11 – Responses to Comments from Santa Rosa Valley Municipal Advisory Council

- O11-1 Information about past CPUC procedural activities is provided in Master Response 2, *Non-CEQA Issues*, in Section 3.1.2, and information about baseline-related issues, including piecemealing, is provided in Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.

It should be noted that the Permit to Construction (PTC) Application and associated Proponent’s Environmental Assessment (PEA) prepared by SCE is not a CPUC CEQA document, in fact, when it submitted its PEA pursuant to Decision 11-11-019, SCE was not even aware that a CEQA review would be required (see Response O2-4). Therefore, the fact that the PEA did not indicate that the CPUC’s EIR would not include evaluation of the past construction activities has no bearing on the EIR’s definition of the “Proposed Project,” which is based on CEQA requirements. In addition, the CPUC has no obligation to present an EIR project description consistent with that identified in SCE’s PEA if it would present a conflict with standard practice of CEQA.

The CPUC provided the public with a consistent definition of the Proposed Project multiple times in advance of the publication of the Draft EIR. The CPUC described the “Proposed Project” when it issued the NOP on March 26, 2014, as follows:

Description of Proposed Project.

Pursuant to the California Environmental Quality Act (CEQA), the State of California Public Utilities Commission (CPUC) is preparing an EIR for the Project identified below, and is requesting comments on the scope and content of the EIR. Southern California Edison (SCE), in its CPUC application (A.13-10-021), filed on October 28, 2013, seeks a permit to construct (PTC) the remaining portions of the Moorpark-Newbury 66 kV Subtransmission Line Project (Project) that have yet to be constructed...”

The NOP also states:

The EIR will identify the potentially significant environmental effects of the Project, including those resulting from construction of the portions of the Project that have yet to be developed, and operation and maintenance of the entire Project.

The CPUC also discussed the EIR definition of the Proposed Project at the public Scoping Meeting held on Thursday, April 10, 2014, in Camarillo California. Several members of the public took the opportunity to comment on the EIR definition of the Proposed Project at the Scoping Meeting and during the scoping

comment period. All comments received were recorded in the Scoping Report published in July 2014, and were considered during the drafting of the Draft EIR.

The CPUC reiterated the definition of the Proposed Project in the Scoping Report published in July 2014 (see Draft EIR Appendix A, page 4):

Through consultation with the CPUC Staff Council, the CPUC Energy Division staff has determined that SCE's past Project-related activities and their associated environmental effects will be disclosed as part of the environmental baseline conditions described in EIR Chapter 2, Background. Chapter 3, Project Description, will include the description of SCE's Project. For CEQA purposes, the Project does not include SCE's prior activities. Chapter 5, Environmental Analysis, will examine the direct and indirect effects of the proposed Project, as described in Chapter 3, as well as the environmental effects of alternatives to the proposed Project based on the significance thresholds identified in CEQA Guidelines Appendix G. To the extent that SCE's past activities on the site are causing continuing impacts that could combine with those of the proposed Project, they will be considered in Chapter 6, Cumulative Effects.

Additional information about baseline issues, including piecemealing, is provided in Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.

- O11-2 Regarding the definition of the Proposed Project and the evaluation of past construction activities, the commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3, and Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Section 3.1.4.

Regarding the commenter's remark about "SCE's proposed generation plant in Oxnard that would utilize the same right of way;" it appears the commenter is referring to the proposed new power plant that would replace the existing power plant at the Mandalay Generating Station in Oxnard. The Mandalay Generating Station is approximately 17 miles west of the Proposed Project, and it would not include facilities (e.g., subtransmission lines) that would use the same ROW as the Proposed Project. Given the distance from the generation station to the Proposed Project and the unrelated nature of the two projects, as well as the low probability that there would be any overlapping environmental effects, the power plant replacement project in Oxnard was appropriately not called out as an approved or pending cumulative project in the Draft EIR. For the list of approved or pending project's associated with the Draft EIR cumulative scenario, refer to Draft EIR Table 7-1 (page 7-3 through 7-5).

- O11-3 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.

- O11-4 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*.
- O11-5 Refer to Response O11-2.
- O11-6 The commenter claims that the Draft EIR fails to capture the closeness of pole sits to neighborhood streets and residences. As described on Draft EIR p. 5.1-3, the setting and simulation photos shown in Draft EIR Section 5.1, *Aesthetics* emphasize key views from “representative public vantage points in the vicinity of the Proposed Project and alternatives that portray the existing visual character of the area. The photographs depicting viewsheds are limited in the sense that they provide only several fixed viewpoints and cannot demonstrate all views of or from the Proposed Project sites or along the Proposed Project site’s perimeter.” Several of the setting photographs do show close-up views of the Proposed Project area (see Photos 1, 2, 4, and 11 Draft EIR pages 5.1-7 et seq.). Moreover, two of the simulations show close up views of the Proposed Project infrastructure: Figure 5.1-5 (p. 5.1-22) presents an existing view and visual simulation of the Proposed Project as seen from SR 118 where Segment 2 crosses the road, looking west, and Figure 5.1-6 (p. 5.1-23) presents an existing view and visual simulation of the Proposed Project as seen from Santa Rosa Road where Segment 2 crosses the road, looking west.
- O11-7 The Draft EIR analysis does not identify mitigation to reduce the effects of SCE’s past construction activities because the past construction activities have already occurred and are not considered to be part of the Proposed Project subject to this CPUC approval. Regarding the definition of the Proposed Project and the evaluation of past construction activities, the commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- O11-8 Refer to Master Response 1, *Alternatives*.
- O11-9 The commenter is referred to Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5 regarding SCE’s growth forecasts in the ENA.
- O11-10 Comment acknowledged.

From: Rosemary Allison, Estates Director [mailto:rosemaryallison@aol.com]
Sent: Saturday, July 25, 2015 1:53 PM
To: Moorpark-Newbury
Subject: OPPOSITION TO Draft Environmental Impact Report Moorpark-Newbury Project

Comment Letter O12



[Website](#) | [Santarosa Valley](#) | [Santarosa Valley Homes](#) | [Contact](#) | [What's My Home Worth?](#)

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

July 25, 2015

RE: Draft Environmental Impact Report

I am the chair of the Wildwood Ranch Homeowner Association in the community of Santa Rosa Valley, we are disappointed that the Scoping Report and Draft EIR utterly disregarded the concerns of our community, as expressed in previous letters.

This Draft EIR should not be certified. Instead, it should be discarded and a new, impartial review undertaken of the *entire* Moorpark-Newbury Project. The Scoping Report arbitrarily segmented all remaining construction from “the Project.” ESA had to use a subtitle – “the Proposed Project” - to show that it was reviewing something separate from “the Project” as described in the PTC Application and NOP. Therefore, either the Draft EIR is inadequate in its failure to analyze “the Project,” or the PTC Application and NOP failed to properly give public notice that “the Project” under review was only a portion of the Moorpark-Newbury Project.

O12-1

Thus, the Draft EIR is incomplete. It omits facts. It is flawed in its scope. It is flawed in its

assumptions and methodology. The following are specific examples of its shortcomings:

1. It fails to review the impacts of “the Project” as a whole. It also fails to include all of nearby projects that are pending approval, like SCE’s proposed generation plant in Oxnard that will utilize the same right of way.

O12-2

2. It arbitrarily segments completed construction from remaining construction.

O12-3

3. It treats the first half of construction as “baseline.” It attempts to characterized prior disruption as the state of the environment before “the Project,” even though all existing disruption occurred as part of “the Project,” under the CPUC’s watch and during the last 3 months before it vacated project approval.

O12-4

4. It specifically fails to address the cumulative impact of past construction and other “closely related” past projects. It also fails to consider “closely related” future projects, such as the proposed Oxnard plant.

O12-5

5. It overlooks and underplays significant impacts. For example, the photographs in Chapter 5.1 are all distance shots. They fail to capture the closeness of pole sites to neighborhood streets and residences, and thus, downplay the more significant impacts on the public using and residents abutting the ROW along Chestnut Lane, the west end of Presilla Road, Churchman Lane, Buggy Drive, Oatfield Way, and the north end of Yucca Drive.

O12-6

6. Regarding mitigation, because of the skew of the report, it fails to disclose how SCE’s self-policed mitigation measures to date have resulted in encroachments and disruptions that it sought to avoid.

O12-7

7. The report fails to independently analyze viable alternatives, instead accepting all of SCE’s assertions of their shortcomings. It also give short shrift to all preferred resources, such as solar and distributed energy, counter to Governor Brown’s instruction that we must increase reliance on such.

O12-8

8. It fails to scrutinize SCE’s overload projections modeled to justify “the Project.” Those projections have proven false from 2005 to 2010 (when overload was predicted in the same year of each projection) and in 2011 and 2012 (when it was predicted in 2013, which did not happen). For 2013 and 2014, SCE moved its projection to 2021, a long way away given this dawning age of “green” resources and SCE’s recent Distributed Resources Plan.

O12-9

For the foregoing reasons, we submit the Draft EIR should be abandoned. An independent lead agency and an independent environmental firm should be appointed due to the CPUC’s involvement in the original project approval, CEQA exemption and approval of construction during the pending appeal.

O12-10

Respectfully,

Rosemary Allison
Chair, Wildwood Ranch HOA

Rosemary Allison
Director, Fine Estates

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3.2.12 Letter O12 – Responses to Comments from Wildwood Ranch Homeowner Association

- O12-1 This comment has been addressed. See Response O11-1.
- O12-2 This comment has been addressed. See Response O11-2.
- O12-3 This comment has been addressed. See Response O11-3.
- O12-4 This comment has been addressed. See Response O11-4.
- O12-5 This comment has been addressed. See Response O11-5.
- O12-6 This comment has been addressed. See Response O11-6.
- O12-7 This comment has been addressed. See Response O11-7.
- O12-8 This comment has been addressed. See Response O11-8.
- O12-9 This comment has been addressed. See Response O11-9.
- O12-10 This comment has been addressed. See Response O11-10.

3.3 Individuals Responses

This section includes the letters received from individuals, with individual comments delineated as indicated above, followed by responses to each comment.

Kelly Hall Talking Points

My name is Kelly Hall. I live at _____, Santa Rosa Valley. I am the President of Santa Rosa Valley Estates, a collection of 31 homes located at the north end of Yucca Drive, abutting the proposed project.

Residents of Santa Rosa Valley Estates have opposed the Moorpark-Newbury Project since we first received notice in October 2008. We feel the new poles are entirely too close to our homes, bringing the ignition source of wind-driven fires and disaster during earthquakes within 40 feet of our families. A toppled pole or snapped line could easily cross into our backyards.

I1-1

We feel the limited scope of the Draft EIR, involving mostly the hanging of wires and ignoring the nearly 17 acres of disruption to date, is evidence of the CPUC's continued bias in favor of Edison. Instead of protecting the public and the environment under CEQA, the CPUC has chosen to ally with Edison at every turn. This was not the Legislature's intention when it established the CPUC. It was supposed to protect the public from the over-reaching by the corporations controlling essential services – The public's watchdog; not Edison's best friend.

I1-2

I1-3

We urge the CPUC to reconsider doing what is right, to examine the impact of the entire project—as it was originally proposed. By allowing this nonsensical bifurcation of one into two, the CPUC is helping Edison duck examination of disrupted private property and open space that spans more than 7 miles. This was not the Legislature's intention in passing CEQA.

I1-4

We also urge deeper scrutiny into whether any actual need justifies this \$23 M project that will cost ratepayers upwards of \$55 M.

I1-5

Thank you for your time.

3.3.1 Letter I1 – Responses to Comments from Kelly Hall

- I1-1 The commenter’s opposition to the Proposed Project is acknowledged. Regarding impacts pertaining to hazards, including wildfires, see Draft EIR Chapter 5.9, *Hazards and Hazardous Materials*. As discussed under Impacts 5.9-7 and 5.9-8 (titled Impact 5.9-6 and Impact 5.9-7 in the Draft EIR, respectively, on pages 5.9-19 et seq.), implementation of the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires. Impacts pertaining to earthquakes are discussed in Draft EIR Chapter 5.7, *Geology and Soils*, and are also found to be less than significant (see Draft EIR pages 5.7-19 to 5.7-22).
- I1-2 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on the CPUC’s decision to exempt past project activities from Permit to Construct requirements, and regarding requests for CPUC staff to recuse themselves from the General Proceeding for the Proposed Project.
- I1-3 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter’s opposition to the Proposed Project is acknowledged.
- I1-4 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review*, in Section 3.1.3 for a discussion on baseline issues.
- I1-5 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need.

From: Marnie Volpe [<mailto:marniev7@gmail.com>]
Sent: Sunday, June 28, 2015 4:32 PM
To: Moorpark-Newbury
Subject: Opposition to SCE electrical lines in Santa Rosa Valley,

Dear Mr. Rosauer,

As residents of the beautiful Santa Rosa Valley, my husband and I vehemently oppose the construction by SCE of 9 miles of electrical lines to supply additional energy to Newbury Park area (which it has not needed) from the Moorpark Substation.

I2-1

This will reduce our property values significantly, mar the beauty of the natural landscape and provide no advantage to us as tax payers and property owners here.

I2-2

There are more modern, advanced alternatives to provide this electricity which should be used instead.

I2-3

In addition, the Newbury Park area doesn't even have a proven need for this electricity that would be provided at our expense.

I2-4

Thank you for your consideration of our request to oppose it.

Marnie and Lou Volpe

3.3.2 Letter I2 – Responses to Comments from Marnie and Lou Volpe

- I2-1 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter’s opposition to the Proposed Project is acknowledged.
- I2-2 Regarding aesthetic impacts of the Proposed Project, the commenter is referred to Draft EIR section 5.1, *Aesthetics* (Draft EIR page 5.1-1 et seq.). The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2 for a discussion on economic issues, including property values.
- I2-3 The Draft EIR describes alternatives considered for the Proposed Project in Chapter 4, *Project Alternatives*. See Master Response 1, *Alternatives* in Section 3.1.1 for additional discussion on alternatives.
- I2-4 Regarding the need for the Proposed Project, the commenter is referred to Draft EIR Chapter 1, *Introduction*, Section 1.3, *Proposed Project Objectives* (Draft EIR page 1-2); Master Response 2, *Non-CEQA Issues* in Section 3.1.2; and Master Response 5, *SCE’s Forecasted Peak Load Growth* in Section 3.1.5.

From: [Marnie Volpe](#)
To: [Moorpark-Newbury](#)
Subject: Opposition to The Moorpark Newbury Proposed SCE Power Line
Date: Thursday, July 09, 2015 8:41:34 AM

Mr. Michael Rosauer,

Please accept this email as our expressed opposition to the Moorpark Newbury Proposed SCE Power Line.

I
|
I 13-1

As homeowners in the Santa Rosa Valley where this line is proposed, we request that an independent Lead Agency be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

I
|
I 13-2

Thank you,
Lou and Marnie Volpe

3.3.3 Letter I3 – Responses to Comments from Marnie and Lou Volpe

- I3-1 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter’s opposition to the Proposed Project is acknowledged.
- I3-2 Regarding the request for an independent Lead Agency to review the whole project, the commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2. Regarding cumulative impacts associated with past construction activity, see Master Response 4 in Section 3.1.4. The Draft EIR describes alternatives considered for the Proposed Project in Chapter 4, *Project Alternatives*. See also Master Response 1, *Alternatives* in Section 3.1.1 for additional discussion on alternatives. Regarding the need for the Proposed Project, the commenter is referred to Draft EIR Chapter 1, *Introduction*, Section 1.3, *Proposed Project Objectives* (Draft EIR page 1-2); Master Response 2, *Non-CEQA Issues* in Section 3.1.2; and Master Response 5, *SCE’s Forecasted Peak Load Growth* in Section 3.1.5.

From: [Will Westerling](#)
To: [Moorpark-Newbury](#)
Subject: Peggy Ludington
Date: Thursday, July 09, 2015 12:01:32 PM

I find it very funny that Peggy Ludington and her husband hired a bull-dozer operator to come in and COMPLETELY bulldoze the entire 2 acre property of theirs in front of their home about 5 years ago. Before that it was open habitat INSIDE the SCE easement. They graded to whole property before landscaping it with no permit, no EIR, and no personal concern for any environmental impacts they might be causing. But now she is railing against the PUC and the CEQA exemption and demanding more EIR work as nothing more than a legal avenue to try and stop the project.

14-1

Sincerely,

A disgusted neighbor

3.3.4 Letter I4 – Responses to Comments from Will Westerling

I4-1 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.

RE: SCE'S MOORPARK-NEWBURY PROJECT

June 24, 2015

PETITION CONTESTING DRAFT EIR

We, the undersigned, hereby oppose acceptance of the June 2015 Draft Environmental Impact Report. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- | | | |
|---|--|------|
| 1. It fails to study the impact of SCE's whole project, and instead divides one project into two illogical halves in violation of CEQA. | | 15-1 |
| 2. It fails to study the cumulative impact of past construction on the Project. | | 15-2 |
| 3. Edison's mitigation measures during past construction are overstated and/or were ineffective, yet were not scrutinized. | | 15-3 |
| 4. Edison's fuzzy math "need" data and overload projections do not support this Project, which will significantly burden ratepayers and area residents. | | 15-4 |
| 5. No Alternatives were independently analyzed. | | 15-5 |
| 6. The CPUC failed to seriously examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | | 15-6 |
| 7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA and for determination of the Project's: (a) necessity and (b) the cumulative impact. | | 15-7 |
| 8. The "No Project" Alternative is the environmentally superior alternative. | | 15-8 |

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analysis should be assigned to undertake the environmental study of the WHOLE Moorpark-Newbury Project.

Name and Signature	<u>WILLIAM L. BRANDT</u> <i>William L. Brandt</i>
Email and Address	<u>PROSDUBE@AOL.COM</u>
Name and Signature	<u>Linda Cannon</u> <i>Linda Cannon</i>
Email and Address	<u>haciendalindas@gmail.com</u> 11621 Presilla Rd
Name and Signature	<u>Herb Potter</u> <i>Herb Potter</i>
Email and Address	<u>POTTERHT@WILDBLUE.NET</u>
Name and Signature	<u>DOM THOMAS</u> <i>Dom Thomas</i>
Email and Address	<u>thomasdand7@hotmail.com</u>
Name and Signature	<u>Denise Edsten</u> <i>Denise Edsten</i>
Email and Address	<u>denney1@me.com</u> 13253 13253 Old Butterfield Rd #193 SRV. 915 9342

RE: SCE'S MOORPARK-NEWBURY PROJECT

June 24, 2015

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Name and Signature

Douglas G. O'Brien Douglas G O'Brien

Email and Address

dobrien@energycoalition.org

Name and Signature

CATHRYN ANDRESEN  barn 93012 @ yakos.com

Email and Address

9715 SANTA ROSA RD CAMARILLO 93012

Name and Signature

Molly Pei Molly Pei

Email and Address

mkpei@me.com 10530 Presilla Rd Santa Rosa Valley CA 93012

Name and Signature

PATRICIA BECKER Patricia Becker

Email and Address

patricinbecker@sbcglobal.net, 2999 Yucca Dr Santa Rosa Valley

Name and Signature

Susan Arbogast Susan L Arbogast 93012

Email and Address

2866 LOS FRESNOS SR Valley 500ZNEAR@verizon.net

RE: SCE'S MOORPARK-NEWBURY PROJECT

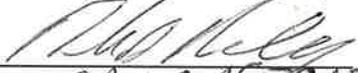
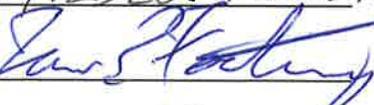
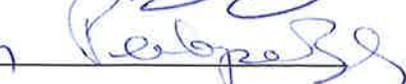
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6. The CPUC failed to seriously examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030.
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8. The "No Project" Alternative is the environmentally superior alternative.

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analysis should be assigned to undertake the environmental study of the WHOLE Moorpark-Newbury Project.

Name and Signature	<u>MARK BURLEY</u> 
Email and Address	<u>SRV, CA 93012</u> <u>MARKBURLEY@AOL-COM, 12328 SAN SEBASTIAN CT</u>
Name and Signature	<u>JAMES T FORTNEY</u> 
Email and Address	<u>JIM@FORTNEY.ORG. 11865 PRADERA RD 93012</u>
Name and Signature	<u>SHIRLEY J. FORTNEY</u> 
Email and Address	<u>SHIRLEY@FORTNEY.ORG. 11865 PRADERA RD. 93012</u>
Name and Signature	<u>BRADY BRAKER</u> 
Email and Address	<u>2999 YUCCA DR. SRV 93012</u> <u>BRADY@BC.POWERWESTBUILDERS.COM</u>
Name and Signature	<u>Penelope Burley</u> 
Email and Address	<u>12328 San Sebastian Ct. SRV, CA 93012</u>

RE: SCE'S MOORPARK-NEWBURY PROJECT

June 24, 2015

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Name and Signature

Kelly Hall Kelly Hall

Email and Address

Kellyrshall@gmail.com

Name and Signature

Tina Bianat

Email and Address

gmechoc@aol.com

Name and Signature

Dr. Ken Gordon Ken Gordon

Email and Address

visionall@aol.com 2650 Buggy Lane SRV, CA 93012

Name and Signature

Cheryle M. Potter Cheryle M Potter

Email and Address

pottercm@me.com 10567 Ternez Dr. moorpark CA 93021

Name and Signature

Phalpa Thomas Phalpa Thomas

Email and Address

thomas dandp@hotmail.com

RE: SCE'S MOORPARK-NEWBURY PROJECT

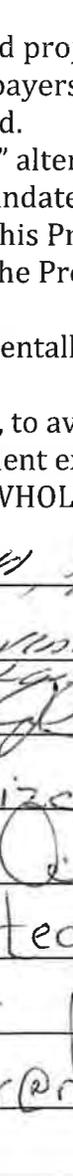
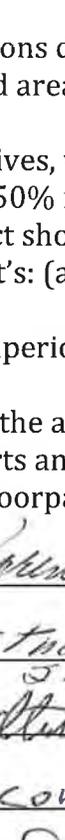
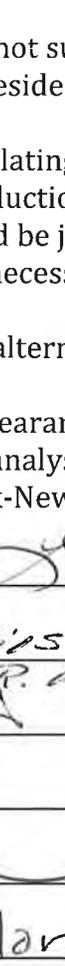
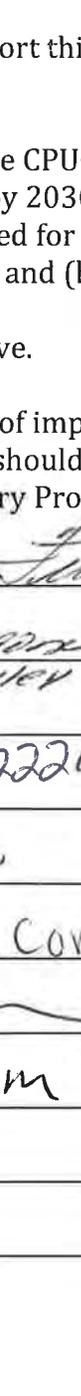
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Name and Signature	<u>Karen L. Field</u> 
Email and Address	<u>Karen@dazzlecruststudios.com</u> 11370 Westside Lane, S. R. Valley 93022
Name and Signature	<u>John Elliott</u> 
Email and Address	<u>John.Elliott@mizco.com</u> 2226 Barbara Drive SRV
Name and Signature	<u>Amy Elliott</u> 
Email and Address	<u>amy.elliott@technicalar.com</u>
Name and Signature	<u>Kim Ramseyer</u> 
Email and Address	kim@ramseyers.com <u>homer@ramseyers.com</u> 3883 Ternez Moorpark
Name and Signature	_____
Email and Address	_____

RE: SCE'S MOORPARK-NEWBURY PROJECT

June 24, 2015

PETITION CONTESTING DRAFT EIR

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6. The CPUC failed to seriously examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030.
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Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analysis should be assigned to undertake the environmental study of the WHOLE Moorpark-Newbury Project.

Name and Signature Janet M. Wall Janet M. Wall

Email and Address walljanetm@gmail.com

Name and Signature Dawnalynn Pritz Dawnalynn Pritz

Email and Address _____

Name and Signature Terry Milligan Terry L. Milligan

Email and Address 3321 Chestnut Lane Camarillo 93012

Name and Signature _____

Email and Address _____

Name and Signature _____

Email and Address _____

dl.pritz@verizon.net

3.3.5 Letter I5 – Responses to Comments from Numerous (Petition)

- I5-1 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on the baseline chosen for the Proposed Project and concerns that the project has been split into two projects in an attempt to avoid environmental analysis.
- I5-2 The commenter is referred to Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Section 3.1.4.
- I5-3 As described in Draft EIR Chapter 2, *Background*, and reiterated in Master Response 2, *Non-CEQA Issues* in Section 3.1.2 of this Final EIR, past project activities, including applicant measures to minimize environmental impacts, are not analyzed as part of the Proposed Project in this EIR.
- I5-4 The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth* in Section 3.1.5 for a discussion on the power flow forecasts conducted for the Proposed Project.
- I5-5 See Master Response 1, *Alternatives* in Section 3.1.1 for a discussion of the independent analysis of planning forecast data conducted by CPUC.
- I5-6 The commenter is referred to Draft EIR Chapter 4, *Project Alternatives*, which considered the feasibility of numerous alternatives considered by the CPUC to be “green.” Alternative 5, Demand-Side Management, looked at replacing the need for subtransmission lines through implementation of energy conservation programs. This alternative was not chosen for full evaluation because it would not serve projected demand or reliability objectives for the Proposed Project, and because these programs are not feasible on a scale that would be suitable to replace the Proposed Project within a reasonable period of time (see Draft EIR page 4-29). Alternative 6, Renewable and Distributed Energy Generation Resources, considered renewable or distributed energy generation and provision of local sources of electricity. This alternative was not chosen for full evaluation because there is limited potential for local renewable resources or distributed generation to meet the projected demand or reliability objectives for the Proposed Project, and because even local renewable or distributed resources would require upgraded or new subtransmission and transmission infrastructure (see Draft EIR page 4-30).

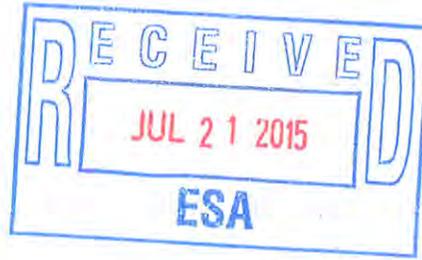
The commenter is also referred to Master Response 1, *Alternatives* in Section 3.1.1 for additional discussion on demand-side management and renewable and distributed energy generation alternatives.

- I5-7 The comment indicates that the Oxnard Generation Plant replacement project and the Proposed Project should be joined for the purposes of CEQA, but includes no facts or data to support such a conclusion. Refer to Response O11-2 regarding cumulative effects associated with the Oxnard Generation Plant and the Proposed Project.
- I5-8 The Draft EIR concurs with the commenter's statement that the no project alternative is the environmentally superior alternative. As stated in Draft EIR Section 6.3, *Environmentally Superior Alternative*, No Project Alternative 1 would not result in any significant and unavoidable impacts, and would therefore be the Environmental Superior Alternative; however, pursuant to CEQA Guidelines 15126(e)(2), if the Environmentally Superior Alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (see Draft EIR page 6-6). See Master Response 1, *Alternatives*, in Section 3.1.1 for additional discussion on the Environmentally Superior Alternative.
- I5-9 Regarding the request for an independent Lead Agency to review the whole project, the commenter is referred to Master Response 2, *Non-CEQA Issues*.

Hidden Meadows Estates Homeowners Association

July 17, 2015

Mr. Michael Rosauer
CUP Environmental Project Manager
c/o Environmental Science Associates
550 Kearny Street, Suite 800
San Francisco CA 94108



Dear Mr. Rosauer,

This comment regarding the draft EIR on the Moorpark-Newbury 66KV transmission line comes on behalf of the board of Hidden Meadows Estates Homeowners Association. Hidden Meadows Estates is located in the Santa Rosa Valley.

The draft EIR is clearly inadequate in scope as it does not address the work completed on the transmission line by SCE before the CPUC belatedly required that the EIR be done. Under CEQA law a project may not be segmented in order to reduce the impacts.

| 16-1

The draft EIR fails to adequately consider the numerous proposed alternatives. It seems that the drafters of this EIR are simply parroting the position of SCE.

| 16-2

The need for this 66KV line has not been demonstrated. The projections by SCE for future usage on the 220kv lines already in existence have been proven erroneous several time in the past. There is no reason to expect that the current projections are correct.

| 16-3
| 16-4

We urge you to reject this draft EIR and approve the No Project alternative.

| 16-5

Thank you,

Cheryl Crandall, Manager
As directed by the Hidden Meadows Estates HOA
Board of Directors

3.3.6 Letter I6 – Responses to Comments from Cheryl Crandall

- I6-1 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues and concerns about project segmentation.
- I6-2 See Master Response 1, *Alternatives* in Section 3.1.1 for a discussion on concerns that the alternatives were inappropriately eliminated from detailed EIR consideration.
- I6-3 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need.
- I6-4 The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for a discussion on CPUC review of SCE's most recent electrical demands for the electrical needs area (ENA).
- I6-5 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter's opposition to the Proposed Project and support for the No Project Alternative are acknowledged.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

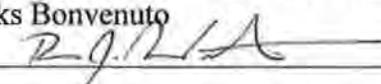
RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. 17-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. 17-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) 17-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. 17-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. 17-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. 17-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. 17-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** 17-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. 17-9

Dated: 7/22/15
Email: brooksjbonvenuto@yahoo.com
Address: 2431 Glenside Lane Santa Rosa Valley CA 93012
Name Brooks Bonvenuto
Signature: 

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

3.3.7 Letter I7 – Responses to Comments from Brooks Bonvenuto

The comments in this letter are identical to, or substantively the same as, those in the petition provided in Letter I5.

- I7-1 This comment has been addressed. See Response I5-1.
- I7-2 This comment has been addressed. See Response I5-2.
- I7-3 This comment has been addressed. See Response I5-3.
- I7-4 This comment has been addressed. See Response I5-4.
- I7-5 This comment has been addressed. See Response I5-5.
- I7-6 This comment has been addressed. See Response I5-6.
- I7-7 This comment has been addressed. See Response I5-7.
- I7-8 This comment has been addressed. See Response I5-8.
- I7-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | 18-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | 18-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | 18-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | 18-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | 18-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | 18-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | 18-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | 18-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the **WHOLE Moorpark-Newbury Project.** | 18-9

Dated: 7/22/15

Email: tombonvenuto@yahoo.com

Address: 2431 Glenside Lane Santa Rosa Valley CA 93012

Name Tom Bonvenuto

Signature: 

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

3.3.8 Letter I8 – Responses to Comments from Tom Bonvenuto

The comments in this letter are identical to, or substantively the same as, those in the petition provided in Letter I5.

- I8-1 This comment has been addressed. See Response I5-1.
- I8-2 This comment has been addressed. See Response I5-2.
- I8-3 This comment has been addressed. See Response I5-3.
- I8-4 This comment has been addressed. See Response I5-4.
- I8-5 This comment has been addressed. See Response I5-5.
- I8-6 This comment has been addressed. See Response I5-6.
- I8-7 This comment has been addressed. See Response I5-7.
- I8-8 This comment has been addressed. See Response I5-8.
- I8-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | 19-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | 19-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | 19-3
- 4. **The project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | 19-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | 19-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | 19-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | 19-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. | 19-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. | 19-9

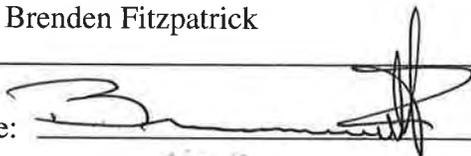
Dated: 7/22/2015 _____

Email: Brenden@fitzpatrickdental.com

Address: 11998 Pradera Rd. Santa Rosa Rd. Santa Rosa Valley CA. 93021

Name : Brenden Fitzpatrick

Signature: _____



Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

19-10

19-11

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

19-12

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

19-13

Alternatives

AB 32, the CPUC "loading order" and the Governor's mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

19-14

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

↑
19-14
(cont.)

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

19-15

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

19-16

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

19-17
↓

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

7/22/15


↑
19-17
(cont.)

3.3.9 Letter I9 – Responses to Comments from Brendan Fitzpatrick

The first nine comments in this letter are identical to, or substantively the same as, those in the petition provided in Letter I5.

- I9-1 This comment has been addressed. See Response I5-1.
- I9-2 This comment has been addressed. See Response I5-2.
- I9-3 This comment has been addressed. See Response I5-3.
- I9-4 This comment has been addressed. See Response I5-4.
- I9-5 This comment has been addressed. See Response I5-5.
- I9-6 This comment has been addressed. See Response I5-6.
- I9-7 This comment has been addressed. See Response I5-7.
- I9-8 This comment has been addressed. See Response I5-8.
- I9-9 This comment has been addressed. See Response I5-9.
- I9-10 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion of past CPUC procedural activities, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues.
- I9-11 As described in Draft EIR page 5-2, past actions were appropriately considered when defining baseline conditions for the Proposed Project. The commenter is referred to Master Response 2, *Non-CEQA Issues*, in section 3.1.2 for a discussion of past CPUC procedural activities, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues.
- I9-12 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, and Master Response 4, *Cumulative Effects Associated with Past Construction Activities* in Section 3.1.3 and Section 3.1.4, respectively, for a discussion on baseline and cumulative issues.
- I9-13 This comment has been addressed. See Response O11-2.
- I9-14 The commenter is referred to response I5-6, and Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on demand response and energy efficiency alternatives.

- I9-15 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 regarding concerns that alternatives were inappropriately eliminated from detailed EIR consideration, and Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 regarding CPUC's independent analysis of SCE's load growth forecasts.
- I9-16 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need, and Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for a discussion on electrical demands for the ENA.
- I9-17 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues, and Master Response 2, *Non-CEQA*, in Section 3.1.2 for a discussion on past CPUC procedural activities.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 110-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 110-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 110-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 110-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 110-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 110-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 110-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** I 110-8

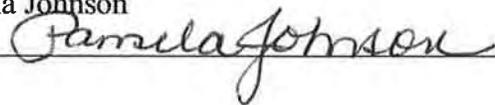
Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 110-9

Dated: 7/22/15

Email: pamjubu@gmail.com

Address: 2431 Glenside Lane Santa Rosa Valley CA 93012

Name Pamela Johnson

Signature: 

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

3.3.10 Letter I10 – Responses to Comments from Pamela Johnson

The comments in this letter are identical to, or substantively the same as, those in the petition provided in Letter I5.

- I10-1 This comment has been addressed. See Response I5-1.
- I10-2 This comment has been addressed. See Response I5-2.
- I10-3 This comment has been addressed. See Response I5-3.
- I10-4 This comment has been addressed. See Response I5-4.
- I10-5 This comment has been addressed. See Response I5-5.
- I10-6 This comment has been addressed. See Response I5-6.
- I10-7 This comment has been addressed. See Response I5-7.
- I10-8 This comment has been addressed. See Response I5-8.
- I10-9 This comment has been addressed. See Response I5-9.

From: Tammy Gunther [mailto:gunthertammy@gmail.com]
Sent: Saturday, July 25, 2015 5:16 PM
To: Moorpark-Newbury
Subject: RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

July 24, 2015

Mr. Michael Rosauer
 Moorpark-Newbury Project
 c/o Environmental Science Associates
 Email: Moorpark-Newbury@esassoc.com
 1425 N. McDowell Blvd., Suite 200
 Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- | | | |
|---|---|-------|
| 1. It fails to study the impact of SCE's whole project ; instead divides one project into two in violation of CEQA. | I | I11-1 |
| 2. It fails to study the cumulative impact of past construction on the Project. | I | I11-2 |
| 3. Mitigation during past construction was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | I | I11-3 |
| 4. The project is unnecessary , not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | I | I11-4 |
| 5. Alternatives are not independently analyzed , relying exclusively on SCE data. | I | I11-5 |
| 6. The report fails to examine "green" alternatives , violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | I | I11-6 |
| 7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | I | I11-7 |
| 8. The "No Project" Alternative is the environmentally superior alternative. | I | I11-8 |

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.

I11-9

Thank you for your attention.

Tammy Gunther
10231 Principe Place
Santa Rosa Valley, CA 93012
Email: gunthertammy@gmail.com

3.3.11 Letter I11 – Responses to Comments from Tammy Gunther

The comments in this letter are identical to, or substantively the same as, those in the petition provided in Letter I5.

I11-1 This comment has been addressed. See Response I5-1.

I11-2 This comment has been addressed. See Response I5-2.

I11-3 This comment has been addressed. See Response I5-3.

I11-4 This comment has been addressed. See Response I5-4.

I11-5 This comment has been addressed. See Response I5-5.

I11-6 This comment has been addressed. See Response I5-6.

I11-7 This comment has been addressed. See Response I5-7.

I11-8 This comment has been addressed. See Response I5-8.

I11-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I 112-1
I 112-2

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I 112-3

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I 112-4

Alternatives

P193

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I12-5

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I12-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I12-7

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build

I12-8

visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

[Sign and Date]

Denise Elston July 27, 2015
13253 Old Bullerfield Road
Santa Rosa Valley, CA 93012



I12-8
(cont.)

3.3.12 Letter I12 – Responses to Comments from Denise Elston

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I12-1 This comment has been addressed. See Response I9-10.
- I12-2 This comment has been addressed. See Response I9-11.
- I12-3 This comment has been addressed. See Response I9-12.
- I12-4 This comment has been addressed. See Response I9-13.
- I12-5 This comment has been addressed. See Response I9-14.
- I12-6 This comment has been addressed. See Response I9-15.
- I12-7 This comment has been addressed. See Response I9-16.
- I12-8 This comment has been addressed. See Response I9-17

From: Kevin Cannon [mailto:avoking@roadrunner.com]
Sent: Saturday, July 25, 2015 11:15 AM
To: Moorpark-Newbury
Subject: RE: SCE,S MOORPARK.NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Sir;

See attached letter.

Respectfully,

Kevin Cannon
11621 Presilla Rd
Santa Rosa Valley, CA 93012

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I13-1
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- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I13-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I13-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I13-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I13-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I13-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I13-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I13-9

Dated: 7-25-2015

Email: HNOKING@ROADRUNNER.COM

Address: 11621 PRESILLA ROAD SANTA ROSA VALLEY, CA

Name: KEVIN C. CANNON 93012

Signature: Kevin C. Cannon

Written comments must be postmarked or received in email by 7/27/15.

3.3.13 Letter I13 – Responses to Comments from Kevin Cannon

The comments in this letter are identical to, or substantively the same as, those in the petition provided in Letter I5.

I13-1 This comment has been addressed. See Response I5-1.

I13-2 This comment has been addressed. See Response I5-2.

I13-3 This comment has been addressed. See Response I5-3.

I13-4 This comment has been addressed. See Response I5-4.

I13-5 This comment has been addressed. See Response I5-5.

I13-6 This comment has been addressed. See Response I5-6.

I13-7 This comment has been addressed. See Response I5-7.

I13-8 This comment has been addressed. See Response I5-8.

I13-9 This comment has been addressed. See Response I5-9.

From: Tammy Gunther [mailto:gunthertammy@gmail.com]
Sent: Saturday, July 25, 2015 10:30 PM
To: Moorpark-Newbury
Subject: RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Mr. Michael Rosauer - Email: Moorpark-Newbury@esassoc.com
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I14-1

I14-2

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I14-3

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past

projects. This is completely contrary to CEQA and alone should void the report.

I14-3
(cont.)

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I14-4

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I14-5

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I14-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I14-7

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All

I14-8

publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

Thank you for your consideration.

Tammy Gunther
10231 Principe Place
Santa Rosa Valley, CA 93012
gunthertammy@gmail.com



I14-8
(cont.)

3.3.14 Letter I14 – Responses to Comments from Tammy Gunther

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I14-1 This comment has been addressed. See Response I9-10.
- I14-2 This comment has been addressed. See Response I9-11.
- I14-3 This comment has been addressed. See Response I9-12.
- I14-4 This comment has been addressed. See Response I9-13.
- I14-5 This comment has been addressed. See Response I9-14.
- I14-6 This comment has been addressed. See Response I9-15.
- I14-7 This comment has been addressed. See Response I9-16.
- I14-8 This comment has been addressed. See Response I9-17.

Public Comment Card

SCE's Moorpark-Newbury 66 kV Subtransmission Line Project
 Comment Period: June 11, 2015 – July 27, 2015



Commenter Name/Affiliation: Linda Cannon, Resident
 Address: 11621 Presilla Road, Santa Rosa Valley, 93012

Comment: _____

1. Since the point of the project is to "add capacity to meet Forecast Electrical Demand, it's crucial that the forecast is recalculated. Previous forecast showed deficiency, yet ~~there~~ ^{this has} ~~has~~ not been realized. With homeowners and businesses + schools adding solar, with use of LED's, lower energy appliances, windows etc, I feel the Forecast Electrical Demand needs revision. Also Angen downsizing would seem to save energy?

2. I attended the June 24th public comment meeting. I was shocked to hear that green alternatives were cast aside (alternative 6). We must move toward "Renewable" energy, which obviously would eventually have less environmental impact in the long run. It seemed quite fishy that none of the 6 alternatives "passed screening".

3. Why were new towers constructed closer to homes? Wouldn't it have been less "environmental impact" on humans if the new towers were constructed on the other side of existing? The EIR team had no answers for homeowners living with new towers practically in their backyard. Aren't humans part of the environment?

Linda Cannon — 7/25/2015 haciendalindase@gmail.com

3.3.15 Letter I15 – Responses to Comments from Linda Cannon

I15-1 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need, and Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5 for a discussion on CPUC review of SCE’s most recent electrical demands for the ENA.

I15-2 The commenter is referred to Draft EIR Chapter 4, *Project Alternatives*, which considered the feasibility of numerous alternatives considered by the CPUC to be “green.” Alternative 5, Demand-Side Management, looked at replacing the need for subtransmission lines through implementation of energy conservation programs. This alternative was not chosen for full evaluation because it would not serve projected demand or reliability objectives for the Proposed Project, and because these programs are not feasible on a scale that would be suitable to replace the Proposed Project within a reasonable period of time (see Draft EIR page 4-29). Alternative 6, Renewable and Distributed Energy Generation Resources, considered renewable or distributed energy generation and provision of local sources of electricity. This alternative was not chosen for full evaluation because there is limited potential for local renewable resources or distributed generation to meet the projected demand or reliability objectives for the Proposed Project, and because even local renewable or distributed resources would require upgraded or new subtransmission and transmission infrastructure (see Draft EIR page 4-30).

The commenter is also referred to Master Response 1, *Alternatives* in Section 3.1.1 for additional discussion on demand-side management and renewable and distributed energy generation alternatives.

I15-3 The Draft EIR considered one alternative that would have placed the new subtransmission line poles along the north and west side of the Moorpark-Ormond Beach 220 kV Transmissions line ROW referred to as Alternative 2 – West Side of 220 kV ROW. Rationale for elimination of this alternative begins on Draft EIR page 4-16, and includes failure to meet Proposed Project objectives, construction infeasibility, and the potential to result in greater environmental impacts than the Proposed Project.

From: Elliott Amy [<mailto:Amy.Elliott@technicolor.com>]
Sent: Sunday, July 26, 2015 10:00 AM
To: Moorpark-Newbury
Cc: Elliott Amy
Subject: Power Line

Dear Madame/Sir,

Please note the attached letters.

Thanks,

Amy Kline Elliott

International Freight Sourcing

TGL Freight Services/805 312 5189 Cell/805 445 4331 Office

<http://www.technicolor.com/global-logistics>



Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I16-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I16-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I16-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I16-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I16-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I16-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I16-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I16-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I16-9

July 26th, 2015

Dated: _____

Email: _____
aelliott6621@comcast.net

Address: _____ 2226 Barbara Dr Santa Rosa Valley Ca
93012 _____

Name : _____ Amy S
Elliott _____

Signature: _____ Amy S
Elliott _____

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE’s Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

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CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition’s Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by “past construction” under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC’s active participation.

116-10

116-11

Cumulative Impact

CEQA law requires the study of a proposed project’s “cumulative impact” with any “closely related past, present and future projects.” Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to “baseline.”

116-12

The Draft EIR describes that it specifically excludes both “existing projects that have been completed and are in operation” – the very definition of a past project – and the Project’s “past construction activities.” In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

116-13

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I16-14

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I16-15

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I16-16

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and

I16-17

ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

[Sign and Date]



I16-17
(cont.)

3.3.16 Letter I16 – Responses to Comments from Amy Elliot

The comments in this letter are identical to, or substantively the same as, those in Letters I5 and I9.

I16-1 This comment has been addressed. See Response I5-1.

I16-2 This comment has been addressed. See Response I5-2.

I16-3 This comment has been addressed. See Response I5-3.

I16-4 This comment has been addressed. See Response I5-4.

I16-5 This comment has been addressed. See Response I5-5.

I16-6 This comment has been addressed. See Response I5-6.

I16-7 This comment has been addressed. See Response I5-7.

I16-8 This comment has been addressed. See Response I5-8.

I16-9 This comment has been addressed. See Response I5-9.

I16-10 This comment has been addressed. See Response I9-10.

I16-11 This comment has been addressed. See Response I9-11.

I16-12 This comment has been addressed. See Response I9-12.

I16-13 This comment has been addressed. See Response I9-13.

I16-14 This comment has been addressed. See Response I9-14.

I16-15 This comment has been addressed. See Response I9-15.

I16-16 This comment has been addressed. See Response I9-16.

I16-17 This comment has been addressed. See Response I9-17.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

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- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 117-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 117-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 117-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I 117-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 117-9

July 26th, 2015

Dated: _____

Email: _____
aelliott6621@comcast.net_____

Address: _____2226 Barbara Dr Santa Rosa Valley Ca
93012_____

Name : _____John. W. Elliott_____

Signature: _____ John W
Elliott _____

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

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117-10
117-11

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117-12

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117-13

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As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

I17-14

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I17-15

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

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I17-16

Bias

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I17-17

ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

[Sign and Date]



I17-17
(cont.)

3.3.17 Letter I17 – Responses to Comments from John Elliot

The comments in this letter are identical to, or substantively the same as, those in Letters I5 and I9.

I17-1 This comment has been addressed. See Response I5-1.

I17-2 This comment has been addressed. See Response I5-2.

I17-3 This comment has been addressed. See Response I5-3.

I17-4 This comment has been addressed. See Response I5-4.

I17-5 This comment has been addressed. See Response I5-5.

I17-6 This comment has been addressed. See Response I5-6.

I17-7 This comment has been addressed. See Response I5-7.

I17-8 This comment has been addressed. See Response I5-8.

I17-9 This comment has been addressed. See Response I5-9.

I17-10 This comment has been addressed. See Response I9-10.

I17-11 This comment has been addressed. See Response I9-11.

I17-12 This comment has been addressed. See Response I9-12.

I17-13 This comment has been addressed. See Response I9-13.

I17-14 This comment has been addressed. See Response I9-14.

I17-15 This comment has been addressed. See Response I9-15.

I17-16 This comment has been addressed. See Response I9-16.

I17-17 This comment has been addressed. See Response I9-17.

From: BARBARA MOORE [<mailto:bleemoore@prodigy.net>]
Sent: Sunday, July 26, 2015 9:35 PM
To: Moorpark-Newbury
Subject: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

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- 2. It fails to study the **cumulative impact** of past construction on the Project. I 118-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 118-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 118-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 118-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 118-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 118-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I 118-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 118-9

Dated: _July 26, 2015

Email: Bleemoore@prodigy.net

Address: 2493 Roxy St. Simi Valley, Ca

Name : Barbara L. Moore - Owner of unimproved property on Palo Verde Circle

Signature: Barbara L. Moore

3.3.18 Letter I18 – Responses to Comments from Barbara Moore

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I18-1 This comment has been addressed. See Response I5-1.
- I18-2 This comment has been addressed. See Response I5-2.
- I18-3 This comment has been addressed. See Response I5-3.
- I18-4 This comment has been addressed. See Response I5-4.
- I18-5 This comment has been addressed. See Response I5-5.
- I18-6 This comment has been addressed. See Response I5-6.
- I18-7 This comment has been addressed. See Response I5-7.
- I18-8 This comment has been addressed. See Response I5-8.
- I18-9 This comment has been addressed. See Response I5-9.

From: Krista Pederson [<mailto:ladybuggk@aol.com>]
Sent: Sunday, July 26, 2015 2:12 PM
To: Moorpark-Newbury
Subject: SCE MOORPARK=NEWBURY DRAFT EIR Written Comments

Krista Pederson
10767 Citrus Dr.
Moorpark CA 93021
ladybuggk@aol.com

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

My family lives at 10767 Citrus Dr., and our property is just 500 feet away from the proposed power line. (Please see enclosed photos from the front of the house, the play structure and barn, and from my back fence.) I join in the objections set forth in Ludington's Written Comment Letter.

I19-1

I am writing to you today regarding the June 2015 Draft Environmental Impact Report. This Draft EIR is fatally flawed. It is based on false assumptions and faulty methodology.

The CPUC has accepted SCE's representations at face value. Its conclusions about impact, mitigation, alternatives, and the environmentally preferred alternative are all based on SCE's assertion, computations and science. The Draft EIR essentially restates SCE's representations as the CPUC's own. It does not reflect "independent judgement" on the part of the Commission.

I19-2

Once the CPUC reversed itself on the summary exemption of the Project from CEQA, it was only logical the Commission should not have played a role in subsequent environmental review. To avoid even the appearance of impropriety, it should have recused itself from becoming Lead Agency.

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119-3
I

The initial CEQA exemption of the Project, the encouragement of rapid construction before approval was vacated, and the truncated Scoping Report are all evidence of possible collusion between the CPUC and SCE.

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119-4
I

Under the circumstances, an Independent Lead Agency should be appointed to direct the environmental review. An independent environmental review agency should be assigned to conduct analyses of the impacts of all Project construction, both past and proposed. Additionally, on the issue of Project justification, an independent engineering expert should assess projected overload.

I
119-5
I

Please note that I oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

1. It fails to study the impact of SCE's whole project; instead divides one project into two in violation of CEQA.

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119-6
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2. It fails to study the cumulative impact of past construction on the Project.

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119-7
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3. Mitigation during past construction was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized)

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4. The project is unnecessary, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment.

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5. Alternatives are not independently analyzed, relying exclusively on SCE data.

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6. The report fails to examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030.

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119-11
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7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact.

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8. The "No Project" Alternative is the environmentally superior alternative.

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Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.

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119-14
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July 26, 2015

Ladybuggk@aol.com

10767 Citrus Dr.
Moorpark CA 93021

Krista Pederson





3.3.19 Letter I19 – Response to Comment from Krista Pederson

- I19-1 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter’s opposition to the Proposed Project is acknowledged. Regarding comments in the Ludington comment letter, see Responses I27-1 through I27-73.
- I19-2 The Draft EIR analysis reflects the CPUC Energy Division’s independent assessment of SCE’s data. See Master Response 1, *Alternatives*, in Section 3.1.1, and Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5, which describe independent review by the CPUC, the CPUC’s environmental consultant, and the CPUC’s electrical transmission planning consultant of SCE-provided data.
- I19-3 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities and the general proceeding.
- I19-4 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- I19-5 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities; Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3, for a discussion of why past construction was not included in the baseline; and Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5, for a discussion on CPUC’s independent review of SCE’s most recent load growth projections.
- I19-6 This comment has been addressed. See Response I5-1.
- I19-7 This comment has been addressed. See Response I5-2.
- I19-8 This comment has been addressed. See Response I5-3.
- I19-9 This comment has been addressed. See Response I5-4.
- I19-10 This comment has been addressed. See Response I5-5.
- I19-11 This comment has been addressed. See Response I5-6.
- I19-12 This comment has been addressed. See Response I5-7.
- I19-13 This comment has been addressed. See Response I5-8.
- I19-14 This comment has been addressed. See Response I5-9.

From: Patricia Becker [mailto:patriciabecker@sbcglobal.net]
Sent: Monday, July 27, 2015 2:44 PM
To: Moorpark-Newbury
Subject: SCE's Moorpark-Newbury Draft EIR Written Comments

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 120-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 120-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 120-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 120-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 120-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 120-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 120-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I 120-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 120-9

Dated: _____ July 27,
2015 _____

Email: _____
Patriciabecker@sbcglobal.net

Address: -----2999 Yucca Dr., Santa Rosa Valley, CA
93012 _____

Name : -----Patricia Becker _____

Signature: _____ Patricia Becker _____

3.3.20 Letter I20 – Response to Comment from Patricia Becker

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I20-1 This comment has been addressed. See Response I5-1.

I20-2 This comment has been addressed. See Response I5-2.

I20-3 This comment has been addressed. See Response I5-3.

I20-4 This comment has been addressed. See Response I5-4.

I20-5 This comment has been addressed. See Response I5-5.

I20-6 This comment has been addressed. See Response I5-6.

I20-7 This comment has been addressed. See Response I5-7.

I20-8 This comment has been addressed. See Response I5-8.

I20-9 This comment has been addressed. See Response I5-9.

From: merrill berge [mailto:merrillberge@gmail.com]
Sent: Monday, July 27, 2015 9:56 PM
To: Moorpark-Newbury
Subject: SCE's Moorpark-Newbury Draft EIR Written Comments

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I21-1
I21-2

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I21-3

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I21-4

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I21-5

As SCE’s shifting forecasts suggest , renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I21-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that t he project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

I21-7

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA

I21-8

exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

Merrill Berge
11 Natalie Way
Camarillo, CA 93010
July 27, 2015

I21-8
(cont.)

3.3.21 Letter I21 – Responses to Comments from Merrill Berge

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I21-1 This comment has been addressed. See Response I9-10.
- I21-2 This comment has been addressed. See Response I9-11.
- I21-3 This comment has been addressed. See Response I9-12.
- I21-4 This comment has been addressed. See Response I9-13.
- I21-5 This comment has been addressed. See Response I9-14.
- I21-6 This comment has been addressed. See Response I9-15.
- I21-7 This comment has been addressed. See Response I9-16.
- I21-8 This comment has been addressed. See Response I9-17.

From: gmechoc@aol.com [mailto:gmechoc@aol.com]
Sent: Monday, July 27, 2015 3:42 PM
To: Moorpark-Newbury
Subject: Moorpark Newbury Draft EIR Written Comments

Nina Brandt
381 Pepperwood Ct.
Thousand Oaks CA 91360

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am the parent/grandmother of the Pederson family who lives at 10767 Citrus Dr. Their property is just 500 feet away from the proposed power line. I join in the objections set forth in Ludington's Written Comment Letter.

Please note that I oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's whole project; instead divides one project into two in violation of CEQA. I 122-1
- 2. It fails to study the cumulative impact of past construction on the Project. I 122-2
- 3. Mitigation during past construction was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 122-3
- 4. The project is unnecessary, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 122-4
- 5. Alternatives are not independently analyzed, relying exclusively on SCE data. I 122-5
- 6. The report fails to examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 122-6
- 7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 122-7
- 8. The "No Project" Alternative is the environmentally superior alternative. I 122-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 122-9

July 26, 2015

Gmechoc@aol.com

381 Pepperwood Ct.

Thousand Oaks ca 91360

Signature: Nina Brandt

/s/

3.3.22 Letter I22 – Responses to Comments from Nina Brandt

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I22-1 This comment has been addressed. See Response I5-1.
- I22-2 This comment has been addressed. See Response I5-2.
- I22-3 This comment has been addressed. See Response I5-3.
- I22-4 This comment has been addressed. See Response I5-4.
- I22-5 This comment has been addressed. See Response I5-5.
- I22-6 This comment has been addressed. See Response I5-6.
- I22-7 This comment has been addressed. See Response I5-7.
- I22-8 This comment has been addressed. See Response I5-8.
- I22-9 This comment has been addressed. See Response I5-9.

From: Denny Elston [mailto:dennyelston@gmail.com]
Sent: Monday, July 27, 2015 10:03 PM
To: Moorpark-Newbury
Subject: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 123-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 123-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 123-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 123-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 123-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 123-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 123-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I 123-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 123-9

Sent by Email

Dated: _July 27, 2015

Email: dennyelston@gmail.com

Address: --13253 Old Butterfield Road

Name : Denise Elston--

3.3.23 Letter I23 – Responses to Comments from Denise Elston

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I23-1 This comment has been addressed. See Response I5-1.
- I23-2 This comment has been addressed. See Response I5-2.
- I23-3 This comment has been addressed. See Response I5-3.
- I23-4 This comment has been addressed. See Response I5-4.
- I23-5 This comment has been addressed. See Response I5-5.
- I23-6 This comment has been addressed. See Response I5-6.
- I23-7 This comment has been addressed. See Response I5-7.
- I23-8 This comment has been addressed. See Response I5-8.
- I23-9 This comment has been addressed. See Response I5-9.

From: Nicki Hawth [mailto:nickihawth@gmail.com]
Sent: Monday, July 27, 2015 4:07 PM
To: Moorpark-Newbury
Subject: Moorpark-Newbury EIR written comments

Nicole Hawth

[10767 Citrus Dr.](#)
[Moorpark CA 93021](#)
Nickihawth@gmail.com

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
[1425 N. McDowell Blvd., Suite 200](#)
[Petaluma, CA 94954](#)

RE: SCE’S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

My family lives at [10767 Citrus Dr.](#), and our property is just 500 feet away from the proposed power line. I join in the objections set forth in Ludington's Written Comment Letter.

Please note that I oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- | | | |
|--|---|-------|
| 1. It fails to study the impact of SCE’s whole project; instead divides one project into two in violation of CEQA. | I | I24-1 |
| 2. It fails to study the cumulative impact of past construction on the Project. | I | I24-2 |
| 3. Mitigation during past construction was overstated and/or ineffective, yet is not scrutinized (Nearly all disturbance done during 3 months, with some unauthorized) | I | I24-3 |
| 4. The project is unnecessary, not supported by “need” data or overload projections and will significantly burden ratepayers, area residents and the environment. | I | I24-4 |
| 5. Alternatives are not independently analyzed, relying exclusively on SCE data. | I | I24-5 |
| 6. The report fails to examine “green” alternatives, violating the CPUC’s Loading Order, AB | I | I24-6 |

32 and the Governor’s mandate of 50% reduction by 2030.

↑ I24-6
| (cont.)

7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA’s “whole project” and for determination of this Project’s: (a) necessity and (b) the cumulative impact.

| I24-7

8. The “No Project” Alternative is the environmentally superior alternative.

| I24-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.

| I24-9

July 27, 2015

Nickihauth@gmail.com

[10767 Citrus Dr.](#)

[Moorpark CA 93021](#)

Signature: Nicole Hauth

/s/

Sent from my iPhone

3.3.24 Letter I24 – Responses to Comments from Nicole Hauth

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I24-1 This comment has been addressed. See Response I5-1.
- I24-2 This comment has been addressed. See Response I5-2.
- I24-3 This comment has been addressed. See Response I5-3.
- I24-4 This comment has been addressed. See Response I5-4.
- I24-5 This comment has been addressed. See Response I5-5.
- I24-6 This comment has been addressed. See Response I5-6.
- I24-7 This comment has been addressed. See Response I5-7.
- I24-8 This comment has been addressed. See Response I5-8.
- I24-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE’s Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition’s Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by “past construction” under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC’s active participation.

I25-1

I25-2

Cumulative Impact

CEQA law requires the study of a proposed project’s “cumulative impact” with any “closely related past, present and future projects.” Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to “baseline.”

I25-3

The Draft EIR describes that it specifically excludes both “existing projects that have been completed and are in operation” – the very definition of a past project – and the Project’s “past construction activities.” In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I25-4

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I25-5

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

I25-5
(cont.)

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I25-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

I25-7

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

I25-8

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

↑ I25-8
(cont.)

Donna Johanson 7/26/15

From: [Claire Myers](#) on behalf of [Moorpark-Newbury](#)
To: [Hunter Connell](#)
Subject: FW: SCE's Moorpark-Newbury Draft EIR
Date: Tuesday, July 28, 2015 7:01:25 AM
Attachments: [scan.SCE.pdf](#)

Claire

From: Donna Johanson [mailto:weesixwest@gmail.com]
Sent: Monday, July 27, 2015 12:53 PM
To: Moorpark-Newbury
Subject: SCE's Moorpark-Newbury Draft EIR

Dear Mr. Rosauer,

Please see letter attached.

Thank you,
Donna Johanson

3.3.25 Letter I25 – Responses to Comments from Donna Johanson

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

I25-1 This comment has been addressed. See Response I9-10.

I25-2 This comment has been addressed. See Response I9-11.

I25-3 This comment has been addressed. See Response I9-12.

I25-4 This comment has been addressed. See Response I9-13.

I25-5 This comment has been addressed. See Response I9-14.

I25-6 This comment has been addressed. See Response I9-15.

I25-7 This comment has been addressed. See Response I9-16.

I25-8 This comment has been addressed. See Response I9-17.

JULY 27, 2015

MR. MICHAEL ROSAUER
MOORPARK-NEWBURY PROJECT
C/O ENVIRONMENTAL SCIENCE ASSOCIATES
1425 N. McDOWELL BLVD., SUITE 200
PETALUMA, CA. 94954

SUBJECT: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

THE PURPOSE OF THIS LETTER IS TO FORMALLY OPPOSE ACCEPTANCE OF THE JUNE 2015 ENVIRONMENTAL IMPACT DRAFT REPORT FOR THE ABOVE REFERENCE PROJECT.

FAILURE TO OBTAIN AND CONSIDER A THOROUGH ENVIRONMENTAL IMPACT REPORT PRIOR TO ALLOWING CONSTRUCTION TO MOVE FORWARD IS A VIOLATION OF THE LAWS OF THE STATE OF CALIFORNIA AND THE PROSCRIBED PURPOSE OF THE CALIFORNIA PUBLIC UTILITY COMMISSION.

I26-1

THE EIR DRAFT REPORT SPECIFICALLY EXCLUDES THE PROJECT'S PAST AND COMPLETED CONSTRUCTION ACTIVITIES INSTEAD OF RECOGNIZING THE PROJECT AS A WHOLE. ANOTHER BIG MISTAKE AND REASON ENOUGH TO REJECT THE EIR DRAFT REPORT.

I26-2

ENCOURAGED BY THE CEQA EXEMPTION, CPUC ALLOWED THE PROJECT TO MOVE FORWARD DURING THE APPEAL PROCESS. SCE QUICKLY RETAINED AN INDEPENDENT CONTRACTOR TO PROCEED WITH THE WORK. EMPLOYEES OF THE INDEPENDENT CONTRACTOR WORKING ON THE PROJECT HAD LITTLE OR NO TRAINING FOR WORKING IN ENVIRONMENTALLY SENSITIVE AREAS. THEIR ONLY GOAL WAS TO COMPLETE THE WORK AS QUICKLY AS POSSIBLE.

I26-3

FURTHER, NO NOTICE OF THE PROPOSED WORK WAS GIVEN TO AREA RESIDENTS PRIOR TO OR DURING THE WORK PERIOD. THE DAILY AND WEEKEND WORK SCHEDULE OF THE CONTRACTOR WAS A NEGATIVE EXPERIENCE FOR ALL IN THE COMMUNITY.

I26-4

WHILE THE APPEAL PROCESS WAS ONGOING, THE CPUC REVERSED PROJECT APPROVAL AND ORDERED AN ENVIRONMENTAL IMPACT REPORT. HOWEVER, DAMAGE HAS BEEN DONE BY ALLOWING SCE TO MOVE FORWARD DURING THE APPEAL PROCESS.

I26-5

IT IS THE FUNCTION AND RESPONSIBILITY OF THE CPUC TO SERVICE THE PUBLIC INTEREST BY PROTECTING CONSUMERS. CPUC ALSO HAS A RESPONSIBILITY TO PROTECT THE ENVIRONMENT.

I26-6

SCE HAS ACCESS TO ALTERNATIVE ROUTES AND MEANS AVAILABLE TO REACH THEIR GOALS. THE RESIDENTS, LANDSCAPE AND WILDLIFE WITHIN THE CURRENT PROPOSED SCE IMPROVEMENT AREA DO NOT.

I26-7

DO WHAT IS RIGHT. REJECT THE MOORPARK – NEWBURY JUNE 2015 EIR DRAFT REPORT.

RESPECTFULLY



JIMMIE JOHNSON
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SANTA ROSA VALLEY, CA. 93012
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3.3.26 Letter I26 – Responses to Comments from Jimmie Johnson

- I26-1 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- I26-2 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues.
- I26-3 This comment does not address the adequacy or accuracy of the Draft EIR. Refer to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- I26-4 This comment does not address the adequacy or accuracy of the Draft EIR. For discussion of past project construction activities refer to Draft EIR Chapter 2, *Background*. It should be noted that Draft EIR Mitigation Measures 5.13-1a and 5.13-1b would require SCE and/or its construction contractors to reduce Proposed Project-related noise levels and the associated nuisance at sensitive receptor locations to the extent practical. The schedule for the Proposed Project is discussed Draft EIR Chapter 3, *Project Description*, Subsection 3.6.17, *Construction Schedule*, on page 3-36.
- I26-5 This comment does not address the adequacy or accuracy of the Draft EIR. Refer to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- I26-6 This comment does not address the adequacy or accuracy of the Draft EIR. This comment is acknowledged.
- I26-7 This comment does not address the adequacy or accuracy of the Draft EIR. Refer to Master Response 1, *Alternatives*, in Section 3.1.2 for a discussion on the alternatives evaluated in the Draft EIR.

From: Peggylud [mailto:peggylud@aol.com]
Sent: Monday, July 27, 2015 2:13 PM
To: Moorpark-Newbury
Subject: Moorpark-Newbury DEIR Written Comments

Dear Mr. Rosauer--

We want to thank you for the obvious hundreds of hours you and ESA have put into creating this report. We know you were bound by the constraints given to you. We appreciate your commitment to do a good job.

As with any draft, there are corrections to be made. We are offering our comments about the gaps in that process and in the report. We hope these comments will be incorporated to fill those gaps and improve the report. The DEIR needs to move beyond its reliance upon SCE's assertions to an independent analysis of the Moorpark-Newbury Project's environmental footprint. We hope that is possible.

Any reference to you in the letter is in the "third person", which felt a bit awkward given that the letter is also addressed to you. We did this for purposes of the record, with the assumption that it ultimately will be read by others than yourself.

Thank you again for the hard work.

Sincerely,

Peggy Ludington

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July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email to: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: Moorpark-Newbury Project
Draft EIR Written Comments

Dear Mr. Rosauer:

Thank you for this opportunity to submit formal written comment regarding the Draft Environmental Impact Review [DEIR]. Prior to getting into the meat of our comments, we feel it is important to address some preliminary issues.

I. PRELIMINARY ISSUES

A. Application for Permit to Construct was incomplete.

In November 2013, Stakeholders and municipalities protested the Application for Permit to Construct [PTC] and asked the CPUC to incorporate the Project’s past record, from Advice Letter 2272-E up to and including Decision 11-11-019, prior to deeming the application complete. Protestors also objected to any inference in the PTC Application that an appropriate “Project Description” could be limited to a request for authorization *to complete* construction of the Project described in the Advice Letter 2272-E.

Notwithstanding, the CPUC declared the Application complete on the same date protests had to be mailed, never considering these argument. Subsequently, the CPUC asked SCE for clarification and supplemental information in its 2/4/14 Data Request. It is unclear what action the CPUC took to determine if SCE’s responses were adequate, or if they required modification of the Application. Additionally, there was no opportunity for the public to comment on the data request because it was posted on the CPUC wbsite after the Public Scoping Meeting.

We ask, at this time, the CPUC to declare the Application for PTC to be incomplete as it only addresses 40% of the Project.

I27-1

I27-2

B. “Project Description” remains unclear.

When SCE filed its PTC Application, nearly two years after Decision 11-11-019, there was significant confusion in the CPUC and the public about the “Project Description.” The PEA described the entire Moorpark-Newbury Project (in its “Project Description”) and requested that remaining construction be given “Exemption G” status. When the environmental study was ordered, the Notice of Preparation [NOP] likewise contained a description of the entire Moorpark-Newbury Project.

However, the NOP erroneously noted that Decision 11-11-019 ordered SCE “to file a PTC Application *in order to complete* the Project.” The CPUC’s website was likewise misleading. It stated, and still states, that Decision 11-11-019 required SCE “to file a Permit to Construct application *in order to proceed with completing construction* of the project.” This is not at all consistent with the language of the Order.

Decision 11-11-019 reads: “SCE is directed to apply for a permit to construct pursuant to G.O. 131-D *if it wishes to build the power line described in Advice Letter 2272-E.*” Advice Letter E-2272 delineated the parameters of the entire 9-mile Project from groundbreaking to finish. Thus, according to the Decision, nothing about past construction would be beyond the bounds of review in the PTC process. Yet, when SCE filed its Application for PTC, the CPUC overlooked this discrepancy. The result – significant confusion and a lack of proper notice to the public.

Then, at the Public Scoping Meeting on 4/10/14, Michael Rosauer of the Energy Division made it clear environmental review would be limited to the yet-to-be-built portions of “the Project.” Both the PEA and NOP defined “the Project” as the entire Moorpark-Newbury Project. Here was the first indication the CPUC intended to segment it.

In response to the public outcry, Mr. Rosauer agreed he would take public comment regarding the full “Project Description” to the CPUC’s Legal Division before issuing the Scoping Report. Elaborate public comment was submitted. Nearly 90 days later, the Scoping Report confirmed this artificial division of one project into two unequal halves – (1) the majority of construction completed when the CPUC failed to stay SCE’s request to begin construction during its consideration of our Application For Rehearing between April 2010 to November 10, 2011, and (2) the remaining construction to complete the 9-mile line. By comparison, the full project should have been the measuring stick against which Alternatives would be compared and environmental impact measured, not 40% of the project.

The Public Meeting, Scoping Report and resultant DEIR failed to comply with the original mandate of Decision 11-11-019. The Scoping Report and the DEIR based on it are invalid.

I27-3

I27-4

I27-5

I27-6

C. Stakeholders denied appropriate notice of Scoping Meeting.

Because of the fluctuating project descriptions, the public had no notice that the Scoping Meeting would pertain only to 40% of the Project’s construction that remains.

I27-7

Responsibility for a project cannot be avoided by limiting the title or description of the project. *Rural Land Owners Association v. Lodi City Council* (3d Dist. 1983) 143 Cal.App.3d 1013, 1025. The project description must be accurate and consistent throughout." An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193). The primary harm caused by shifting between differing project descriptions is that the inconsistency confuses the public and the commenting agencies, thus vitiating the usefulness of the process "as a vehicle for intelligent public participation." (*County of Inyo*, at 197-198)

I27-8

As discussed above, there was much confusion over “Project Description.” All public notifications regarding both “the Project” and the “Project Description” failed to advise the public that the CPUC intended to breakout the remaining construction as a freestanding project for environmental review. Additionally, the Scoping Meeting misled the public because the “Project Description” failed to describe the “Whole of the Project,” and did not include the Project “baseline” information as part of the Project.

As the result, members of the public and protesting municipalities were denied the ability to properly assess the potential effects of “the Project,” and to make informed comments about the scope of the EIR and alternatives to be considered. Hence, they were denied full and fair participation in the Scoping Meeting, rendering the Scoping Report and the DEIR based on it invalid.

D. Scoping Report is invalid.

As observed by Project Manager, Michael Rosauer, in several of his comments at the 4/10/14 Scoping Meeting, the Project and its environmental review presented an “unusual situation,” including two “No Project” Alternatives.

I27-9

“There is no dispute that CEQA forbids ‘piecemeal’ review of the significant environmental impacts of a project. This rule derives, in part from section 21002.1, subdivision (d), which requires the lead agency . . . to ‘consider the effects, both individual and collective, of all activities involved in [the] project.’” *Berkeley Kepp Jets Over the Bay Committee v. Board of Port Commissioners*, 11 Cal. Rptr. 2d 598, 608. Clearly, CEQA does not allow the kind of piecemealing that occurred in the Scoping Report.

I27-10

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At a very minimum, this Project is akin to a “Multiple or Phased Project” (CEQA Guidelines, Section 15165) or a “Program EIR” (CEQA Guidelines, Section 15168). Section 15165 provides:

Where individual projects are, or a phased project is, to be undertaken and *where the total undertaking comprises a project with significant environmental effect*, the Lead Agency shall prepare a single program EIR for the ultimate project as described in Section 15168. Where an individual project is a necessary precedent for action on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project.

Hence, “the Proposed Project” would arguably constitutes the *second phase of a single total undertaking*—“the Project.”

Turning to Section 15168, it provides for a single EIR when there is *a series of actions that can be characterized as one large project* that are related either by geography, being logical parts in the chain of contemplated actions, or individual activities under the same regulatory authority and having generally similar environmental effects. The Project and “the Proposed Project” meets all three criteria.

Prior to the issuance of the July 2015 Scoping Report, protestors had submitted to the CPUC’s Legal Division (via Mr. Rosauer) extensive legal authority to demonstrate that segmenting “the Project” – as defined in all of SCE public documents including the original Advice Letter – into two halves based on the state of its construction would violate the spirit and letter of CEQA. Notwithstanding, the Scoping Report did precisely that. The Scoping Report was the first time “the Project” had been redefined. The DEIR based on this Scoping Report magnifies this error.

ESA, the Energy Division’s consultant, has followed this narrow instruction to the letter. However, to avoid the obvious confusion, ESA came up with a new title “the Proposed Project,” to differentiate what it is reviewing from “the Project.” In so doing, the DEIR acknowledges that the subject of environmental scrutiny is only a part of “the Project.” Stated another way, the Scoping Report’s “Project Description” describes only one phase of “the Project” and is per se incomplete, inaccurate and should be invalidated.

In its Application For PTC, SCE described “the Project” as 100% of the 9-mile 66 kV line. (Pages 1-2) Therein, there was no question SCE considers it a single project, as it went on to describe: “SCE originally commenced construction of *the Project* in October 2010 under the assumption that the Project was exempt from CPUC permitting pursuant to GO 131-D Section III.B.1.g. (‘Exemption G’).” [Application for PTC, Page 2.] So why did the Energy Division limit environmental review to the yet-to-be-built phase of it in the Scoping Report’s “Project Description” thereby necessitating the creation of the clarifying pseudonym, “the Proposed Project”? It defies logic, the facts and CEQA Sections 15165 and 15168.

I27-10
(cont.)

I27-11

I27-12

I27-13

I27-14

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We have arrived at this present juncture because President Michael Peevey granted the Project a CEQA exemption, then 19 months later, vacated his Commission’s original 2009 and 2010 CEQA exemptions. Now, even though the Administrative Law Judge has order environmental review, we are here again—To exempt or not to exempt? It should not even be a question.

I27-15

Either the DEIR is inadequate in its failure to analyze “the Project,” or the PEA and NOP failed to properly identify “the Project” as only a portion of the Moorpark-Newbury Project, thoroughly confusing stakeholders. In either case, it should be “back to the drawing board” for environmental review.

I27-16

We urge that the Scoping Report be invalidated. A new Scoping Report should be drafted to include 100% the activities related to the proposed Moorpark-Newbury 66 kV subtransmission line in “Project Description,” consistent with SCE’s description of the Project, the original Advice Letter, Decision 11-11-019, and CEQA Sections 15165 and 15168. To do otherwise effectively would once again circumvent CEQA, just as the original 2009 and 2010 granting of Exemption G did. The 11/10/11 Order vacating project authority eliminated CEQA exemption; the Scoping Report’s segmenting of the Project re-established it. This clearly was not the intention of the Decision 11-11-019 or the lawmakers responsible for CEQA.

I27-17

II. INADEQUACIES OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

The June 2015 Draft Environmental Impact Report [DEIR] is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

I27-18

A. “Whole Project”

As set forth above, CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. CEQA Sections 15165 and 15168 underscore this point. Yet, this is what appears to have happened.

I27-19

Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition’s Application For Rehearing process. Then, after 19 months, the CPUC reversed project approval (because of its own legal error) and ordered an EIR scoped to circumscribe any meaningful assessment of damage done by “past construction” under the vacated CEQA exemption. This looks exactly like piecemealing--piecemealing with the CPUC’s active participation.

I27-20

The DEIR should be redone to evaluate the Whole Project.

B. Improper Segmenting

A public agency may not divide a single project into smaller individual projects in order to avoid its responsibility to consider the environmental impacts of the project as a whole. (*Orinda Assn. v. Board of Supervisors* (1986) 182 Cal. App. 3d 1145, 1171.) At issue here: What is the activity, or the whole of the action, for which approval is sought. Courts have considered separate activities as one CEQA project and required them to be reviewed together where, for example, both activities are integral parts of the same project (*No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal. App. 3d 223; see also Sections 15165 and 15168.)

I27-21

As stated by the court in *Berkeley*, above, “CEQA forbids ‘piecemeal’ review of the significant environmental impacts of a project.” Yet, as discussed above, the CPUC’s Scoping Report redefined “the Project” as only a portion of the Project. In so doing, this public agency improperly limited the scope of review. The result was that the CPUC minimized the DEIR’s analysis of environmental impacts and shielded the bulk of SCE’s Project from CEQA review. It effectively continued the impact of its original erroneous Exemption G. The CPUC did not merely allow the improper segmentation of one project into two—it created it.

The Scoping Report and DEIR based on it should be invalidated and a new environmental analysis conducted of the Whole Project.

C. Part Of a Larger Project

CEQA requires meaningful environmental review of the “whole project.” “Whole project” should properly include SCE’s master plan for the Big Creek/Ventura area. There is no question SCE knows how it intends to expand and energize its grid. Allowing it to reveal only what it wishes in small projects prevents meaningful analysis of the cumulative impact. This piecemeal tactic is calculated to ensure as little regulation as possible.

I27-22

The Project is an amendment to a local area within the ISO controlled Grid to correct local reliability issues in compliance with NERC Planning Standards. “The Project” must include the affected grid and describe all other reasonably foreseeable changes, now and in the future. “The Project” must include a description of other relevant programs [including but not limited to The 2014 Energy Storage Procurement Plan] that have the potential to affect the environmental impacts of the Project.

I27-23

At a very minimum, SCE should be required to disclose, and this EIR be redone to include, any projects affecting the Thousand Oaks, Moorpark and Newbury Park communities; the Moorpark, Thousand Oaks and Newbury Substations; the Moorpark-Newbury-Pharmacy and the Thousand Oaks-Newbury lines; and the Moorpark-Ormond Beach ROW. [*Laurel Heights Improvement Association v. Regents of University of California*, 47 Cal. 3d 376, 396.]

I27-24

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“Whole Project” also should include consideration of any other projects or plans SCE has to fulfill its responsibility to manage the existing grid in a prudent manner, such as its new 2015 Distributed Resources Plan, its proposed Oxnard power plant, its improvement and reconductoring of the Colonia substation and line, and its inevitable pole replacement and likely reconductoring under the Pole Loading Program ordered by General Rates Case [GRC] 2012. None of these were examined in the Draft EIR. But should be included.

I27-25

D. “Baseline”

Because of its bifurcation of the Moorpark-Newbury Project, the Scoping Report relegated the impacts of past construction to the status of “Baseline.” Under CEQA, a lead agency is supposed to identify the existing physical environment to provide a baseline set of conditions against which to measure the significance of a project’s expected impact. (*Save Our Peninsula Committee v. Monterey County Bd. Of Supervisors* (2001) 87 Cal.App.4th 99, 119.)

An EIR is to include a description of the physical environmental conditions in the vicinity of a project from both a local and regional perspective. This environmental setting will **normally** constitute the baseline. (CEQA Guidelines, § 15125, subd. (a).)

However, the courts have recognized that there are situations where calculating baseline on the NOP date does not capture true pre-project conditions. These courts have reasoned that, by using the qualifying term “normally,” Section 15125 recognizes situations in which it is appropriate a lead agency have the discretion to select a different baseline method. (See *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270, 1278.) The alternative method must be supported by “reasoned analysis and evidence in the record.” (*Save Our Peninsula Committee*, 87 Cal.App.4th at 120; see *Environmental Council of Sacramento v. City of Sacramento*(2006) 142 Cal.App.4th 1018, 1035.) And, in this case, the record should include the whole record from Advice Letter 2272-E to present.

I27-26

Here, the lead agency (in its role as the regulating “enforcement” agency) tacitly allowed the disturbance that exists in this known environmentally sensitive area, by failing to stay construction during the pendency of the Application For Rehearing. The CPUC was ultimately forced to vacate its CEQA Exemption G, but not until the lion’s share of damage had been wrought under its supervision.

To properly gauge the true environmental impact of “the Project,” discretion would dictate that the past construction’s disturbance of land – land otherwise effectively untouched for more that forty years – should be not be part of baseline. All damage occurred in the final 3 months of the 19-month rehearing process, between the second week in August 2011 and receipt of the November 10, 2011 Rehearing Order that halted

construction. It is relatively easy from satellite photos and the PEA’s description of construction activities to reconstruct the state of the physical environment prior to partial construction activities.

↑
 I27-26
 (cont.)

This project does not qualify as a proposed expansion or modification of an existing project already in operation. Per Decision 11-11-019, the Application for PTC, if filed, was to propose building the Moorpark-Newbury Project “as described in the Advice Letter.” Nor has the Project ever been “in operation.” Its partial construction under questionable circumstances does not qualify it as a “use that was already occurring.” Past construction activities should not have been relegated to “baseline” status.

I27-27

The DEIR should ignore past construction for purposes of determining baseline. Baseline should be reassessed to describe the state of the environment *prior* to SCE’s questionable commencement of construction. Even assuming for argument’s sake that relegation of past construction to baseline was permissible, the question still should have been: Would “the Proposed Project” *plus* baseline exceed significance thresholds, and therefore result in a collectively significant effect? This was expressly not examined, but should be.

E. “Cumulative Impact” and the Understatement of Significant Impacts

Looking at the same issue from a different angle, the impact of past construction at a very minimum should be considered in the evaluation of cumulative impact. It was not considered at all in the DEIR.

I27-28

In addition to examining project-level impacts of the “whole project,” CEQA requires an EIR to evaluate a project’s effects in relationship to broader changes of *closely related past, present and future projects* in the surrounding environment; that is, the “cumulative impact.” [CEQA Guidelines, Sections 15130 and 15355.] If a project’s impact is individually limited but “cumulatively considerable,” the impact is considered significant. “Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. [Section 21083 (b).] Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. [Section 15355.]

Cumulative impact analysis must be interpreted so as to afford the fullest possible protection of the environment. The court in *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 CA3d 421, 431, stated:

It is vitally important that an EIR avoid minimizing the cumulative impacts. Rather, it must reflect a conscientious effort to provide the public agencies and the general public with adequate and relevant detailed information about

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them. [Citations] A cumulative impacts analysis which understates information concerning the severity and significance of cumulative impacts and impedes meaningful public discussion and skews the decision makers perspective concerning the environmental consequences of a project, the necessity for mitigation measures, and the appropriateness of project approval. [Citations] An inadequate cumulative impacts analysis does not demonstrate to an apprehensive citizenry that the governmental decision maker has in fact fully analyzed and considered the environmental consequences of its actions.

I27-28
 (cont.)

Here, the Project’s Draft EIR completely ignores any cumulative impact of the Project’s past construction under the vacated project approval, explaining it merely was part of “baseline.” However, even if that were appropriate as discussed above, the question then is: Would the Project plus baseline exceed significance thresholds, and therefore result in a collectively significant effect? Just because something is part of “baseline” does not mean it escapes analysis altogether in considering “cumulative impact.” There has been no such analysis, but there should be.

As Chapter 2 of the DEIR confirms, the disturbance by past construction is vast-- 16.68 acres of a known environmentally sensitive region, of which 11.79 acres are permanently disturbed. This includes the “permanent disturbance” of 4.47 acres of “lands defined as forest land” and 3.23 acres of “Important Farmland, including 0.21 acre of *Prime Farmland*, 0.15 acre of *Farmland of Statewide Importance*, and 2.31 acres of *Unique Farmland*.” [Pages 2-11 to 2-12.] As an aside, we own 20.23 acres of that “unique farmland” [per DEIR, Figure 5.2-1], cultivated since the mid 1970’s as a commercial lemon grove. For staging, construction and “maintenance,” SCE forced the permanent clearance of 79 of our mature lemon trees—trees in their prime production.

I27-29

Additionally, the DEIR *grossly underrepresents* the proximity of poles and proposed lines to residential properties and native chaparral. All of the photographs in the DEIR are distance shots, rather than from the perspective of the homes and roadways closest to the installations. In the case of at least six of the TSPs (TSP # 17, 18, 19, 20, 21, and 23), if a pole were to topple, or lines to break or detach, (in an easterly direction) during an earthquake or windstorm, they would fall onto residential properties. And with regard to numerous other proposed poles, they would fall into decades-old native brush, likely causing a wildfire. This would threaten many more homes and surely further complicate the already emergency circumstances. This proximity also bears on the DEIR issues of noise, air quality, visual, and EMF. It is compounded by SCE decision to affix lines to the east side of each TSP (rather than the west side, which is farther from residential properties).

I27-30

It defies logic that the Project’s 9-mile construction march – that already has disturbed 16.68 acres of significant farmland and virgin protected open space with known environmental sensitivities – will leave only a nominal environmental footprint.

I27-31

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The Draft EIR goes on to specifically exclude both “existing projects that have been completed and are in operation” – the very definition of a “past project” – and separately excludes the Project’s “past construction activities” (because ordered to do so by the Scoping Report). Even if one assumes that “existing projects completed and in operation” should be part of baseline, what is the rationale for excluding partial construction of a project whose approval was vacated, especially given Sections 15165 and 15168? In other words, the Draft EIR specifically excludes *all* past projects whether or not completed. This is contrary to CEQA and alone should void the DEIR.

I27-32

Additionally, it also fails to include a number of future projects, as outlined above.

I27-33

SCE’s past construction shares the same footprint as the “Proposed Project.” And the proposed Oxnard generation plant will utilize the same right-of-way [ROW] and serve the same Electrical Needs Area [ENA] as the “Proposed Project.” How “closely related” can past and present projects get? However, neither was considered in the Cumulative Impact Chapter of the DEIR but should be.

I27-34

Even in its brief portrayal of past construction activities, the DEIR describes SCE’s construction as spread out over a 14-month period, lessening such impacts as noise and air quality. This simply was not factual. SCE admitted that, during 8 of those 14 months, construction came to a standstill for nesting birds. Moreover, it has also revealed in responses to our data requests that none of pole footing sites were cleared or dug before August 2011, little more than 90 days before the order halting construction. Thus, nearly all of past construction disturbance occurred in a compressed period of less than a 100 days.

I27-35

As a result, the DEIR totally minimizes significant cumulative environmental impact. The only two “significant” impacts of remaining construction are *temporary* noise and *temporarily* compromised air quality. The report goes on to portray these two temporary impacts as fairly *nominal* and totally temporary.

I27-36

Why should this matter that “the Proposed Project” has only nominal impact? It matters because of CEQA Guidelines, Sections 15130 and 15355. It matters because of Section 21083 (b).

CEQA Guidelines are very specific. Even nominal impacts can become *collectively significant*. The two phases of this 9-mile Project, with its nearly 17 acres of disturbed land to date – including biological, cultural, agriculture, forestry, and riparian resources, to mention a few – is most obviously significant. *Yet, it was not evaluated.*

The Draft EIR’s analysis of cumulative impact is inadequate. It understates information concerning the severity and significance of cumulative impacts, impedes meaningful public discussion, and “skews the decision makers perspective concerning the

I27-37

environmental consequences of a project, the necessity for mitigation measures, and the appropriateness of project approval” in complete contravention of CEQA and the ruling in *Ojai* (above). As a result, the Draft EIR fails to “demonstrate to an apprehensive citizenry that the governmental decision maker has in fact fully analyzed and considered the environmental consequences of its actions.” [*Ojai* (above).]

I27-37
 (cont.)

The Project must undergo additional environmental analysis so as not minimize significant cumulative environmental impacts. Such analysis must evaluate the cumulative impact of the Project in light of past, present and foreseeable future projects. At the barest minimum, it must address whether the Proposed Project plus baseline exceed significance thresholds, and therefore result in a collectively significant effect.

F. Alternatives

The CEQA Guidelines require the consideration of alternatives capable of eliminating or reducing significant environmental effects *even though they may “impede to some degree the attainment of project objectives”* (§15126.6(b)). Therefore, it is not required that each alternative meet all of the project’s objectives, particularly when SCE’s Project Objectives are based on questionable projections and shifting criteria.

I27-38

1. Preferred Resources Alternatives

AB 32, the CPUC “Loading Order,” the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030, and AB 327—all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives. In its PEA, page 1-2, SCE described its analysis of project alternatives:

SCE evaluated several system and subtransmission line route alternatives to the Project. However, as presented in Chapter 5: Detailed Discussion of Significant Impacts, only the Project as proposed by SCE and described in Chapter 3: Project Description most completely achieves the Project Objectives for the Project and avoids the technical, environmental, and reliability impacts and challenges (both present and future) associated with the system an route alternatives.

I27-39

First, in its own words, SCE has revealed that failed to follow any of these directives regarding Preferred Resources in trying to meet its objectives, yet another reason the Application For PTC should have been rejected as incomplete. Second, it failed to recognize CEQA, Section 15126.6(b) express *proviso* that alternatives need not match or surpass the Project in achieving objectives. It is irrelevant and should not have mattered to ESA that, in SCE’s estimation, the Project “most completely achieves the Project Objectives.”

It is quite interesting that, in SCE’s Workpapers for the GRC 2015 Application, SCE characterizes the Project as a falling under “Load Growth,” rather than “Reliability.” Comparatively, in its 2013 PEA, SCE describes the Project as necessary “to address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.” Why would SCE give such different characterizations in the GRC 2015 and the Application for PTC, filed almost in tandem? What is the Project’s real Objective?

I27-40

The DEIR fails to acknowledge that the Thousand Oaks/Newbury Park area is especially well-suited to utilizing Preferred Resources to fill any shortfall in generated energy. It is very similar to Orange County (with as slightly different climate rating), currently the focus of a Preferred Resources Pilot. Given the business mix, the support of the local communities and governmental entities for renewable energy resources, combined with the long lead time before the line capacity is forecasted to be exceeded (2020/2021), it seems a Preferred Resources Pilot for Ventura County would be an appropriate alternative that should be considered. It could be modeled after the hugely successful Preferred Resources Pilot in Orange County, or utilize independent organizations devoted to energy efficiency and renewables.

I27-41

It is interesting that the DEIR splits Energy Conservation/Demand Side Management (Alternative 5) and Renewable/Distributed Energy (Alternative 6) into two separate Alternatives. In reality they are compatible, frequently operate in tandem, and should be exhaustively explored, in compliance with current law. At a very minimum, the DEIR should analyze an Alternative that combines Alternative 5 and Alternative 6.

I27-42

Further, SCE’s 7/1/15 Distributed Resource Plan pursuant to AB 327 discloses that the existing distribution facilities in the subject ENA are sufficient to handle more than enough energy from Preferred Resources to compensate for the projected shortfall. Absolutely none of this has been developed or analyzed as an Alternative in the DEIR.

I27-43

As SCE’s declining forecasts suggest, renewable energy already has addressed, and could continue to address, any real gaps in demand and capacity. At the 6/24/15 Public Comment Meeting, it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand in the ENA by 8-10% in the near term—“without working very hard at it.” Yet, the DEIR makes these Alternatives seem implausible and eliminates them from review. It even goes so far as to call Distributed Energy a “nascent industry” with “numerous institutional, industry, and market barriers that have impeded [its] growth.” [Page 4-31.] The lawmakers that had the vision to pass AB 327 would definitely disagree with that assessment. The DIER does, however, acknowledge that: “California will support incentives in the near term, transition to new market mechanisms, and reduce remaining institutional barriers,” all of which are underway, in plenty of time to forestall any voltage violation and any overload in the next decade.

I27-44

2. Subtransmission Alternatives

The Draft EIR also glossed over the viable subtransmission reconnection and reconductoring Alternatives 1, 3 and 4, accepting at face value all of the assertions of SCE, inserting no independent investigation or analysis.

I27-45

a. Reconductoring/Co-location Alternatives.

Regarding Alternatives 1 and 3, reconductoring or co-locating really would not be a large project for SCE. Its Pole Loading Program, ordered by the GRC 2012, began in 2014. It is a comprehensive assessment and remediation plan to address pole-loading risk in SCE’s service territory. It involves 1.5 million utility poles, of which half are located in high fire and/or high wind areas. Such areas are SCE’s first priority. This would include the existing Moorpark-Newbury-Pharmacy line as well as the Thousand Oaks-Newbury line. Nearly all of the poles are in brush areas designated High Fire Zones.

The Newbury Substation was energized in 1962, so the majority of the original poles are more than 50 years old. Their replacement and probable reconductoring are inevitable under the Program (likely before projected voltage violation and overload dates), as are the attendant environmental damage and resolution of possible land rights issues. Yet, these are precisely the reasons the DEIR ruled out the reconductoring/co-location options.

I27-46

Land rights are not part of an environmental review process, so the reference to possible issues of ROWs too narrow to accommodate these Alternatives are moot in the DEIR. Such disqualifiers should be stricken from the analysis. Further, the inevitable environmental impact of the Pole Loading Program’s pole replacement should revise the entire calculation of environmental impacts of Alternatives 1 and 3, both as compared to the Project and as cumulative with these foreseeable pole replacement projects in the same vicinity. Moreover, the impact of these and all other new SCE projects on the vicinity of the ENA should be factored into the determination of whether this Project is justified, as well as included in current and future impacts.

b. Camgen Reconnection Alternative

The Project that is the subject of the DEIR was created to address a shortfall of energy resulting from the 2005 severance of 1 mile of line connecting the California State University, Channel Islands [CSUCI] generation plant [Camgen] to the Newbury Substation [to allow for new houses to be built]. The remaining miles of that line to Newbury are still in tact. In advance of line severance, CSUCI attempted to work with SCE to reroute the connection, but SCE claimed it could not acquire necessary land rights from a third party. CSUCI then renewed its request for reconnection in 2008. Yet, SCE made no attempt to re-secure connection in 2008, instead promoting the Project in its 10/2/08 Advice Letter.

I27-47

It is quite interesting that in SCE’s GRC 2009 workpapers, it described the Camgen generator as “reliable generation which directly supported the load at the Newbury Substation” and cited the loss of this connection as the reason for the Moorpark-Newbury Project in the “Program/Project Summary.” So why did SCE not jump on this simpler resolution of the perceived shortfall when CSUCI expressed renewed interest in reconnection?

Then, in 2013, CSUCI again requested reconnection, after the campus energy backup source was threatened by the “Springs Fire” [which forced campus evacuation for several days]. SCE again claimed to CSUCI that acquisition of third party property rights could be stumbling block, and insisted that CSCUI would have to bear the multi-million dollar cost of reconnection. This steep price tag dissuaded CSUCI.

Thus, in the 7 years that stakeholders have contested the Project, **SCE had in its back pocket a viable, less expensive, simpler, more environmentally friendly alternative that it never disclosed, not to the public, not to the CPUC.** SCE failed to let stakeholders and the CPUC know that:

- (1) In 2004-05, it could have re-routed through its fee-owned land and an enhanced existing easement [route of Alternative 4],
- (2) In 2008, before the Project was publicly unveiled, it could have pursued Camgen’s reconnection and PPA renewal, and
- (3) In Spring 2013, prior to filing its 10/29/15 PTC Application, it could have obviated the need for the Project altogether.

One must ask: Why was this information concealed from public and CPUC, even left out of SCE’s PEA? It would appear that SCE manipulated the information to make it seem like the more expensive Moorpark-Newbury Project was justified.

Not only was SCE deflection and disingenuous in about reconnection of Camgen to the Newbury Substaion at the requests of CSUCI, it did the same in its more recent responses to data requests by the Energy Division and the parties. First, SCE portrayed Camgen as potentially unreliable as a generation source. Then, when pressed, SCE backtracked saying such was not “claiming” anything, while continuing to assert the Camgen reconnection was unsatisfactory. It also asserted that CSUCI was potentially undependable because its Power Purchase Agreement with SCE was set to expire in 2018, stating CSUCI might choose to sell its power elsewhere. At the time, SCE knew CSUCI already had submitted two written requests to renew or renegotiate its PPA and, thus, SCE was completely in control of renewal.

With regard to SCE deflection about necessary “third party property rights,” although land rights are not part of an environmental review process, the present reconnection route for Alternative 4 runs almost entirely within fee-owned portions of SCEs Moorpark-Ormond Beach corridor, with the possible insignificant enlargement of its easement down the access road from Camgen to Potrero Road. Despite that, one can

I27-47
(cont.)

I27-48

I27-49

only assume that CSUCI would be interested in making this small concession to secure connection to the Newbury Substation and assure the renewal of its PPA.

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(cont.)

More recently, SCE asserted a voltage violation would occur at the Newbury Substation in 2015 if Alternative 1, 4, or 1+4 were pursued—a last ditch effort to justify the Project if there ever was one. Interestingly, SCE lists the Project as “Reconductoring” of the circuit, not a new subtransmission line, in its 4th Quarter 2012 and 2013 FERC Form 1 Financial Report. So is the Project reconductoring or a new line?

I27-50

The DEIR appears to blindly accept all of the assertions of SCE as to why each Alternative was inadequate—evidence why an independent engineering firm should be contracted to perform the DIER analysis to independently consider all Alternative under a corrected Scoping Report.

I27-51

G. Need

The Moorpark Newbury Line Project was designed in 2005, 10 years ago. It was based on then-current energy and technology science. A lot has happened in those 10 years, in part spurred on by AB 32, the CPUC’s “Loading Order,” AB 327 and the Governor’s 2015 challenge that we increase reliance on Preferred Resources to 50% by 2030. One need only look at the change in cell phone technology in the past 10 years—from flip phones to smart phones—to grasp how technology has eclipsed itself in a decade. Solar energy installations were heavily incentivized and taking off by the time this Project was publicly revealed in October 2008. We implored SCE to take this and the economic downturn into consideration in determining if this Project was truly needed. SCE refused.

I27-52

Instead, it promoted its Project as vital to address an urgent “need” projection, which never came to fruition. Then SCE’s “need” projections continued to move out into the futur with each annual forecast. Actual demand has yet to reach the level projected for 2005, some 10 years ago.

A look at PEA Table 2.1-1 *Historical Projected Overloading of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line (During Normal System Conditions)* is helpful. In 2005, overload was predicted in the same year. The “within the year” overload predictions were made from 2006 to 2010. SCE then “remodeled” the 2011 and 2012 forecasts to predict overload in 2014 [claiming it had not made those predictions earlier due to the presumption that the Project would be operational; which makes no sense at all at least for 2013 in that SCE knew its construction had been halted.]

I27-53

Then, in 2013, the forecast took a turn toward the more distant future. **In 2013, overload was forecasted in 2021—8 years in the future, barely within the 10-year planning horizon, and 18 years after the Project was designed.** SCE explained its more extended forecast, by echoing what we had been saying all along:

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The forecasted line overloads on the Moorpark-Newbury tap on the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line are not expected to occur until 2021 due to *reduced projections of demand associated with electric vehicle charging and the longer than expected economic downturn in the area which would also trigger the need for the Project.* [PEA, page 2-2.]

I27-53
 (cont.)

Almost to make up for the far distant, overstated forecast, SCE utilized a new measure – “voltage violation” under “abnormal operating system conditions” (i.e., during the loss of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line). Therefore, the Project would be “needed” to correct this condition in 2020. But, if we are to believe SCE Workpapers for GRC 2015, this Project has nothing to do with reliability due to abnormal operating conditions; rather, it is about Load Growth.

Giving SCE the benefit of the doubt, part of the problem maybe that the Project was designed based on 2005 energy science and technology. But as we have seen, technology changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has not kept pace with rapidly advancing energy technology.

A similar issue arose in the 2008 Application for PTC of the Presidential Substation Project. That project was proposed in the same year as the Moorpark-Newbury Project. *Both projects shared the same planning team and were designed in the same timeframe to address forecasted need in nearly identical ENAs.* In the Presidential Project, it was shown that SCE’s projections were grossly overstated. The actual demand in the Presidential Substation’s closely related ENA failed to come anywhere near SCE’s forecasts of demand.

I27-54

According to SCE’s Moorpark-Newbury PEA Table 2.1-1, SCE projected in 2005 that overload would occur in that same year, based on projected demand of 952 Amps (which we know did not happen) [PEA ,Page 2-3]. Comparatively, 8 years later in its 2013 forecast, SCE projected 2013 demand at only 842 Amps [PEA Table 2.1-2, Page 2-3]. This is 110 Amps less than its projected 2005 demand! Though we are dealing with *projections* rather than actual demand, the discrepancy created by SCE’s modeling is astounding. And the overestimates of demand get compounded with each annual projection.

Recently, in its response to our Seventh Data Request, Question 2, SCE updated PEA Table 2.1-2 with its 2014-2023 forecast. According to the revised Table, since the 2013-2022 forecast, the projected load for 2021 has gone down 12 Amps (from 937 to 925), and for 2022, down 26 Amps (from 957 to 931). In 2023, the projected demand is 942 – 10 Amps less that what SCE originally predicted would happen in 2005! This is evidence of the impact of declining demand in the ENA.

I27-55

We also know now that the actual peak demand in 2014 was only 796 Amps, and it was 789 in 2013. By layperson’s math this means the annual growth factor was <1%, r it may simply mean that the temperature on the peak day in 2014 was higher than 2013’s. In SCE’s Response to our Second Data Request, Question 1, it supplied a chart of its actual demand for each year from 2005-2013. Therein, the actual percentage of line capacity being utilized at the peak demand in 2013 was 84.8%, compared to the 91.7% projected in the 2013-2022 forecast. That 2013-2022 forecast formed the basis for the Project’s PTC Application. At very best, this is fuzzy math. It almost would be comical were SCE not seriously promoting a project designed 18 years before any projected future need would justify it.

I27-56

We are now 10 years down the road. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated technology. Who wants a flip phone when 3-year-olds now use smart phones?

I27-57

The latest overload projection of 2021 is a very long time away given the innovation that has already occurred in the energy market in the wake of AB 32 and 327, the CPUC’s Loading Order, the Governor’s mandate. SCE’s ever-shifting forecasts are evidence that renewable energy is here to stay; that it has, and will continue to, fill any gaps. The demand projections should be recast, but by an independent firm that has the technical capability to truly assess the No Project Alternative. This effort would include a solicitation of Preferred Resources Projects in the ENA and vicinity to meet the project objectives.

H. Garamendi Principles

After reiterating SCE’s objectives identified in the PEA, the writers of the DEIR turned into advocates for the Project, identifying two totally new objectives:

To better define the basic objectives of the Proposed Project for use in the alternatives screening process, *the CEQA team conducted an independent assessment of the objectives*. The basic project objectives identified by the CEQA team based on the additional analysis are: . . .

I27-58

- Maintain consistency with the Garamendi Principles passed in Senate Bill (SB) 2431 (Stats. 1988, Ch. 1457) by: (1) using existing ROW by upgrading existing transmission facilities, where technically and economically justifiable; and (2) encouraging the expansion of existing ROW when construction of new transmission lines is required, where technically and economically feasible (CEC, 2007). . . .
- Maintain consistency with CPUC GO 95.

First, it is inappropriate for the CEQA team to *expand* the goals of the proposed project. Second, the Project is NOT and has never been portrayed as an “upgrade.” Third, this Project does not seek to make larger the right-of-way. Fourth, the transmission line is not required per the discussion of “Need” above. And lastly, under CEQA, Section 15126.6(b)), it is not necessary that each alternative meet *all* of the project’s objectives, including those developed by others than the Project proponent. In reality, **many of the Alternatives that were quickly dismissed, such as reconductoring, doubling up circuits to existing lines and energy efficiency, meet the Garamendi Principles far better than the Project proposed by SCE.**

I27-58
(cont.)

These added criteria should be removed from the Project Objectives, and Alternatives reanalyzed with SCE’s Project Objectives only.

I. Mitigation

SCE has failed to disclose its inadequate efforts to self-police mitigation measures during past construction. As SCE’s response and attachments to our Fourth Data Request, Question 5 reveal, midway through its August 2011 – November 2011 construction efforts, unauthorized environmental impacts drew the attention and enforcement actions of both California Department of Fish and Game [CDFG} and the Conejo Open Space Conservancy Agency. This could be just one of many unauthorized impacts that were never discovered and never revealed.

I27-59

The Draft EIR assumes that SCE was or will be more successful and diligent in its mitigation measures and more transparent about its transgressions moving forward. This trust is ill-founded. Any mitigation efforts should be monitored by an agency familiar with the local environment. If the Energy Division needs expertise for monitoring and supervising mitigation, it could seek assistance from another agency, like CDFG, which is very familiar with the terrain and environmental conditions.

I27-60

J. Scope of SCE’s ROW

In general, California courts frown upon material expansion of an easement's burden upon the servient property. For the past 7 years, protestors have asserted that the proposed subtransmission project overburdens the 40+-year-old Moorpark-Ormond Beach 220 k V ROW. The condemnation document that SCE supplied in response to our data request revealed that the November 1970 condemnation order provided a right-of-way for “electric transmission lines consisting of lines of metal towers.” It prohibited any structures, “other than farming fences, roads, pipelines, ditches and electric and telephone pole lines” so long as such (1) were more than 50 feet away from any tower footing, and (2) did not “endanger or interfere with the operation of the electric transmission lines.” As for vegetation, it prohibited trees or shrubs “which might interfere with or endanger said aerial conductors or wires,” and gave SCE the right to trim or remove any such tree

I27-61

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or shrub that may grow to interfere with proper operation or care of the conductors or wires.

By inverse inference, the Order allowed property owners to maintain their rights to build the enumerated farming appurtenances per specification and to plant trees and shrubs along with any vegetation that would not interfere with the aerial conductors or wires.

Two lines of 220 kV towers were built circa 1971, in the approximate center of the ROW, leaving a 100-foot buffer to either side. [This design made great sense. If something happened to a tower or line, the damage would be contained within the ROW.] After that, SCE allowed the ROW to go “fallow,” which allowed homes to be built outside the 100-foot buffer.

Since that construction, SCE did little more than patrol the ROW, maybe a couple of times per year. Native chaparral and species re-inhabited the area surrounding the pole footings, and farmers re-planted crops and orchard trees near the footings, while making sure to keep the easement road clear. The ROW lay in this state from the 1970’s construction to mid-summer 2010 when SCE began clearing what it called “encroachments” (i.e., the same vegetation and orchard trees SCE had allowed to re-establish in the intervening 40 years).

From the Project’s introduction, stakeholders have protested SCE’s right to consume the 100-foot buffer zone and expand the nature of its activity in this ROW. We again raise this issue. The Project overburdens a ROW condemned for the transmission of power from the Ormond Beach and Mandalay Bay plants to energize the Moorpark Substation.

This overburdening overexpansion needs to be addressed by the CPUC. The CPUC should require SCE to restore and/or compensate landowners and the public for the damage it created to native open space and farm improvements that were allowed under the condemnation order.

K. Bias

The streamlined approval and exemption of this 9-mile project of new structures (not replacements) – which Mr. Rosauer admitted is one of the largest every exempted – through a known environmentally sensitive area was our first red flag that the CPUC may not be acting in the best interest of the public. Then, the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Application For Rehearing process. The CPUC did not act in good faith as it deferred action on the Application For Rehearing for 19 months. Further, it has been proven that the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the



I27-61
 (cont.)

I27-62

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19 months it took for the CPUC to grant the Application For Rehearing. Then finally, after the CPUC ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

↑
 I27-62
 (cont.)

And then the Project Manager – leader of the CEQA team – turns out to have been part of team that exempted the Project from environmental review in first place. This gives the impression Mr. Rosauer may be biased about the future of the Project. Once the CPUC was forced to reverse itself on the exemption of the Project from CEQA, it was only logical the Commission staff members involved in exemption should not play a role in subsequent environmental review. To avoid even the appearance of impropriety, the CPUC should reassigned staff and Project leadership. If the CPUC cannot find staff unassociated with the prior granting of Exemption G, the invalid Scoping Report and the narrow scope of the DEIR, then it has the option to request that a different agency handle the scoping and DEIR.

I27-63

Next, we discovered email evidence of an illicit meeting between the CPUC and Edison. That email described a lunch meeting between CPUC then-Chief Counsel Frank Lindh and SCE’s then-Vice-president of Regulatory Affairs, Les Starck, during which Lindh left Stark with the impression that SCE should speed construction of the Project. The meeting took place while our Rehearing Application was still pending before Commission, shortly before the CPUC issued the order to vacate the Project’s CEQA exemption, halted construction and ultimately ordered environmental review. Why would the CPUC’s top lawyer meet with SCE Vice-President of Regulatory Affairs to explore the progress of construction on such a small project and suggest SCE hurry up?

I27-64

The Draft EIR is contaminated by this apparent bias. The CPUC utilized a Project Manager involved in the initial streamlined CEQA exemption process. The Scoping Report ignored 60% of the construction of the Project. The same Chief Counsel that met with SCE to confirm nearly complete construction status had been in charge of the same Legal Division that issued the invalid scope of the Scoping Report. The initial CEQA exemption of the Project, the allowing and encouragement of rapid construction before approval was vacated, and the truncated Scoping Report – all are evidence of possible bias on the part of former CPUC Commissioners and staff.

Now, the Draft EIR accepts SCE’s representations at face value. The DEIR’s conclusions about impact, mitigation, alternatives, and the environmentally preferred alternative are all based on SCE’s assertions, fuzzy math and out-of-date science. The DEIR essentially restates SCE’s PEA representations as its own. The document does not reflect “independent judgment” on the part of the Lead Agency.

I27-65

This Project definitely is not as large as the San Onofre debacle, nor is it as deadly as the disaster in San Bruno. But it appears to be the tip of an iceberg of questionable “cash cow” transmission projects crammed down the public’s throat by SCE with the acquiescence of the watchdog agency.

I27-66

Moving forward, a new environmental firm, with the technical ability to determine the validity of SCE’s need projections and project objectives, should be retained to conduct the environmental analysis and analysis of the Alternatives. The List of Alternatives should be expanded per the discussion above. A staff member unrelated to the prior project approval and CEQA exemption should be assigned to serve in the leadership role, in order to avoid even the appearance of impropriety.

I27-67

Those who have questioned the need for, and impact of, the Project for seven years now, hope the Administrative Law Judge will see her way through the corridor of SCE’s misrepresentations and concealments to the truth: (1) There is no need for Project, (2) if there is need in the future, there are many better alternatives, and (3) this process has been contaminated by some inexplicable relationship between SCE and former Commission and staff members of our watchdog agency, the CPUC.

I27-68

Under the circumstances, an independent environmental review agency needs to be assigned to conduct impartial analyses of the impacts of *all* Project construction, both past and proposed, and evaluate the various Alternatives. Additionally, on the issue of Project justification, an independent engineering expert should assess projected overload and voltage violation.

I27-69

III. REQUESTED RELIEF

As Edison admits in its PEA, science changes, life changes. Our Governor wants more than half of our energy comes from renewable resources by 2030. **There will be at least five more annual projections before Edison’s “drop dead” voltage violation forecast date – i.e., 2020.**

I27-70

At the very minimum, the CPUC should take a “wait and see” approach on this Project. How will actual demand data to play out in the next four years? Will it confirm SCE’s version of the future, or once again refute it? With eight misses in a row at close range – Why would the CPUC assume that SCE could hit the target on a 9th shot at an 8-year distance? Why, in this technological day and age, would the CPUC choose to address a *potential* future shortfall or a voltage violation in the next decade, with a project that was designed 18 years before that need potentially arises?

We submit that the Application for PTC is incomplete and should be decertified. The changes made in the “Project Description” rendered the NOP to be inadequate notice to the public. Once the Application is “complete,” a new Scoping Meeting should be held. The Scoping Report should be vacated and redrawn to include the *entire* Moorpark-Newbury Project, including past and current projects, as well as any SCE planned grid projects or enhancements in Eastern Ventura County.

I27-71

If the current DEIR is to proceed without the intercession of the above steps, past construction must be considered, at very least, in conjunction with “cumulative impact,”

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as should all closely related past, present and foreseeable future projects, such as the Pole Loading Program. All Alternatives should be reanalyzed consistent with the discussion above. A determination should be made that the Project does not justify any environmental impact. SCE should be held accountable for all damage to date and forced to remove the existing construction.

I27-71
(cont.)

It is clear that an impartial third party looking at this situation would agree that:

1. CEQA requires a full review of past and present projects.
2. The portion of the Project already installed by SCE is part of the same Project for which it seeks a permit to construct.
3. The record underlying Decision 11-11-019 should be joined with this Application for PTC as part of the same proceeding.
4. The total cumulative environmental impact from the Project includes work completed to date, as well as work yet-to-be completed.
5. Any Alternative to the Project should require the removal of all installations to date, reversal of all environmental impacts, and penalties assessed for those that cannot be reversed.
6. To avoid a legal challenge in the future, the CEQA review of the Project should be based on the *full project* rather than parsing out the installed portion.

I27-72

As for any environmental review, given the appearance of bias, an unrelated and impartial Project Manager should retain an independent environmental firm to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2020-2021 energy market and beyond. Outdated science and technology equals a bad investment of ratepayer dollars. It is our hope the CPUC ultimately will deny this Application For PTC.

I27-73

Thank you for your kind attention to this matter.

Sincerely,

/s/ Alan Ludington

/s/ Peggy Ludington

ALAN LUDINGTON

PEGGY LUDINGTON

3.3.27 Letter I27 – Responses to Comments from Alan and Peggy Ludington

I27-1 SCE responses to CPUC Data Request 1 were reviewed by the CPUC Energy Division CEQA Unit and its consultant Environmental Science Associates (ESA), and were found to be adequate. SCE's responses did not result in the need for SCE to modify its application.

The commenter is also referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities and the proceeding for SCE's application for a Permit to Construct (PTC).

I27-2 The CPUC Energy Division conducted a review of SCE's PTC Application relative to the CPUC's PEA Checklist for Transmission Line Projects (October 7, 2008) and CPUC Decision 11-11-019. On November 27, 2013, the Energy Division notified SCE that it found the PEA to contain sufficient information to satisfy the requirements of the Commission's Information and Criteria List and Decision 11-11-019, and deemed the application complete.

I27-3 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on the definition of the Proposed Project, and to Response O11-1 for discussion relative to public notice of the Proposed Project.

I27-4 The commenter incorrectly indicates that the CPUC first informed the public about the EIR definition of the Proposed Project at the Public Scoping Meeting on April 10, 2014. The commenter is referred to Response O11-1 for discussion relative to public notice of the Proposed Project.

I27-5 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues and Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives.

I27-6 The commenter appears to suggest that CPUC Decision 11-11-019 included a mandate relative to the CEQA review. To clarify, the decision did not order a CEQA review to be conducted. Decision A.11-11-019 explicitly states the following:

... we are not now deciding that this power line is required to undergo CEQA review. If the material SCE formally submits, when it applies for a PTC, shows that the Moorpark-Newbury Line is exempt from CEQA, then the PTC will be granted without further review. (page 20)

The Scoping Report and Draft EIR are not based on a mandate identified in Decision 11-11-019. Rather, the CPUC determined that the Proposed Project was not

exempt from CEQA based on the Energy Division's review of SCE's PTC application. That is what began the CEQA EIR review process.

- I27-7 The NOP, which announced the date of the Scoping Meeting, included notice relative to the CPUC's EIR definition of the Proposed Project. Also refer to Response O11-1 for discussion relative to CPUC's notice of the definition of the Proposed Project.
- I27-8 Regarding the commenter's view that the CEQA EIR notices have shifted "between differing project descriptions," the public was provided with a consistent definition of the Proposed Project multiple times in advance of the publication of the Draft EIR. Refer to Response O11-1. The commenter is also referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- I27-9 Comment acknowledged. This comment does not specifically address the adequacy or accuracy of the Draft EIR.
- I27-10 The CPUC has not conducted a piecemeal review of the Proposed Project. The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on the definition of the Proposed Project, as well as on baseline and piecemeal review issues.
- I27-11 The commenter appears to indicate that the Proposed Project should be evaluated using a Program EIR based on the definition in CEQA Guidelines Section 15168. However, the premise that there are a *series of actions* to be considered by the Commission is false. The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.
- I27-12 The project has not been split into two halves, nor was the Scoping Report the first to define the EIR definition of the Proposed Project. The commenter is referred to Response O11-1 in Section 3.2.11, as well as Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- I27-13 See Response I27-12.
- I27-14 For discussion of why the EIR definition of the Proposed Project does not include the past construction activities, the commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- I27-15 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2, regarding past CPUC procedural activities.
- I27-16 The commenter is referred to Response O11-1 in Section 3.2.11.

- I27-17 The comment is a summary conclusion of the “preliminary issues” identified by the commenter. Refer to Responses I27-2 through I27-16 for individual responses to the issues discussed.
- I27-18 The comment is a summary statement of the commenter’s concerns relative to perceived inadequacies in the Draft EIR. For individual responses to each of the concerns raised by the commenter, refer to Responses I27-19 through I27-69.
- I27-19 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- I27-20 Comments related to past CPUC procedural activities as well as the general proceeding associated with SCE’s PTC application are not relevant to the adequacy or accuracy of the Draft EIR; however, the commenter is referred to Master Responses 2A, *Past CPUC Procedural Activities*, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for discussion on the Advice Letter Proceeding as well as issues raised about baseline and piecemealing.
- I27-21 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion of the definition of the Proposed Project and EIR baseline, and claims of piecemeal review.
- I27-22 The commenter would prefer that SCE’s master plan for the Big Creek/Ventura area is included in the environmental review of the “whole project.” The CPUC has used a definition of “Project” consistent with CEQA Guidelines Section 15378(a), and therefore does not consider any SCE master plan for the Big Creek/Ventura area to be a part of the Proposed Project. However, it should be noted that several SCE approved and pending subtransmission projects in the area, including the Santa Clara-Colonia 66 kV Line Reconductor project, the Capacity and Distribution Circuit Addition at Colonia Substation, and the Presidential Substation/System Alternative A project are considered in the Draft EIR Cumulative Effects analysis (see Draft EIR Table 7-1, *Cumulative Scenario – Approved and Pending Projects*).
- I27-23 As a practical matter of CEQA practice, the CPUC disagrees that the “whole” project should include the affected grid as well as all other reasonably foreseeable SCE projects, programs, or plans, such as SCE’s 2014 Energy Storage Procurement Plan and its 2015 Distributed Resources Plan. However, the affected grid is discussed in the Draft EIR project description, Section 3.3, *Existing System*, and as discussed in Response I27-22, several SCE approved and pending subtransmission projects in the area are considered in the Draft EIR Cumulative Effects analysis (see Draft EIR Table 7-1, *Cumulative Scenario – Approved and Pending Projects*).
- I27-24 For disclosure of other projects, including SCE projects, in the area and their potential to result in cumulative effects that could overlap with those of the Proposed Project,

refer to Draft EIR Sections 7.1, *Projects Considered in the Cumulative Analysis*, and 7.2, *Cumulative Effects Analysis* (pages 7-1 through 7-19).

- I27-25 Refer to Responses I27-22 through I27-24 regarding CPUC’s response to the view that the “whole project” should include all reasonably foreseeable SCE projects, programs, and plans. Refer to Response I27-46 for discussion of the existing poles that would be associated with Alternatives 1 and 3.
- I27-26 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion that addresses the EIR baseline and piecemealing.
- I27-27 The CPUC agrees that the Proposed Project should not be considered a proposed expansion or modification of an existing project already in operation. The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.

The commenter also appears to suggest that the effects of the Proposed Project combined with the baseline conditions should have been compared to the EIR significance thresholds. The CPUC disagrees. The Draft EIR Chapter 5 environmental analysis of the Proposed Project is correctly based on the incremental effects of the Proposed Project relative to, not combined with, the baseline conditions. For a discussion on the cumulative effects of previously constructed project components the commenter is referred to Master Response 4, *Cumulative Effects Associated with Past Construction Activities* in Section 3.1.4

- I27-28 The commenter is referred to Master Response 4, *Cumulative Effects Associated with Past Construction Activities* in Section 3.1.4 for a discussion on the cumulative effects of previously constructed project components.
- I27-29 The commenter cites the estimated areas of past construction land disturbance shown in Draft EIR Table 2-1. However, the commenter is incorrect in stating that 11.79 acres were permanently disturbed. As denoted in the footnote of the table, stringing sites and removed existing steel lattice towers would be restored under the Proposed Project (see Draft EIR page 2-4). As such, the total area permanently disturbed by past construction was 6.29 acres and consisted of rehabilitated existing access/spur roads, installed tubular steel poles, and installed light-weight steel poles.

The commenter cites the number of acres of disturbed Farmland and designated forest land as provided by SCE and included in Draft EIR Chapter 2, and summarizes the commenter’s own loss of farmland from past project construction activities. These comments do not pertain to the adequacy or accuracy of the Draft EIR, but are acknowledged.

I27-30 The commenter indicates that the Draft EIR underrepresents the proximity of poles and proposed lines to residential properties and native chaparral. The photos included in the Draft EIR aesthetics analysis do not emphasize views from residences, but instead emphasize key views from representative public vantage points in the vicinity of the Proposed Project and alternatives that portray the existing visual character of the area. The photographs depicting viewsheds are limited in the sense that they provide only several fixed viewpoints and cannot demonstrate all views of or from the Proposed Project sites or along the Proposed Project site's perimeter (Draft EIR page 5.1-3). Regarding the commenter's assertion that the photographs identified in the Draft EIR do not show the perspective of roadways closest to the installations, the commenter is referred to Draft EIR Photos 1, 2, and 3 (page 5.1-7) and Visual Simulation A (page 5.1-22), which show views from State Route 118; Photo 4 (page 5.1-7), which shows the view from Hitch Boulevard; and Photo 7 (page 5.1-8) and Visual Simulations B and C (pages 5.1-23 and 5.1-24), which show views from Santa Rosa Road.

Regarding impacts pertaining to hazards, including wildfires, see Draft EIR Chapter 5.9, *Hazards and Hazardous Materials*. As discussed under Draft EIR Impacts 5.9-7 and 5.9-8 (referred to in the Draft EIR as Impacts 5.9-6 and 5.9-7, respectively; see Draft EIR pages 5.9-19 et seq.), implementation of the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires. Impacts pertaining to earthquakes are discussed in Draft EIR Section 5.7, *Geology and Soils*, and were also found to be less than significant (pages 5.7-19 to 5.7-22).

For impacts pertaining to noise, air quality, and visual, the commenter is referred to Draft EIR Sections 5.13, *Noise*; 5.3, *Air Quality*; and 5.1, *Aesthetics*, respectively. For discussion relative to the effects of electric and magnetic fields (EMF) and CPUC policy for evaluation of EMF in CEQA reviews, refer to Master Response 2D, *Electric and Magnetic Fields*, in Section 3.1.3.

I27-31 See Response I27-29 regarding permanently disturbed acres from past construction activities.

I27-32 The commenter is referred to Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Section 3.1.4.

I27-33 The comment is not clear about which future projects it is referring to. For disclosure of other future projects, including SCE subtransmission and distribution projects in the area, refer to Draft EIR Sections 7.1, *Projects Considered in the Cumulative Analysis*, and 7.2, *Cumulative Effects Analysis* (pages 7-1 through 7-19).

I27-34 This comment has been addressed. See Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Section 3.1.4, and refer to Response O11-2 regarding the view that the Oxnard generation plant would use the same ROW as the Proposed Project.

I27-35 This comment is acknowledged. As described in Draft EIR Chapter 2, *Background*, and reiterated in Master Response 2, *Non-CEQA Issues* in Section 3.1.2 of this Final EIR, past project activities are not analyzed as part of the Proposed Project in the EIR. Draft EIR Chapter 2 provides an overview of past CPUC procedural activities, past construction activities associated with the Moorpark-Newbury 66 kV Subtransmission Line, and the environmental effects of past construction activities as reported by SCE in its PEA (page 2-1). The effects of past project construction are provided for informational purposes only, and are not assigned impact significance determinations (page 2-2).

As discussed in Draft EIR Section 2.4.3 on the air quality effects of past construction activities, SCE has acknowledged that construction activities were delayed and or stopped between the months of March and September due to the need to avoid impacts to nesting birds (see the second paragraph on page 2-14).

I27-36 The comment appears to be based on the premise that the Draft EIR portrays the disclosed significant short-term cumulative air quality and noise impacts as nominal, but it provides no example of such. In fact, nowhere in the Draft EIR are the disclosed cumulative impacts portrayed or described as “nominal.” Other parts of the comment do not directly address the accuracy or adequacy of the Draft EIR.

I27-37 The commenter is referred to Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Section 3.1.4. For the cumulative impact analysis of the Proposed Project relative to past, present, and foreseeable future projects, refer to Draft EIR Chapter 7, *Cumulative Effects*.

I27-38 The CPUC agrees that each alternative is not required to meet all of the project objectives. Refer to the second to last paragraph on Draft EIR page 4-4.

I27-39 The referenced assembly bills, directive, and order do not require priority for any one alternative over the Proposed Project. The comment presents a quote from SCE’s PEA regarding its opinion that only its proposed project achieves the project objectives. In no way did the CPUC rely on this statement in its screening of alternatives as presented in Draft EIR Chapter 4, *Project Alternatives*. The commenter is also referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on how the CEQA objectives were used to screen alternatives.

I27-40 It is not clear how a previous SCE categorization of the project as “load growth” conflicts with the objectives SCE identified for the project in its PEA. Regardless, for the CEQA objectives used to screen project alternatives in the Draft EIR analysis, which are not the same as SCE’s objectives it identified in its PEA, refer to Draft EIR Section 4.2.2, *Consistency with Proposed Project Objectives*.

I27-41 For discussion of demand side management and renewable and distributed generation energy resources as alternatives to the Proposed Project, refer to Master Response 1, *Alternatives*, in Section 3.1.1.

- I27-42 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on Draft EIR Alternatives 5 and 6.
- I27-43 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for discussion on Draft EIR Alternative 6.
- I27-44 Renewable energy project alternatives were thoroughly considered in the Draft EIR, and again in the Final EIR. The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for additional discussion on renewable energy project alternatives.
- I27-45 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the Draft EIR alternatives screening analysis.
- I27-46 The commenter speculates that the existing poles that would be associated with Alternatives 1 and 3 will likely require replacement under a separate, but existing SCE program before the projected voltage violation and overload dates, and states that the associated environmental damage and resolution of possible land rights were the reasons the Draft EIR ruled out these alternatives.

As discussed in Response O9-1, a voltage violation is projected to occur under N-1 conditions as early as 2015 with the reconnection of Pharmacy Substation. Further, SCE has not reported plans, imminent or otherwise, to the CPUC to replace any of the existing poles associated with the Moorpark-Newbury-Pharmacy line or the Thousand Oaks-Newbury line. Therefore, it would be speculative for CPUC to evaluate any future pole replacement projects in its alternatives screening analysis assumptions or as foreseeable cumulative projects. In addition, as disclosed in Draft EIR Section 4.5.1, Alternative 1, *Reconductoring*, was eliminated from full EIR evaluation because it has been determined that a voltage violation at Newbury Substation would be expected to occur the first year the alternative would be operational; and as disclosed in Draft EIR Section 4.5.3, Alternative 3, *New 66 kV Line Collocated with the Existing Moorpark-Newbury-Pharmacy 66 kV Line*, was eliminated from full EIR evaluation because it would result in greater environmental impacts than the Proposed Project.

The commenter also indicates that issues associated with ROW width should not be referenced in the Draft EIR alternatives screening analysis because land rights are not part of an environmental review process. The CPUC disagrees. The Draft EIR ROW width discussion relative to Alternative 3 is in the context of assessing the feasibility of the alternative, it is not relative to analysis of land rights issues.

- I27-47 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. For the Draft EIR alternatives screening discussion and analysis associated with Alternative 4, *Reconnect the Gamgen Generator to the Moorpark System*, including the reasons why it was

eliminated from full EIR consideration, refer to Draft EIR Section 4.5.4 (see pages 4-25 through 4-29).

- I27-48 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. For the Draft EIR alternatives screening discussion and analysis associated with Alternative 4, *Reconnect the Gamgen Generator to the Moorpark System*, including the reasons why it was eliminated from full EIR consideration, refer to Draft EIR Section 4.5.4 (see pages 4-25 through 4-29). Also refer to Master Response 1A, *Alternatives Screening*, in Final EIR Section 3.1.1.
- I27-49 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. For the Draft EIR alternatives screening discussion and analysis associated with Alternative 4, *Reconnect the Gamgen Generator to the Moorpark System*, including the reasons why it was eliminated from full EIR consideration, refer to Draft EIR Section 4.5.4 (see pages 4-25 through 4-29). Also refer to Master Response 1A, *Alternatives Screening*, in Final EIR Section 3.1.1.
- I27-50 As described in Draft EIR Chapter 3, *Project Description*, the Proposed Project would include a new line as well as reconductoring a portion of the Moorpark-Newbury-Pharmacy line.
- I27-51 The commenter suggests that the Draft EIR conclusions accept all of SCE's assertions as to why each alternative is inadequate; however, it provides no specific example of such. To clarify, the CPUC has contracted with an independent engineering firm, Scheuerman Consulting, to review electrical transmission issues associated with the Proposed Project and alternatives relative to preparation of the EIR. Scheuerman Consulting has conducted an independent review of the Proposed Project as well as all of the alternatives.
- I27-52 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.
- I27-53 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.
- I27-54 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.
- I27-55 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged. Note that the Draft EIR

alternatives screening analysis was based on SCE's 2014 through 2023 Peak Demand Forecast, and not on any forecast data presented in SCE's PEA. For information on how SCE estimates its electrical demand forecasts and why the demand forecasts can vary year to year, refer to Master Response 1, *Alternatives*, in Section 3.1.1.

I27-56 The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.

I27-57 Subsequent to the release of the Draft EIR, SCE has provided the CPUC with revised power flow studies based on SCE's new 2015 through 2024 Peak Demand Forecast that indicates that an overload of the existing Moorpark-Newbury segment of the Moorpark-Newbury-Pharmacy line would occur in 2024 under normal base case conditions, and the Thousand Oaks-Newbury line would be overloaded in 2015 during N-1 conditions (i.e., loss of the Moorpark-Newbury-Pharmacy line) with the Pharmacy Substation load reconnected. In addition, SCE's revised power flow studies forecast a voltage violation in 2015 during N-1 conditions with the Pharmacy Substation load reconnected. SCE's revised power flow analyses have been reviewed and accepted as adequate by the CPUC's independent transmission engineering contractor, Scheuerman Consulting (Refer to Response O9-1 for more information on SCE's revised power flow studies). Also refer to Master Response 1, *Alternatives*, in Section 3.1.1, and Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.

I27-58 It was appropriate for the CPUC to identify additional Proposed Project objectives in the Draft EIR not identified by SCE to facilitate the screening of alternatives to the Proposed Project as well as to aid in the preparation of findings or a statement of overriding considerations, if approved. To clarify, the Proposed Project would include upgrades to existing facilities (e.g., reconductoring of a portion of the existing Moorpark-Newbury-Pharmacy 66 kV line) as well as construction of a new subtransmission line within an existing transmission ROW.

The CPUC agrees with the commenter in that it is not necessary for each alternative to meet all of the Proposed Project's objectives. In addition, the CPUC does not dispute that some of the EIR alternatives could meet the Garamendi Principles to a level greater than that of the Proposed Project. However, the commenter has provided no facts that persuade the CPUC to remove the added Proposed Project objectives. It should be noted that none of the alternatives to the Proposed Project were eliminated from full EIR consideration for the sole reason that it would not meet one or both of the added objectives referenced by the commenter.

For discussion related to the forecasted voltage and overload violations associated with the existing subtransmission system in related to the Proposed Project objectives, refer to Master Response 1, *Alternatives*.

I27-59 As described in Draft EIR Chapter 2, *Background*, and reiterated in Master Response 2, *Non-CEQA Issues* in Section 3.1.2 of this Final EIR, past project activities, including

applicant measures to minimize environmental impacts, are not analyzed as part of the Proposed Project in this EIR. However, Draft EIR Chapter 2 provides an overview of past CPUC procedural activities, past construction activities associated with the Moorpark-Newbury 66 kV Subtransmission Line, and the environmental effects of past construction activities as reported by SCE in its PEA. For discussion of disturbance that occurred during past construction activities as disclosed by SCE, refer to Draft EIR Section 2.4.4.1, *Construction Impacts, Plant Species* (last paragraph page 2-14) and Section 2.4.10.3, *Alteration of Drainage Patterns* (second to last paragraph on page 2-24).

I27-60 Final EIR Appendix F, *Mitigation Monitoring, Reporting, and Compliance Program* describes the mitigation monitoring, reporting, and compliance program (MMRCP) that would be implemented by CPUC to ensure the effective implementation of the EIR mitigation measures and applicant proposed measures. The purpose of the MMRCP is to ensure that the measures adopted to mitigate or avoid significant impacts of a Proposed Project are adequately implemented. The CPUC views the MMRCP as a working guide to facilitate not only the successful implementation and compliance of mitigation measures and applicant proposed measures, but also to guide the monitoring and reporting activities of the CPUC and its third party monitors.

Table 10-1 in the MMRCP identifies the parties responsible for implementing each mitigation measure, monitoring compliance, and specific reporting requirements for individual mitigation measures, as well as the timing of compliance. Also refer to the *Roles and Responsibilities* discussion in the Draft EIR MMRCP (page 10-5).

I27-61 The concerns addressed by the commenter are outside the scope of CEQA review, and do not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR.

I27-62 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.

I27-63 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities and the perceived bias of the CPUC Project Manager.

I27-64 This comment has been addressed. See Response I19-4. See also Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.

I27-65 This comment has been addressed. See Response I19-2.

I27-66 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter's opposition to the Proposed Project is acknowledged.

- I27-67 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter's opposition to the Proposed Project is acknowledged.
- I27-68 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives and Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for discussions on past CPUC procedural activities and project need.
- I27-69 This comment has been addressed. See Response I19-5.
- I27-70 The revised studies indicate that a voltage violation at Newbury Substation and a line overload of the Thousand Oaks-Newbury 66 kV line would occur as early as 2015 under the N-1 abnormal system condition (refer to Response O9-1). Therefore, the premise that the "drop dead" voltage violation would occur in 2020 is false. The commenter is also referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for a discussion on electrical demand in the ENA for the project, and Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need.
- I27-71 The comment is a summary conclusion reiterating various points and positions previously identified by the commenter. For responses to the individual comments, refer to Responses I27-1 through I27-70.
- I27-72 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives, Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues, and Master Response 2, *Non-CEQA Issues* in Section 3.1.2, for a discussion on past CPUC procedural activities.
- I27-73 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on the general proceeding.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE’s Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition’s Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by “past construction” under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC’s active participation.

I28-1
I28-2

Cumulative Impact

CEQA law requires the study of a proposed project’s “cumulative impact” with any “closely related past, present and future projects.” Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to “baseline.”

I28-3

The Draft EIR describes that it specifically excludes both “existing projects that have been completed and are in operation” – the very definition of a past project – and the Project’s

“past construction activities.” In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

↑ I28-3
(cont.)

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I28-4

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I28-5

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8–10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I28-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I28-7

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science,

like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor's mandate that we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE's ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

↑
I28-7
(cont.)

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest ever exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition's Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

I28-8

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.



Marie Zoffaglia
Hoshyr Zoffaglia

3039 Redondo Ave
Santa Rosa Valley 93012

3.3.28 Letter I28 – Responses to Comments from Marie and Houchyar Zolfagheri

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I28-1 This comment has been addressed. See Response I9-10.
- I28-2 This comment has been addressed. See Response I9-11.
- I28-3 This comment has been addressed. See Response I9-12.
- I28-4 This comment has been addressed. See Response I9-13.
- I28-5 This comment has been addressed. See Response I9-14.
- I28-6 This comment has been addressed. See Response I9-15.
- I28-7 This comment has been addressed. See Response I9-16.
- I28-8 This comment has been addressed. See Response I9-17.

From: Krista Pederson [mailto:ladybuggk@aol.com]
Sent: Monday, July 27, 2015 4:12 PM
To: Moorpark-Newbury
Subject: Moorpark Newbury Draft EIR Written Comments

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10767 Citrus Dr.
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Mr. Michael Rosauer
Moorpark-Newbury Project
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RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

My family lives at 10767 Citrus Dr., and our property is just 500 feet away from the proposed power line. (Please see enclosed photos from the front of the house, the play structure and barn, and from my back fence.) I join in the objections set forth in Ludington's Written Comment Letter.

I

I29-1

I am writing to you today regarding the June 2015 Draft Environmental Impact Report. This Draft EIR is fatally flawed. It is based on false assumptions and faulty methodology.

The CPUC has accepted SCE's representations at face value. Its conclusions about impact, mitigation, alternatives, and the environmentally preferred alternative are all based on SCE's assertion, computations and science. The Draft EIR essentially restates SCE's representations as the CPUC's own. It does not reflect "independent judgement" on the part of the Commission.

I

I29-2

Once the CPUC reversed itself on the summary exemption of the Project from CEQA, it was only logical the Commission should not have played a role in subsequent environmental review. To avoid even the appearance of impropriety, it should have recused itself from becoming Lead Agency.

I

I29-3

The initial CEQA exemption of the Project, the encouragement of rapid construction before approval was vacated, and the truncated Scoping Report are all evidence of possible collusion between the CPUC and SCE.

I

I29-4

Under the circumstances, an Independent Lead Agency should be appointed to direct the environmental review. An independent environmental review agency should be assigned to conduct analyses of the impacts of all Project construction, both past and proposed. Additionally, on the issue of Project justification, an independent engineering expert should assess projected overload.

I

I29-5

Please note that I oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's whole project; instead divides one project into two in violation of CEQA. I 129-6
- 2. It fails to study the cumulative impact of past construction on the Project. I 129-7
- 3. Mitigation during past construction was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 129-8
- 4. The project is unnecessary, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 129-9
- 5. Alternatives are not independently analyzed, relying exclusively on SCE data. I 129-10
- 6. The report fails to examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 129-11
- 7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 129-12
- 8. The "No Project" Alternative is the environmentally superior alternative. I 129-13

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 129-14

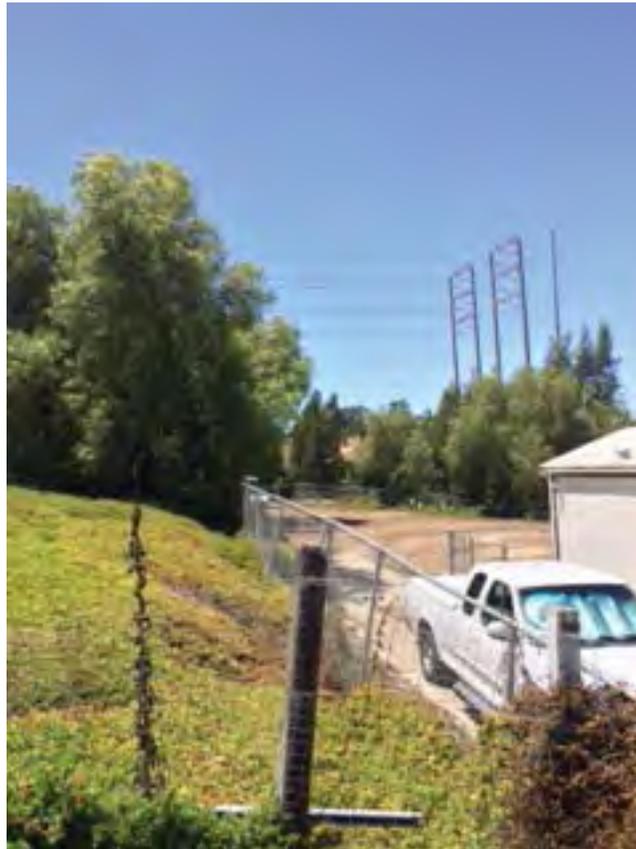
July 27, 2015

ppederson@conejousd.org

10767 Citrus Dr.
Moorpark CA 93021

Phil Pederson

/s/







3.3.29 Letter I29 – Responses to Comments from Phil Pederson

- I29-1 This comment is acknowledged. Regarding the Ludington’s written comment letter, the commenter is referred to Responses to Letter I27.
- I29-2 This comment has been addressed. See Response I19-2.
- I29-3 This comment has been addressed. See Response I19-3.
- I29-4 This comment has been addressed. See Response I19-4.
- I29-5 This comment has been addressed. See Response I19-5.
- I29-6 This comment has been addressed. See Response I5-1.
- I29-7 This comment has been addressed. See Response I5-2.
- I29-8 This comment has been addressed. See Response I5-3.
- I29-9 This comment has been addressed. See Response I5-4.
- I29-10 This comment has been addressed. See Response I5-5.
- I29-11 This comment has been addressed. See Response I5-6.
- I29-12 This comment has been addressed. See Response I5-7.
- I29-13 This comment has been addressed. See Response I5-8.
- I29-14 This comment has been addressed. See Response I5-9.

From: Kristine Supple <bsupple@aol.com>
Sent: Monday, July 27, 2015 8:50 PM
To: Moorpark-Newbury
Subject: Moorpark-Newbury Project c/o Environmental Science

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954
Email: Moorpark-Newbury@esassoc.com

RE: SCE’S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE’s **whole project**; instead divides one project into two in violation of CEQA. I30-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I30-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I30-3
- 4. The **project is unnecessary**, not supported by “need” data or overload projections and will significantly burden ratepayers, area residents and the environment. I30-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I30-5
- 6. The report **fails to examine “green” alternatives**, violating the CPUC’s Loading Order, AB 32 and the Governor’s mandate of 50% reduction by 2030. I30-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA’s “whole project” and for determination of this Project’s: (a) necessity and (b) the cumulative impact. I30-7
- 8. The **“No Project” Alternative is the environmentally superior alternative**. I30-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I30-9

Dated: 7/26/15 _____

Email: _____ bsupple@aol.com _____

Address: 2985 yucca drive Santa Rosa Valley, CA 93012

Name : Kristine Supple _____

Signature: _____ Kristine Supple _____ (electronically
signed) _____

*please acknowledge receipt

From: Kristine Supple [mailto:bsupple@aol.com]
Sent: Monday, July 27, 2015 9:00 PM
To: Moorpark-Newbury
Cc: Peggy Luddington
Subject: Moorpark-Newbury Project c/o Environmental Science Associates

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: [Moorpark-
Newbury@esassoc.com](mailto:Moorpark-Newbury@esassoc.com)
[1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954](http://1425.N.McDowellBlvd.,Suite200.Petaluma,CA94954)

RE: SCE’s Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition’s Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by “past construction” under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC’s active participation.

I30-10
I30-11

Cumulative Impact

CEQA law requires the study of a proposed project’s “cumulative impact” with any “closely related past, present and future projects.” Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to “baseline.”

I30-12

The Draft EIR describes that it specifically excludes both “existing projects that have been completed and are in operation” – the very definition of a past project – and the Project’s “past construction activities.” In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

I30-12
(cont.)

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I30-13

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I30-14

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I30-15

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

I30-16

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition's Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

Kristine Supple (electronically signed)
2985 yucca drive
Santa Rosa Valley, CA 93012
Bsupple@aol.com
7/27/15

I30-17

3.3.30 Letter I30 – Responses to Comments from Kristine Supple

The comments in this letter are identical to, or substantively the same as, those in Letters I5 and I9.

- I30-1 This comment has been addressed. See Response I5-1.
- I30-2 This comment has been addressed. See Response I5-2.
- I30-3 This comment has been addressed. See Response I5-3.
- I30-4 This comment has been addressed. See Response I5-4.
- I30-5 This comment has been addressed. See Response I5-5.
- I30-6 This comment has been addressed. See Response I5-6.
- I30-7 This comment has been addressed. See Response I5-7.
- I30-8 This comment has been addressed. See Response I5-8.
- I30-9 This comment has been addressed. See Response I5-9.
- I30-10 This comment has been addressed. See Response I9-10.
- I30-11 This comment has been addressed. See Response I9-11.
- I30-12 This comment has been addressed. See Response I9-12.
- I30-13 This comment has been addressed. See Response I9-13.
- I30-14 This comment has been addressed. See Response I9-14.
- I30-15 This comment has been addressed. See Response I9-15.
- I30-16 This comment has been addressed. See Response I9-16.
- I30-17 This comment has been addressed. See Response I9-17.

From: dave@earsi.com [mailto:dave@earsi.com]
Sent: Monday, July 27, 2015 6:24 PM
To: Moorpark-Newbury
Cc: peggylud@aol.com
Subject: Re: Moorpark-Newbury Written Comment for Draft EIR

Dear Mr. Rosauer:

I am a formal party to Application 13-10-021. I am also a CEQA expert and have worked in this field for many years.

I have reviewed the Written Comment of my co-parties the Ludington's, dated July 27, 2015. I wish to join in that comment and incorporate it herein by this reference. I have attached a copy to this email.

I 131-1

Please confirm that you have received this written comment.

Sincerely,

Dave

David Tanner, President
Environmental & Regulatory Specialists, Inc.
223 62nd Street
Newport Beach, CA 92663
949 646-8958 wk
949 233-0895 cell

3.3.31 Letter I31 – Responses to Comments from David Tanner

I31-1 This comment has been addressed. See Responses I27-1 through I27-73.

From: Hillary Wilkinson [mailto:wilkinson.hillary@yahoo.com]
Sent: Monday, July 27, 2015 4:56 PM
To: Moorpark-Newbury
Subject: Edison Draft EIR

Mr. Michael Rosauer
 Moorpark-Newbury Project
 c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
 1425 N. McDowell Blvd., Suite 200
 Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- | | | |
|---|---|-------|
| 1. It fails to study the impact of SCE’s whole project ; instead divides one project into two in violation of CEQA. | I | I32-1 |
| 2. It fails to study the cumulative impact of past construction on the Project. | I | I32-2 |
| 3. Mitigation during past construction was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | I | I32-3 |
| 4. The project is unnecessary , not supported by “need” data or overload projections and will significantly burden ratepayers, area residents and the environment. | I | I32-4 |
| 5. Alternatives are not independently analyzed , relying exclusively on SCE data. | I | I32-5 |
| 6. The report fails to examine “green” alternatives , violating the CPUC’s Loading Order, AB 32 and the Governor’s mandate of 50% reduction by 2030. | I | I32-6 |
| 7. The proposed Oxnard generation plant and this Project should be joined for purposes of CEQA’s “whole project” and for determination of this Project’s: (a) necessity and (b) the cumulative impact. | I | I32-7 |
| 8. The “No Project” Alternative is the environmentally superior alternative. | I | I32-8 |

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.	I	I32-9
---	---	-------

Dated: _____ July 27,

2015 _____

Email:

_____ wilkinson.hillary@[yahoo.com](mailto:wilkinson.hillary@yahoo.com) _____

Address: -----2309 Yucca Way, Camarillo, CA
93012 _____

Name : -----Hillary
Wilkinson _____

Signature: _____Hillary
Wilkinson _____

Hillary Wilkinson
wilkinson.hillary@yahoo.com

3.3.32 Letter I32 – Responses to Comments from Hillary Wilkinson

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I32-1 This comment has been addressed. See Response I5-1.
- I32-2 This comment has been addressed. See Response I5-2.
- I32-3 This comment has been addressed. See Response I5-3.
- I32-4 This comment has been addressed. See Response I5-4.
- I32-5 This comment has been addressed. See Response I5-5.
- I32-6 This comment has been addressed. See Response I5-6.
- I32-7 This comment has been addressed. See Response I5-7.
- I32-8 This comment has been addressed. See Response I5-8.
- I32-9 This comment has been addressed. See Response I5-9.

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE’s Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition’s Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by “past construction” under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC’s active participation.

I33-1

I33-2

Cumulative Impact

CEQA law requires the study of a proposed project’s “cumulative impact” with any “closely related past, present and future projects.” Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to “baseline.”

I33-3

The Draft EIR describes that it specifically excludes both “existing projects that have been completed and are in operation” – the very definition of a past project – and the Project’s “past construction activities.” In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I33-4

Alternatives

AB 32, the CPUC “loading order” and the Governor’s mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand

I33-5

Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I33-5
(cont.)

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I33-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I33-7

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

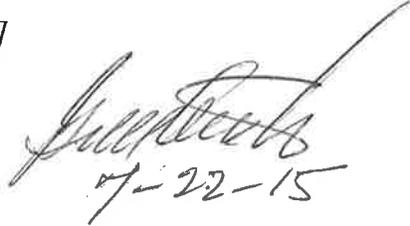
I33-8

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

[Sign and Date]



[Handwritten Signature]
7-22-15

↑
I33-8
(cont.)

3.3.33 Letter I33 – Responses to Comments from Gill (Unknown full name)

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I33-1 This comment has been addressed. See Response I9-10.
- I33-2 This comment has been addressed. See Response I9-11.
- I33-3 This comment has been addressed. See Response I9-12.
- I33-4 This comment has been addressed. See Response I9-13.
- I33-5 This comment has been addressed. See Response I9-14.
- I33-6 This comment has been addressed. See Response I9-15.
- I33-7 This comment has been addressed. See Response I9-16.
- I33-8 This comment has been addressed. See Response I9-17.

July 24, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
C/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

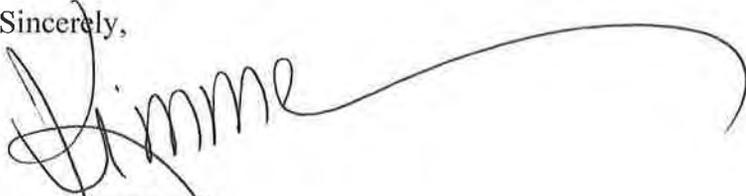
Dear Mr. Rosauer:

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- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 134-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 134-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized). I 134-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 134-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 134-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 134-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 134-7
- 8. The **"No Project" Alternative is the environmentally superior alternative**. I 134-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 134-9

Sincerely,



Mrs. Kimme I. Black
12486 Saddleridge Court
Santa Rosa Valley, California 93012
MySophiesHeart@Gmail.com

3.3.34 Letter I34 – Responses to Comments from Kimme Black

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I34-1 This comment has been addressed. See Response I5-1.
- I34-2 This comment has been addressed. See Response I5-2.
- I34-3 This comment has been addressed. See Response I5-3.
- I34-4 This comment has been addressed. See Response I5-4.
- I34-5 This comment has been addressed. See Response I5-5.
- I34-6 This comment has been addressed. See Response I5-6.
- I34-7 This comment has been addressed. See Response I5-7.
- I34-8 This comment has been addressed. See Response I5-8.
- I34-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE’S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

Public review on this issue is pending on the Southern California Edison Moorpark-Newbury Subtransmission project. I am a property owner directly affected by this project and do not want the SCE project granted permission to proceed as planned .

My family has lived for 35 years in Santa Rosa Valley – in ranch houses built more than 100 years ago. We live and sleep approximately 20 feet from the property line we share with the right-of-way SCE “acquired” for its huge transmission lines.

I35-1

Our ranch and its residences have been here for more than 100 years – long before SCE gained the right-of-way. **We live and sleep as close as 20 feet from the property line.** We object to, and request that, no additional active electrical transmission lines to be placed **even closer, and lower,** to our living spaces than those that already exist.

I wonder whether, years ago, the farms and families pushed aside for the right-of-way were promised then that the construction was to be the total disruption - nothing more to build and no additional equipment and wires to string so near their homes. Are SCE and the PUC keeping their part of the original bargain?

My family, pets, guests, crops – **all that** exists on, works on, and visits my 10 acres are, **like it or not,** a living part of the local environment. The PUC is charged with, among other responsibilities, enforcing the [California Environmental Quality Act](#) for utility construction to protect the “environment” - us.

I35-2

I have suggested that Edison place the additional lines either underground OR re-route the new lines to the west side of the SCE right-of-way (where no housing exists) to avoid placing new power lines **lower** and **closer** to houses.* The reviewing agency, ESA (retained by the Public Utilities Commission), dismissed out-of-hand all of the Alternatives we identified.

I35-3

*We suggest two alternative routes for the new transmission lines as they are proposed to run the length of our west property line (SCE's east property line):

1. After the new lines (proceeding north) cross Santa Rosa Road, rout them to the west side of the SCE right-of-way, where no homes are adjacent, and where they can be routed to the original east-side route after they are beyond our shared property line;
2. After the new lines cross Santa Rosa Road, put the new lines underground until they are past our northern property line and past our residences.

I35-3
(cont.)

They screened them for feasibility and whether they'd meet SCE's needs. Based on what SCE told them, they ruled out the Alternatives. They never even studied them.

Thus, the Draft environmental report gaveshort shrift to **all** Alternatives, including both those I suggested and the ones you're proposing. This is just further evidence that the PUC should not have been in charge of the environmental review. The PUC has been unabashedly promoting Edison's Moorpark-Newbury Project since it was filed in 2008. It's apparent that **independent environmental review is essential**.

I35-4

How could the PUC so flippantly ignore its responsibility to protect the environment, and to protect the public from the over-reaching of corporate greed?

Perhaps there are other ways to keep the new lines away from our homes and lives. I ask that you seriously consider **all** alternatives to that end. I can be reached at 805 491-3242 (afternoons).

I35-5

Thank you for your prompt attention,
Cathryn Andresen and Family, Friends, Employees, Visitors, Pets & Wildlife
9715 Santa Rosa Road
Camarillo, CA 93012

From: Cathryn Andresen [mailto:barn93012@yahoo.com]
Sent: Monday, July 27, 2015 2:41 PM
To: Moorpark-Newbury
Subject: RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

The following letter is a copy of the document attached:

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

Public review on this issue is pending on the Southern California Edison Moorpark-Newbury Subtransmission project. I am a property owner directly affected by this project and do not want the SCE project granted permission to proceed as planned .

My family has lived for 35 years in Santa Rosa Valley – in ranch houses built more than 100 years ago. We live and sleep approximately 20 feet from the property line we share with the right-of-way SCE “acquired” for its huge transmission lines.

Our ranch and its residences have been here for more than 100 years – long before SCE gained the right-of-way. **We live and sleep as close as 20 feet from the property line.** We object to, and request that, no additional active electrical transmission lines to be placed **even closer, and lower,** to our living spaces than those that already exist.

I wonder whether, years ago, the farms and families pushed aside for the right-of-way were promised then that the construction was to be the total disruption - nothing more to build and no additional equipment and wires to string so near their homes. Are SCE and the PUC keeping their part of the original bargain?

My family, pets, guests, crops – **all that** exists on, works on, and visits my 10 acres are, **like it or not**, a living part of the local environment. The PUC is charged with, among other responsibilities, enforcing the [California Environmental Quality Act](#) for utility construction to protect the “environment” - us.

I have suggested that Edison place the additional lines either underground OR re-route the new lines to the west side of the SCE right-of-way (where no housing exists) to avoid placing new power lines **lower** and **closer** to houses.* The reviewing agency, ESA (retained by the Public Utilities Commission), dismissed out-of-hand all of the Alternatives we identified.

*We suggest two alternative routes for the new transmission lines as they are proposed to run the length of our west property line (SCE's east property line):

1. After the new lines (proceeding north) cross Santa Rosa Road, rout them to the west side of the SCE right-of-way, where no homes are adjacent, and where they can be routed to the original east-side route after they are beyond our shared property line;
2. After the new lines cross Santa Rosa Road, put the new lines underground until they are past our northern property line and past our residences.

They screened them for feasibility and whether they'd meet SCE's needs. Based on what SCE told them, they ruled out the Alternatives. They never even studied them.

Thus, the Draft environmental report gave short shrift to **all** Alternatives, including both those I suggested and the ones you're proposing. This is just further evidence that the PUC should not have been in charge of the environmental review. The PUC has been unabashedly promoting Edison's Moorpark-Newbury Project since it was filed in 2008. It's apparent that **independent environmental review is essential**.

How could the PUC so flippantly ignore its responsibility to protect the environment, and to protect the public from the over-reaching of corporate greed?

Perhaps there are other ways to keep the new lines away from our homes and lives. I ask that you seriously consider all alternatives to that end.

I can be reached at 805 491-3242 (afternoons).

Thank you for your prompt attention,
 Cathryn Andresen and Family, Friends, Employees, Visitors, Pets & Wildlife
 9715 Santa Rosa Road
 Camarillo, CA 93012

3.3.35 Letter I35 – Responses to Comments from Cathryn Andresen

- I35-1 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter’s opposition to the Proposed Project is acknowledged.
- I35-2 Comment acknowledged.
- I35-3 The commenter is referred to Draft EIR Chapter 4, *Project Alternatives* for a discussion on the CEQA context for the consideration of alternatives, the alternatives development and screening process, and the reasons why Alternative 2 (alignment to the west and north of existing ROW, with an option to underground the alignment south of Santa Rosa Road) was eliminated from full EIR evaluation based on reasons pertaining to failure to meet Proposed Project objectives, infeasibility, and the potential to increase environmental impacts. In addition, see Master Response 1, *Alternatives*, in Section 3.1.1 for additional discussion on the alternatives analysis.
- I35-4 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities as well as the general proceeding.
- I35-5 Comment acknowledged. See Master Response 1, *Alternatives*, in Section 3.1.1 for additional discussion on the alternatives analysis.

NOTE: Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | I36-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | I36-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | I36-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | I36-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | I36-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | I36-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | I36-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | I36-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the **WHOLE Moorpark-Newbury Project.** | I36-9

Dated: July 27, 2015

Email: Jemzell@gmail.com

Address: 2884 Redondo Ave.

Name: Johanne Zell

Signature: Johanne E. Zell

3.3.36 Letter I36 – Responses to Comments from Johanne Zell

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I36-1 This comment has been addressed. See Response I5-1.

I36-2 This comment has been addressed. See Response I5-2.

I36-3 This comment has been addressed. See Response I5-3.

I36-4 This comment has been addressed. See Response I5-4.

I36-5 This comment has been addressed. See Response I5-5.

I36-6 This comment has been addressed. See Response I5-6.

I36-7 This comment has been addressed. See Response I5-7.

I36-8 This comment has been addressed. See Response I5-8.

I36-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | I37-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | I37-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | I37-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | I37-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | I37-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | I37-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | I37-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | I37-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. | I37-9

Dated: July 23, 2015

Email: marvy2@msn.com

Address: 11848 Presilla Rd, Santa Rosa Valley, CA 93012

Name : Ralph & Marvella Carmichael

Signature: 

3.3.37 Letter I37 – Responses to Comments from Ralph and Marvella Carmichael

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I37-1 This comment has been addressed. See Response I5-1.

I37-2 This comment has been addressed. See Response I5-2.

I37-3 This comment has been addressed. See Response I5-3.

I37-4 This comment has been addressed. See Response I5-4.

I37-5 This comment has been addressed. See Response I5-5.

I37-6 This comment has been addressed. See Response I5-6.

I37-7 This comment has been addressed. See Response I5-7.

I37-8 This comment has been addressed. See Response I5-8.

I37-9 This comment has been addressed. See Response I5-9.

-----Original Message-----

From: nlbharris@aol.com [<mailto:nlbharris@aol.com>]

Sent: Monday, July 27, 2015 2:48 PM

To: Moorpark-Newbury

Subject: SCE Moorpark-Newbury EIR

July 26, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

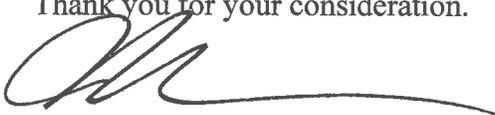
Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. The report as presented appears to be inadequate in scope, omits important data and makes unsupported assumptions, based on the following:

- 1. It fails to study the impact of SCE's entire project and instead divides one project into two in violation of CEQA. The proposed Oxnard generation plant and this project should be joined for purposes of CEQA's "whole project" and for determination of this project's (a) necessity and (b) cumulative impact. I 138-1
- 2. It fails to adequately study the cumulative impact of past construction on the project. I 138-2
- 3. The project is not adequately supported by current "needs" data. I 138-3
- 4. Alternatives have not been independently analyzed (estimates provided appear to be based exclusively on SCE data). I 138-4
- 5. The report fails to examine "green" alternatives, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 138-5

Based on the above, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 138-6

Thank you for your consideration.



N. Harris
11969 Presilla Road
Santa Rosa Valley, CA 93012

3.3.38 Letter I38 – Responses to Comments from Nancy Harris

I38-1 This comment has been addressed. See Responses I5-1 and I5-7.

I38-2 This comment has been addressed. See Response I5-2.

I38-3 This comment has been addressed. See Response I5-4.

I38-4 This comment has been addressed. See Response I5-5.

I38-5 This comment has been addressed. See Response I5-6.

I38-6 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | 139-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | 139-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | 139-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | 139-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | 139-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | 139-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | 139-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | 139-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. | 139-9

Dated: 7-22-15

Email: WESTYCAIRN@AOL.COM

Address: 11799 PRAOERA ROAD, SANTA ROSA VALLEY, CA 93012

Name: CAROLE O. HUNTER

Signature: Carole O Hunter

Written comments must be postmarked or received in email by 7/27/15.

3.3.39 Letter I39 – Responses to Comments from Carole Hunter

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I39-1 This comment has been addressed. See Response I5-1.
- I39-2 This comment has been addressed. See Response I5-2.
- I39-3 This comment has been addressed. See Response I5-3.
- I39-4 This comment has been addressed. See Response I5-4.
- I39-5 This comment has been addressed. See Response I5-5.
- I39-6 This comment has been addressed. See Response I5-6.
- I39-7 This comment has been addressed. See Response I5-7.
- I39-8 This comment has been addressed. See Response I5-8.
- I39-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I40-1
I40-2

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I40-3

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I40-4

Alternatives

AB 32, the CPUC "loading order" and the Governor's mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I40-5
↓

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

↑
I40-5
(cont
)

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I40-6
↓

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I40-7
↓

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

I40-8
↓

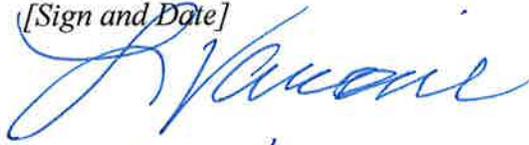
The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

↑
I40-8
(cont.)

[Sign and Date]



7/22/15

3.3.40 Letter I40 – Responses to Comments from L. Vanoni

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I40-1 This comment has been addressed. See Response I9-10.
- I40-2 This comment has been addressed. See Response I9-11.
- I40-3 This comment has been addressed. See Response I9-12.
- I40-4 This comment has been addressed. See Response I9-13.
- I40-5 This comment has been addressed. See Response I9-14.
- I40-6 This comment has been addressed. See Response I9-15.
- I40-7 This comment has been addressed. See Response I9-16.
- I40-8 This comment has been addressed. See Response I9-17.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | I41-1
2. It fails to study the **cumulative impact** of past construction on the Project. | I41-2
3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | I41-3
4. **The project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | I41-4
5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | I41-5
6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | I41-6
7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | I41-7
8. **The "No Project" Alternative is the environmentally superior alternative.** | I41-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the **WHOLE** Moorpark-Newbury Project. | I41-9

Dated: July 22, 2015

Email: ARLiney83@gmail.com

Address: 2896 LAS BRISAS DR. SANTA ROSA Valley 93012

Name: Arline Young

Signature: Arline Young

3.3.41 Letter I41 – Responses to Comments from Arline Young

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I41-1 This comment has been addressed. See Response I5-1.
- I41-2 This comment has been addressed. See Response I5-2.
- I41-3 This comment has been addressed. See Response I5-3.
- I41-4 This comment has been addressed. See Response I5-4.
- I41-5 This comment has been addressed. See Response I5-5.
- I41-6 This comment has been addressed. See Response I5-6.
- I41-7 This comment has been addressed. See Response I5-7.
- I41-8 This comment has been addressed. See Response I5-8.
- I41-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 142-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 142-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 142-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 142-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 142-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 142-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 142-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** I 142-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 142-9

Dated: 7/24/15

Email: ~~Lidia C. Bailey~~ LIDIACHB@Yahoo.com

Address: 12216 ALISON DR, Santa Rosa Valley, CA 93012

Name: Lidia C. Bailey

Signature: Lidia C Bailey

3.3.42 Letter I42 – Responses to Comments from Lidia Bailey

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I42-1 This comment has been addressed. See Response I5-1.

I42-2 This comment has been addressed. See Response I5-2.

I42-3 This comment has been addressed. See Response I5-3.

I42-4 This comment has been addressed. See Response I5-4.

I42-5 This comment has been addressed. See Response I5-5.

I42-6 This comment has been addressed. See Response I5-6.

I42-7 This comment has been addressed. See Response I5-7.

I42-8 This comment has been addressed. See Response I5-8.

I42-9 This comment has been addressed. See Response I5-9.

BARRY D. BECKER
2999 Yucca Drive
Santa Rosa Valley, CA 93012

July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 143-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 143-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 143-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 143-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 143-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 143-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 143-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** I 143-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 143-9

Dated: July 27th 2015

Email: barryb@pacificwestbuilders.com
Name: Barry D. Becker
Address: 2999 Yucca Drive, Santa Rosa Valley, CA 93012

Signature:

3.3.43 Letter I43 – Responses to Comments from Barry Becker

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I43-1 This comment has been addressed. See Response I5-1.
- I43-2 This comment has been addressed. See Response I5-2.
- I43-3 This comment has been addressed. See Response I5-3.
- I43-4 This comment has been addressed. See Response I5-4.
- I43-5 This comment has been addressed. See Response I5-5.
- I43-6 This comment has been addressed. See Response I5-6.
- I43-7 This comment has been addressed. See Response I5-7.
- I43-8 This comment has been addressed. See Response I5-8.
- I43-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I44-1

I44-2

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I44-3

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I44-4

Alternatives

AB 32, the CPUC "loading order" and the Governor's mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I44-5

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

I44-5
(cont.)

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I44-6

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

I44-7

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

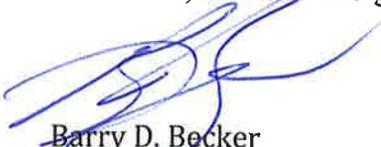
I44-8

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

↑ I44-8
| (cont.)
↓



Barry D. Becker
July 27, 2015

3.3.44 Letter I44 – Responses to Comments from Barry Becker

The comments in this letter are identical to, or substantively the same as, those in Letter I9.

- I44-1 This comment has been addressed. See Response I9-10.
- I44-2 This comment has been addressed. See Response I9-11.
- I44-3 This comment has been addressed. See Response I9-12.
- I44-4 This comment has been addressed. See Response I9-13.
- I44-5 This comment has been addressed. See Response I9-14.
- I44-6 This comment has been addressed. See Response I9-15.
- I44-7 This comment has been addressed. See Response I9-16.
- I44-8 This comment has been addressed. See Response I9-17.

Mr. Michael Rosauer
MOORPARK -NEWBURY PROJECT
C/O Environmental Science Associates
1425 N. McDowell Blvd, Ste 200
Petaluma, CA. 94954

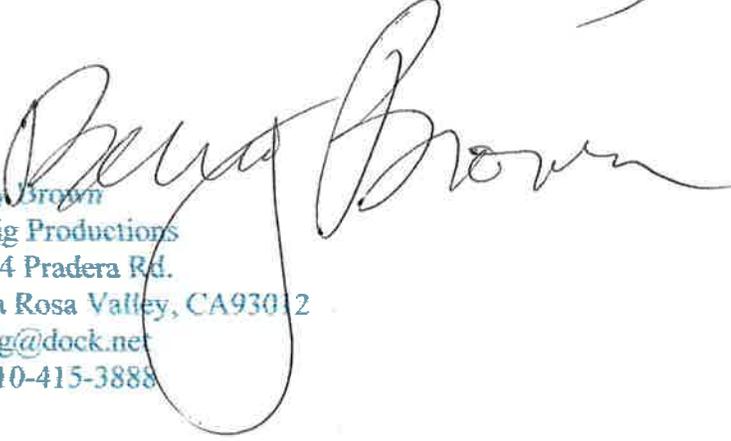
July 18, 2015

Mr. Rosauer,

I OPPOSE the acceptance of the June 2015 Draft Environmental Impact Report.
I corroborate and support the enclosed :

Documents enclosed

(5 pgs + cover)


Barry Brown
Brillig Productions
11874 Pradera Rd.
Santa Rosa Valley, CA93012
brillig@dock.net
Ph:310-415-3888

NOTE: Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA.
- 2. It fails to study the **cumulative impact** of past construction on the Project.
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized)
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment.
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data.
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030.
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact.
- 8. The **"No Project" Alternative is the environmentally superior alternative.**

I45-1
I45-2
I45-3
I45-4
I45-5
I45-6
I45-7
I45-8
I45-9

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.

Dated: 7/18/15
 Email: Billie edock.net
 Address: 11874 Pradera Rd
 Name: Barry Brown
 Signature: [Handwritten Signature]

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I45-10

I45-11

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I45-12

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I45-13

Alternatives

AB 32, the CPUC "loading order" and the Governor's mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I45-14

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

↑
I45-14
(cont.)

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I45-15

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

↑

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate the we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

I45-16

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

↓
I45-17

The Draft EIR is contaminated by this bias.

Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.



I45-17
(cont.)

[Sign and Date]

Robert J. Brown
7/18/15

3.3.45 Letter I45 – Responses to Comments from Barry Brown

The comments in this letter are identical to, or substantively the same as, those in Letters I5 and I9.

- I45-1 This comment has been addressed. See Response I5-1.
- I45-2 This comment has been addressed. See Response I5-2.
- I45-3 This comment has been addressed. See Response I5-3.
- I45-4 This comment has been addressed. See Response I5-4.
- I45-5 This comment has been addressed. See Response I5-5.
- I45-6 This comment has been addressed. See Response I5-6.
- I45-7 This comment has been addressed. See Response I5-7.
- I45-8 This comment has been addressed. See Response I5-8.
- I45-9 This comment has been addressed. See Response I5-9.
- I45-10 This comment has been addressed. See Response I9-10.
- I45-11 This comment has been addressed. See Response I9-11.
- I45-12 This comment has been addressed. See Response I9-12.
- I45-13 This comment has been addressed. See Response I9-13.
- I45-14 This comment has been addressed. See Response I9-14.
- I45-15 This comment has been addressed. See Response I9-15.
- I45-16 This comment has been addressed. See Response I9-16.
- I45-17 This comment has been addressed. See Response I9-17.

Mr. Michael Rosauer
Moorpark-Newbury Project
C/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Dear Mr. Rosauer,

July 20, 2015

I OPPOSE the acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts and is **FLAWED** in its scope and what it assumes, relying on faulty methodology.

The Newbury line project was proposed 7 years ago, based on an urgent "need" projection that has never come into being. That need moves out with each SCE annual forecast. The project was designed based on view of energy science in **2005 !!** *Science has changed as have lives and need.* SCE's inability to accurately predict overload in its EIGHT previous forecasts between 2005 and 2012 clearly shows that SCE's forecasting model has **FAILED** to keep pace with rapid advances in technology. Tens years later we have seen the impact of new energy efficiency and **GREEN** resources.

I46-1

To continue the guideline of 2005 engineering as a means to prevent overload predicted for 2021 would be a **BAD INVESTMENT** for ratepayer dollars into what would be determined outmoded science.

History will condemn those individuals and companies whose poor decisions affect the environmental needs and futures of our communities. We can no longer afford to support actions which are improperly planned only to be later criticized because of that very lack of foresight.

The best interests of the public must come before proposals and actions that reflect flawed science, bias and insufficient research. Without notifying the public and allowing constructions to begin in the past project was unacceptable and egregious, and then masking that action by excluding all past construction from the review (in its Scoping Report) was even worse.

I46-2

Those who are involved must understand that this report **FAILS** to examine **GREEN** alternatives, violating the CPUC's Loading Order, AB32 and the Governor's mandate of 50% reduction by 20130. The proposed **OXNARD** generation plant and this Project should be joined for purposes of CEQA's "whole project" and for the determination of this Project's: (a) Necessity and (b) the Cumulative impact.

I46-3

I46-4

*Since the CPUC may be **BIASED** towards Edison,* an independent third party Lead Agency with independent experts and analyses should be assigned to create a **NEW** Environmental study of the whole Moorpark-Newbury Project.

I46-5

Suzanne Camejo~ ~~Suzanna Camejo and Associates - Artists for the Environment-~~
11874 Pradera Rd. Santa Rosa Valley, CA 93012
scamejo@earthlink.net

3.3.46 Letter I46 – Responses to Comments from Suzanne Camejo

- I46-1 This comment does not directly address the accuracy or adequacy of the Draft EIR. However, the commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1, and Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on Proposed Project objectives and project need, respectively.
- I46-2 The comment is acknowledged. The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities, and Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- I46-3 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives.
- I46-4 This comment has been addressed. Refer to Response I5-7.
- I46-5 The commenter is referred to Master Response 2B, *Proceeding for SCE's Application for a Permit to Construct the Proposed Project*, in Section 3.1.2 for a discussion on CPUC's role on the project.

Mr. Michael Rosauer
 Moorpark-Newbury Project
 c/o Environmental Science Associates
 1425 N. McDowell Blvd., Suite 200
 Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. I 147-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 147-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 147-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. I 147-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 147-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. I 147-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. I 147-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** I 147-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 147-9

Dated: 7-26-2015

Email: lunarose47@gmail.com

Address: 3362 N. Cajon Circle, Santa Rosa Valley CA 93012

Name: Jessica B. Graham

Signature: J B A

Mr. Michael Rosauer
 Moorpark-Newbury Project
 c/o Environmental Science Associates
 1425 N. McDowell Blvd., Suite 200
 Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA.
2. It fails to study the **cumulative impact** of past construction on the Project.
3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized)
4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment.
5. **Alternatives are not independently analyzed**, relying exclusively on SCE data.
6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030.
7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact.
8. The **"No Project" Alternative is the environmentally superior alternative.**

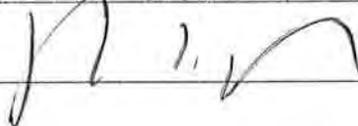
Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.

Dated: John G. 7/26/15

Email: Johngrahm@aol.com

Address: 3362 N. Cajon Circle, Santa Rosa Valley, CA 93012

Name: John G. Graham

Signature: 

3.3.47 Letter I47– Responses to Comments from John and Jessica Graham

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I47-1 This comment has been addressed. See Response I5-1.
- I47-2 This comment has been addressed. See Response I5-2.
- I47-3 This comment has been addressed. See Response I5-3.
- I47-4 This comment has been addressed. See Response I5-4.
- I47-5 This comment has been addressed. See Response I5-5.
- I47-6 This comment has been addressed. See Response I5-6.
- I47-7 This comment has been addressed. See Response I5-7.
- I47-8 This comment has been addressed. See Response I5-8.
- I47-9 This comment has been addressed. See Response I5-9.

July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

This letter is being written to urge the PUC to reject the Draft Environmental Impact Report for SCE's Moorpark-Newbury Park line project.

As residents of Ventura County and the Santa Rosa Valley we are opposed to this project as SCE has not provided adequate proof for the need of this infrastructure.

I 148-1

This draft EIR shows a blatant skirting of the CEQA requirements by disregarding the portion of this project that was constructed under dubious circumstances. Dividing a project into separate portions while knowing full well that the parts cannot serve any purpose unless they are connected together as a whole does not comply with requirements of CEQA.

I 148-2

Since the beginning of this approval process, SCE's projected "needs" have turned out to be grossly inaccurate therefore making an independent analysis necessary to determine the true necessity of this project.

I 148-3

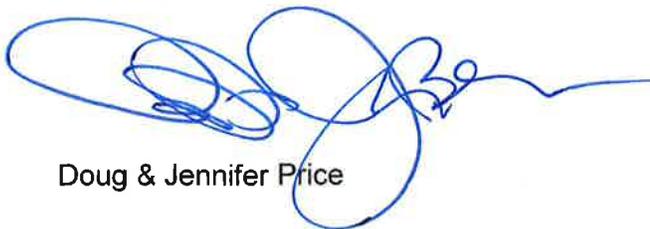
This draft EIR does not take into account Governor Brown's energy mandate of 50 percent renewable energy by the year 2030 and should be required to incorporate green alternatives into this study.

I 148-4

Because SCE is being allowed to analyze and state the needs of this project without independent analysis, disruption of the environment is guaranteed even though the "No Project" alternative is the superior choice.

I 148-5

Sincerely,



Doug & Jennifer Price

3.3.48 Letter I48 – Responses to Comments from Doug and Jennifer Price

- I48-1 The commenter's opposition to the Proposed Project is acknowledged. The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2, for a discussion on project need.
- I48-2 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- I48-3 The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2, for a discussion on the Proposed Project objectives, and Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for a discussion on SCE's electrical demand estimates in the electrical needs area defined for the project.
- I48-4 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives.
- I48-5 This comment has been addressed. Refer to Response I5-9.

Robert H. Wyman
13512 Andalusia Drive
Santa Rosa Valley, CA 93012
(805) 523-0012 (home) (805) 657-7317 (cell)
bob.wyman@hotmail.com

July 26, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | 149-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | 149-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | 149-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | 149-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | 149-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | 149-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | 149-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | 149-8

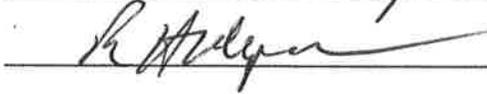
Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. | 149-9

Dated: 7/26/15

Email: bob.wyman@hotmail.com

Address: 13512 Andalusia Dr., Santa Rosa Valley, CA 93012

Name: Robert H. Wyman

Signature: 

3.3.49 Letter I49 – Responses to Comments from Robert Wyman

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I49-1 This comment has been addressed. See Response I5-1.
- I49-2 This comment has been addressed. See Response I5-2.
- I49-3 This comment has been addressed. See Response I5-3.
- I49-4 This comment has been addressed. See Response I5-4.
- I49-5 This comment has been addressed. See Response I5-5.
- I49-6 This comment has been addressed. See Response I5-6.
- I49-7 This comment has been addressed. See Response I5-7.
- I49-8 This comment has been addressed. See Response I5-8.
- I49-9 This comment has been addressed. See Response I5-9.

July 27, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Sent by Email: Moorpark-Newbury@esassoc.com

RE: Moorpark-Newbury Project Draft EIR Comments

Dear Mr. Rosauer,

I would like to thank the Energy Division and its consultants for the effort put forth to develop a draft of the Environmental Impact Report for the Moorpark-Newbury Project proposed by Southern California Edison. Like any draft report it is the first time that the true extend of the environmental impacts of the various alternatives is presented. As in any first draft there are significant omissions, invalid assumptions and missing alternatives that are highlighted in attachment to this letter. It contains numerous objections to assumptions in the DEIR and a several alternatives that would offer the public the Environmentally Superior Alternative that has been sought for over the last 7 years. The project was initiated over ten years ago however the DEIR seems to accept and use the SCE 2005 planning perspective. Contrary to SCE’s “more power means more towers” approach to energy distribution the new CPUC Commissioners have step out and taken a leadership approach to California’s energy marketplace. The attached comments follow the vision of the new CPUC leadership. In that spirit the attached DEIR comments, objections and new or revised Alternatives are presented in an effort to bring the DEIR into the current energy marketplace. The objections are primary focused on the use of SCE data that is used without challenge in the DEIR and there are specific requests on key planning and forecasting methodologies. In addition, there are major concerns with the base case that ignores environmental impacts there were part of the same project however the DEIR creates speculative environmental impacts without thorough evaluation of existing data.

I50-1

I50-2

The public needs a revised DEIR that is full and fair assessment of all alternatives, compared to valid and reasonable metrics of project objectives, in order to determine the project that is environmentally superior. It is the publics hope that the Energy Division has the same objectives and it will undertake a open-minded assessment of the comments and objections to the Scoping Report and the DEIR. If the Energy Division or its consultants have any questions about the attached comments or need clarification or supporting data for the comments please send an email to crcronin879@sbcglobal.net.

Sincerely

CR Cronin



JIM JONES
Director

County of Los Angeles INTERNAL SERVICES DEPARTMENT

1100 North Eastern Avenue
Los Angeles, California 90063

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April 5, 2015

Ms. April Sommer
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SUBJECT: Letter of Support from the Southern California Regional Energy Network for Utilization of Preferred Resources in the Ventura County Local Capacity Requirements Region

The Southern California Regional Energy Network (SoCalREN) sends this letter of support for the efforts of the California Center for Biological Diversity (CBD), Sierra Club, City of Oxnard and Ventura County residents to explore clean energy alternatives to the installation of a natural gas-fired, peaking power plant in the Oxnard area under Application 14-11-016.

Since 2013 the SoCalREN has worked with public agencies (cities, counties and districts) to help identify and implement energy projects under the CPUC’s 2013-2015 Energy Efficiency Program. The SoCalREN provides centralized, technical resources that support identification, assessment, procurement and implementation management of projects.

The SoCalREN is an informal group of cities and counties within SCE and SCG service territories that work with the County of Los Angeles who serves as the administrator of the SoCalREN.

Under this model, and specific to public agencies in Ventura County, the SoCalREN has identified a large number of both energy efficiency, solar photovoltaic, thermal energy storage and demand response opportunities in both the public and private sector. These projects have been developed through the SoCalREN’s Energy Efficiency program activities, efforts to leverage the SoCalREN business model with SCE’s Local Capacity Restraint Request for Offers (for Preferred Resources), and relationships between the SoCalREN and the Ventura regional community.

The “identified pipeline” of Preferred Resource projects within the public agency entities of Ventura County that would impact peak demand by 64 MW is summarized below.

- 84 confirmed (scoped) energy efficiency projects
- 10,000 kW peak demand reduction due to energy efficiency



- 76 confirmed solar photovoltaic projects
- 44,000 kW of peak project generation
- 12 confirmed demand response locations
- 10,000 kw peak demand reduction due to demand response

In addition the SoCalREN, working with local, engaged stakeholders, have identified an additional 136MW of private sector of peak demand impact projects:

- 53,000 kW of solar PV
- 14,000 kW of thermal storage
- 23,000 kW of HVAC replacements
- 28,000 kW of low income EE and HVAC
- 18,000 kW of self-generation

The SoCalREN supports the concept that locally vetted, developed and supported Preferred Resource projects should become a viable and desirable clean energy program model to mitigate or offset the development of base load or peak load thermal generation and/or the development of expanded distribution system projects. Additionally, the projects can be funded through a combination of energy efficiency program funds, utility resource procurement funds, distribution system upgrade budgets, and public/private sector funds.

SoCalREN supports the efforts of the CBD and other Ventura County stakeholders to urge the CPUC to implement a new Request for Offer that:

1. Allocates the 290 MW procurement to preferred resources
2. Allows the preferred resources in any category of renewables, EE or DR
3. Allows for sufficient time to allow stakeholders and vendors to respond, 180 days
4. Follows the approved process used in the approved Preferred Resources Pilot in Orange County
5. Provides funding for expansion of the role of the SoCalRen for private engagement
6. Defers the decision on the GHG power plant procurement until 2017

Granting these stakeholders' request would allow the SoCalREN and a variety of local, regional, public, and private participants to pursue and enroll preferred resources within a

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reasonable time to satisfy the CPUC and the incumbent utility requirements that viable preferred resource projects in the region can be implemented.

↑ 150-4
(cont.)

Sincerely,



Howard Choy
General Manager, Office of Sustainability
County of Los Angeles

CC:
Bill Powers, P.E.
Powers Engineering

General Objections to the data as presented in the Draft Environmental Impact Report

1. The capacity of the Moorpark-Newbury- Pharmacy and the Newbury-Thousand Oaks lines is assumed to be 920 AMPS; however this is the standard rating. The capacity of these lines as currently constructed are allowed to go up to 135% of standard rating in times of abnormal conditions, such as a N-1 scenario or 1-in-10 year heat event. This was confirmed in SCE’s response to the Energy Division’s DR #4 Q. 1. This is similar to the emergency rating of transformers where the emergency rating is used when determining the ability to carry a 1-in-10 peak demand. As stated in SCE’s WDAT System Impact Study of April 2011 emergency rating is used under N-1 conditions.

“II. PART A: SYSTEM IMPACT STUDY CONDITIONS & METHODOLOGY Planning Criteria The thermal rating of any conductor, connector, or apparatus should not exceed 100% of its normal rated capacity with all facilities in service (base case). The thermal rating of any conductor, connector, or apparatus should not exceed 100% of its emergency rating under N-1 conditions.”

A search of the approved SCE Advice Letters identified an N-1 condition, due to overloading of the “emergency rating” solved through a reconductoring of a 66 kV line in May 2012 in Advice Letter # 2725E project. It states:

“SCE is proposing to reductor a portion of its overhead Rio Hondo-Amador-Jose-Mesa 66 Kilovolt (kV) Subtransmission Line to enhance operational flexibility and reliability. This reductor will enable SCE to transfer load from its Rio Hondo 66 kV system to its Mesa and Walnut 66 kV systems during an A-bank N-1 condition at SCE’s Rio Hondo Substation. If such load transfers are required, the current Rio Hondo-Amador-Jose Mesa 66 kV Line in SCE’s Mesa 66 kV system is projected to be overloaded to 106.3 percent of its emergency rating during summer 2012.”

The emergency capacity of 135% of standard rating would increase the Loading Capacity of 920 AMPS to 1242 AMPS. It is requested that the power flows and all of the Alternatives, including No Project, be evaluated with the emergency rating in AMPS and MVA.

2. The use of 954 SAC in a portion of the reconductoring and new line Alternatives should be changed to 954 ASCR due to the higher standard rating and emergency rating. The 954 SAC has a standard rating of 982 and emergency rating of 1325, however, 954 ASCR standard rating is 993 and 1341. The ratings were obtained from published standards such as the Priority Wire and Cable specifications. SCE PEA suggests that it is using the 954 ASCR on the M-N-P and the N-TO lines for reconductoring, however, the short segment of 0.5 mile that runs east from the north/south line to the Newbury Sub is uses 954 SAC . The use of the 954 SAC reduces the overall line capacity to that of its lowest rated segment. This affects the line rating of the various reconductoring and new line Alternatives. The capacity of the line should reflect 954 ASCR rating along the full length, not 954 SAC rating. The additional cost for the 0.5 mile segment is minimal.

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3. The various Alternatives consider time periods that go beyond the 10 year planning period required for this project. The references to figures beyond 2023 should be removed from the DEIR and from the analysis of all of the Alternatives.

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4. The projected demand as prepared by SCE since its first in 2005 projected an immediate overload condition on the Moorpark-Newbury-Pharmacy line. As the last ten years have identified, the SCE projections have been overstated, as the chart below demonstrates. Although the latest SCE forecast calls for an overload in 2022; it is based on the standard rating of 920 AMPS, not the emergency rating of 1,242 AMPS. The emergency rating should be used when comparing to a demand based on the 1-in-10 year heat event. All Alternatives should be re-evaluated using the conductors and transformers emergency rating, including the No Project Alternatives.

150-8

Forecast Year	Overload Year	Years to Overload
2005	2005	0
2006	2006	0
2007	2007	0
2008	2008	0
2009	2009	0
2010	2010	0
2011	2014	3
2012	2014	2
2013	2021	8
2014	2022	8

5. As further evidence that the SCE projections are overstated and that the projected demand for the Moorpark-Newbury-Pharmacy is inflated, the over-estimate of most recent years of 2013 of 107% and 2014 of 108% are shown below. The projected growth, by SCE, in 2014 was 15 AMPS however the actual growth was only 7 AMPS.

150-9

AMPS	SCE Projection	Actual	Over Estimate
2013	842	789	107%
2014	857	796	108%
Growth	15	7	214%

The overstated growth rate, double of the actual, has a multiplicative effect when applied over the 10 year planning cycle. Given that the base year is overstated and the growth rate is overstated the impact is significant. The table below assumes that the growth of 7 AMPS in 2014 continues although there is every reason to assume that it will decline as the known projects take affect and new technologies are deployed. The table below shows the various time periods in AMPS for the M-N segment of M-N-P.

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

Year	# Years	Total Growth	Realistic Projected	% of Rated Capacity	1 in 10 Heat Event Included	% of Emergency Capacity
2014	1	7	796	87%	876	70%
2023	9	63	859	93%	945	76%
2030	16	112	908	99%	999	80%

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(cont.)

6. It is important to remind the Energy Division and its consultants the project was initiated, within SCE, over 10 years ago and that the CPUC and Governor have made significant changes in the California energy marketplace since 2005. This project is the equivalent of a 2005 Suburban competing with 2015 EV on gas mileage. The PEA and DEIR consider Alternatives based on technologies of 2005 however the Alternatives should be based on what is available now and will be available through 2023. In addition to the marketplace changes there have been several recent CPUC decisions/rulings since August 2013. The key ones are shown below however there are many more that impact the potential Alternatives to meet the project objectives. Furthermore, specific and measureable local events that have occurred since the SCE projections were made, over 18 months ago, based on 2013 actual results. The following is a short list of the key changes in circumstance that occurred AFTER the peak of August 30, 2013, used in the base year of the DEIR. All of the changes in circumstance listed below would impact Newbury Sub peak demand and the associated loading on the Moorpark-Newbury-Pharmacy line. In some cases the change in circumstance would accelerate the deployment of preferred resources, in keeping with the Loading Order.

I50-10

- a. CPUC President’s directive to revisit the Loading Order in pending proceedings.
- b. Commercial TOU rates were implemented and mandatory for accounts >20kW.
- c. SCE selected its Battery and Thermal storage vendors in 2012 LTPP Track 4.
- d. The Distributed Resources Plan by SCE indicates 91 MW of capacity available on Newbury Sub distribution circuits, nearly the capacity of the DEIR ENA.
- e. The Oaks Mall went to solar PV on its large parking structures and roofs.
- f. The Hill Canyon Waste Water Treatment Plant went to 99% Self Generation.
- g. The largest employer in the Newbury ENA Amgen is reducing its employees and associated buildings by 30% from the levels of 2013, the DEIR base year.
- h. The SoCalREN has validated 70 AMPS of specific EE projects for ENA based entities; this is equal to ten years of the demand growth experienced in 2014.
- i. 2012 LTPP Track 1 designated the Big Creek/Ventura, including the Newbury Sub ENA, as a constrained area, which enables accelerated procurement of preferred resources and distributed generation.

I50-11

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

- j. Prop 39 has made large amounts of funds available to School Districts for energy efficiency projects.
- k. Thermal storage was recently approved by CPUC, for SGIP, the Self Generation Incentive Program and Newbury Sub has a concentration of compatible sites.
- l. The State of California is migrating to 50% renewable portfolio standard and is accelerating the use of distributed resources.
- m. Over 45 AMPS of solar PV projects went live in the vicinity of the ENA since the peak demand used in the base year, Aug 31, 2013.
- n. The Renewable Energy Networks, such as the SoCalREN, were established to accelerate the identification and implementation of energy efficiency projects.
- o. Recent CPUC decision to change to default Time-Of-Use rating for residential customers has the potential to reduce critical peak demand by 13% to 20%.
- p. CPUC President’s directive to avoid duplication of projects and associate costs in proceedings. Proceeding should recognize the impact of other proceeding.

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(cont.)

These changes in circumstance and specific projects were not even in process in 2008 when this project was first proposed by SCE. The marketplace and CPUC decisions above will continue to have a dramatic impact on the immediate peak demand and any future projections of peak demand. Therefore, the peak demand of the ENA and resultant line loading projections of SCE are overstated until all of the items affecting the California marketplace and local ENA are factored into the base year and future years.

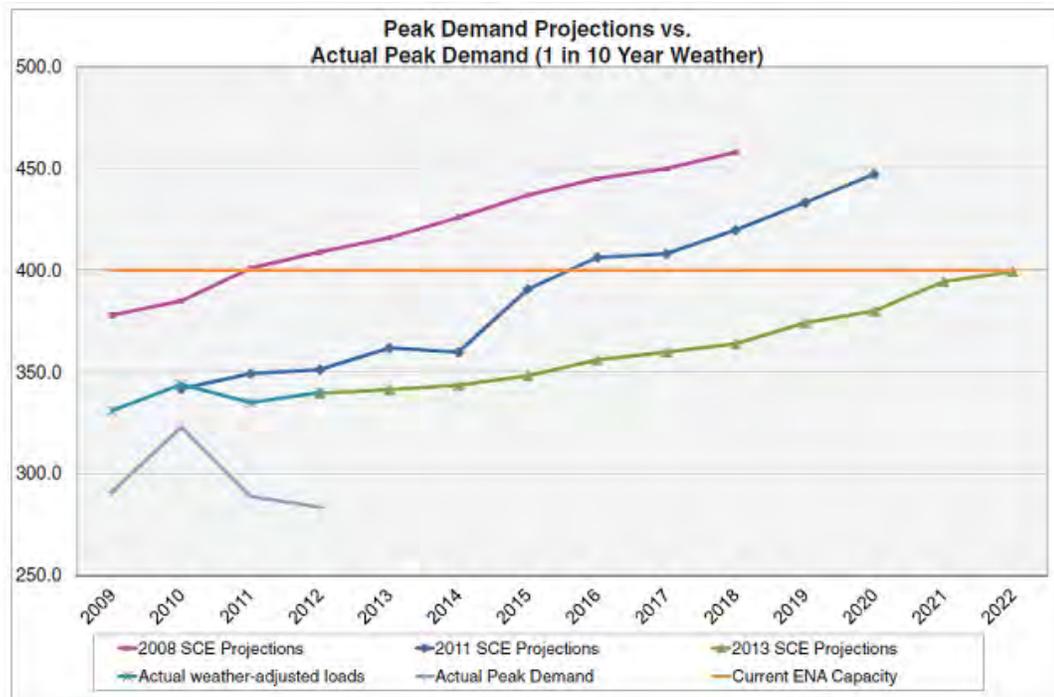
- 7. Blind reliance on the SCE projected growth rates that are frequently overstated and utilize broad planning guidelines based on the full SCE territory invalidates the analysis of Alternatives in the DEIR. The Energy Division and its consultants only need to reflect on the projected demand presented by the same SCE planning team for the Presidential Substation Project in 2008. In that project, which was proposed in 2008, the same year as the Moorpark-Newbury project, the SCE projections were also greatly over stated. The actuals for the Presidential Sub ENA never approached SCE’s projected peak demand, nor have they approached the overloading SCE projected for the Moorpark-Newbury –Pharmacy line. Review and scrutiny of the projected demand and the capacity of the 66 kV subtransmission lines in this DEIR, by the Energy Division or an independent third party, is needed, in order to avoid a repeat of the wasted time and effort of the Energy Division staff and public, that occurred in the Presidential Substation project. The chart provided below tracks the SCE demand planning team’s projections for the Presidential Substation project. It is important to note that the Presidential ENA is nearly identical in trends and demographics to the Newbury

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Substation ENA. For example the DEIR includes scenarios of rolling or shifting circuits between the two substations. In the Presidential Substation ENA projections done in 2008, the SCE projection was 40+% over the actual demand for the latest year available of 2012. To put it another way a projection 4 years out was only off by 40%. This would certainly cause one to give pause to SCE projections that go further into the further for 10 years or even 12 years as cited in some of the Alternatives. Given that the same SCE team did the Moorpark-Newbury project's demand projections, used the same methodology and the similarity of the two ENAs, the same degree of estimating overage is likely to be present. For instance, in 2005, SCE forecast 952 AMPS to occur in 2005 on the M-N segment of the Moorpark-Newbury-Pharmacy line, the immediate year. The amount of overstated Projected Load is obvious when the SCE forecast of 952 AMPS for 2005 is compared to the most recent year actual results of 796 AMPS. Please note that current SCE forecast for furthest future year of 2023 is only 942 AMPS, still lower than what was projected for in 2005 some 18 years prior. At a minimum, it will take over 18 years, from 2005 to beyond 2023, for the Projected Loading to reach the level projected when this project was forecasted for the 2005 year. The Energy Division needs to complete a thorough review of the projected demand and the capacity of the 66 kV subtransmission lines in this DEIR. As noted in previous items the 942 AMPS should be compared to the emergency rating on for the 954 SAC conductor of 1,242 AMPS.

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8. The SCE projections of Peak Demand for the Project are used, without adjustment, in the DEIR, even though they are inconsistent with those presented in the PEA. In addition to the previously mentioned issues on SCE projections, a detailed review of the projections identifies that SCE is using the HIGH CASE growth scenario for the projections of demand and projected line loading under N-1. Typical demand projections are done in a three scenarios, Low, Likely and High case. The GRC for 2009, 2012 and 2015 established demand based on LIKELY CASE as the footnote from the GRC 2015 Transmission and Distribution (T&D) Volume 3 – System Planning Capital Projects, that states the following:

“Our aggregated B-substation load forecast for the 2013-2022 period under the “likely case” scenario is 1.53 percent per year, although we expect differences station to station.”

However, for the Newbury Sub and the Moorpark-Newbury-Pharmacy line SCE has inflated the demand projections through the use of the HIGH CASE growth rate scenarios. As note earlier the actual growth of the ENA is virtually flat and there is no justification for the use of the HIGH CASE of growth rate. SCE further compounds this inflation of ENA peak demand through the combination of the HIGH CASE coupled with the N-1 condition, discussed earlier. The use of HIGH CASE was not used in the project rationale by SCE in the PEA nor in the GRC 2012 and GRC 2009 testimony, however, it first appeared in GRC 2015 as ENA peak demand was declining. It is important to note that the Moorpark-Newbury line project is receiving arbitrary growth projections by SCE since it is the sole subtransmission line that references the use of HIGH CASE in the GRC 2015. Therefore we request that the CPUC mandate they use of the LIKELY CASE and order the recalculation of all power flows, peak demands and line loadings in all Newbury Sub and subtransmission line projections. The use of LIKELY CASE should also be applied in combination with the changes and alternatives requested in this report.

9. The Project ENA, defined in the PEA and used in the DEIR is artificial and ignores that the Newbury Sub interacts with other substations in the City of Thousand Oaks. For instance the PEA and DEIR have frequent references to Thousand Oaks Sub with the rolling or shifting of distribution circuits to Thousand Oaks Sub and back to Newbury Sub. There is a 66 kV subtransmission interconnection between Newbury Sub and Thousand Oaks Sub via the Newbury to Thousand Oaks line. In addition to the DEIR treatment as two units that act in tandem, the programs of governmental entities serving the City of Thousand Oaks, including the School District, City and Housing Authority, would have peak demand reductions in both substations. For these reasons DEIR ENA should be expanded to include Thousand Oaks Sub and Potrero Sub.

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New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

10. The recent decisions by the CPUC to implement Time-Of-Use rating as the default rate structure for small commercial and residential consumers is expected to tie the high cost of peak generation with the cost to the energy consumer. The TOU rates are being implemented in 2019 and are not in the base year results. The impact of the rate structure, when is implemented in 2019, is estimated to reduce the overall peak demand by 3%-6%, in some analysis critical peak drops significantly. For example, the Faruqui and Sergici study completed in 2010 provided a meta-analysis of 15 additional time-varying pricing pilots and experiments, including those with time-of-use, critical-peak, and real-time pricing components, conducted by utilities over the past decade.

“They find that households responded to these programs by reducing usage in general, though the magnitude of the response depended on the presence of enabling technologies and other factors. Across the range of experiments studied, time-of-use rates induce a drop in peak demand that ranges between three to six percent and critical-peak pricing tariffs lead to a drop in peak demand of 13 to 20 percent. When accompanied with enabling technologies, the latter set of tariffs lead to a drop in peak demand in the 27 to 44 percent range.” (Faruqui and Sergici 2010)

The implementation of the residential TOU rate structure comes at the mid-point in the ten year planning cycle used in the DEIR. As in the case of the other changes in circumstance listed in this section that have occurred since 2013, these changes need to be thoroughly assessed and then included in the Projected Peak Demand and Projected Line Loading calculations.

I50-15

DEIR Scenarios omitted and specific issues regarding the Alternatives that would result in selection of an Alternative as the Preferred Alternative in the DEIR.

11. The re-conductor Alternatives should be expanded to include a second 66kV line on the Newbury-Thousand Oaks line that runs on the existing poles until south of Newbury Sub and then connects directly to Pharmacy Sub on the same poles as the current Newbury to Thousand Oaks line. There would be no additional environmental impact with the second circuit over and above what would be the result of the re-conductoring. This new Alternative would eliminate the N-1 condition forecasted on the Newbury-Thousand Oaks line if the Moorpark-Newbury segment of the M-N-P line is lost. It also eliminates the N-1 condition when Pharmacy is re-energized from Thousand Oaks Sub instead of Newbury Sub. It also increases the reliability of the energy feed to the Pharmacy Sub by providing a second connection via Thousand Oaks Sub on the same route as the current Newbury to Thousand Oaks line and the Newbury to Pharmacy line. It has the additional benefit in that it bypasses the Newbury Sub so it mitigates the N-1 condition as Pharmacy Sub would be reconnected on the new circuit (T-P) not the current circuit of N-T. Amgen, a major employer in the area, that owns the Pharmacy Sub, has frequently expressed concern over the reliability of the current and sole connection to Newbury Sub. Given the unique nature of the Pharmaceutical businesses, it would seem that it warrants a connection to both substations.

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New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

The Alternatives that referred to Preferred Resources ignored that the data that has been submitted on the list of known projects that have been confirmed by SCE approved contractors. The SoCalREN has been working with local governmental entities for several years to identify and quantify energy efficiency projects, see attached letter from Howard Choy. The impact on peak demand would be 1,254 kW. In addition, the Ventura County Regional Energy Alliance completed an inventory of solar PV sites on various Government and School properties that would yield 6,832 kW of peak demand. The third group of projects that have been identified as “known and available to implement” are the abandoned solar PV projects confirmed through the CSI working data set. As of the July 15, 2015 data set there are 11,663 kW of peak demand for the projects in various statuses of abandoned or incomplete. The total of the preceding is 19,749 kW that converts to 172 Amps. Given the status of these identified projects the hypothetical projection of SCE for 2023 of 942 Amps would be reduced to 770 Amps, which is only 84% of the standard rated capacity of the current line without re-conductoring. It is requested that the projects identified and validated by the SoCalREN be considered a new Alternative for evaluation.

150-17

Newbury Sub ENA Preferred Resources Projects									
Government Projects			Private Projects				Total MVA Private and	Reduction in M-N-P Amps	
Verified Demand Reduction	Verified PV - KW	Future DR	Future EE	Known PV Abandoned	Future DR BU Gen Capacity	Future Storage			
1,254	6,832	TBD	TBD	11,663	TBD	TBD	19,749	-172	
							SCE Projected 2023 (see note 1)	942	
							SCE 2023 less Preferred	770	
							M-N-P Line Rated Capacity	920	
Note 1	SCE 2023 projection used for reference only, however, it is considered inflated given reductions in recent years					% of Rated Capacity		84%	
							M-N-P Line Emergency Capacity	1150	
							% of Emergency Capacity	67%	

The ability to connect the solar PV in the grid is confirmed by SCE’s recent Distributed Resource Plan, DRP, submitted in response to AB 327. The table below displays the data contained in the DRP for the distribution circuits that are connected to the Newbury Sub. The report indicates that there is over 176 MW of Producing DER Hosting Capacity in the 9 distribution circuits connected to Newbury. As a point of reference this is greater than the Newbury Sub current transformer capacity and far greater than its recent peak demand.

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New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

SCE Distributed Resource Plan Data for Newbury Substation										
		Consuming DER Hosting Capacity MW				Producing DER Hosting Capacity MW				
	Voltage	1	2	3	4	1	2	3	4	
Academy	16	3.97	3.97	3.97	3.97	5.37	4.47	3.95	3.67	17.46
Belpac	16	0.54	0.54	0.54	0.54	6.37	5.34	4.84	4.48	21.03
Borchard	16	2.03	2.03	2.03	2.03	7.84	6.52	5.87	5.45	25.68
Holligan	16	0	0	0	0	5.32	4.59	4.01	3.72	17.64
Intrepid	16	0	0	0	0	4.95	3.96	3.57	3.31	15.79
Johnboy	16	2.83	2.83	2.83	2.83	7.51	6.43	5.82	5.23	24.99
Lesser	16	1.31	0		0	7.42	0	0	0	7.42
Patriot	16	0.12	0.12	0.12	0.12	6.7	5.62	5.09	4.71	22.12
Splendor	16	0.56	0.56	0.56	0.56	8.2	5.63	5.63	5.16	24.62
Total Newbury Sub		11.36	10.05	10.05	10.05	59.68	42.56	38.78	35.73	176.75

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The DRP also included three scenarios for the actual implementation of distributed resources at the distribution circuit level. The scenarios ranged from less than average to accelerated, Scenario 3. Under an Alternative proposal, funded as part of a preferred resources alternative, Scenario 3 is a reasonable expectation. As in most preferred resources the amount of subsidies and funding determine the project results. Assuming the same incentives as provided in the SCE Preferred Resources Pilot in Orange County the results in Scenario 3 are very conservative. For instance, the total Solar PV identified in the ENA and vicinity for government and private sector, of 18.5 MW of peak demand, is lower than the 91 MW available on the Newbury Sub distribution circuits. The solar PV of 18.5 MW is less than the Coincident value provided by SCE of 21.7 MW. The comparisons using 18.5 MW is very conservative as 18.5 MW is the MAXIMUM that would be attached to the distribution circuits based on the assumption that the hosting facility did not use ANY of the energy generated. Experience indicates that the hosting facility would use the bulk of the generation, if not all of it, so the impact on the distribution circuits for solar PV would be minimal.

		Scenario 1		Scenario 2		Scenario 3	
		coincident	MW	coincident	MW	coincident	MW
Academy	16	0.65	1.73	0.91	9.54	1.09	11.9
Belpac	16	1.09	0.98	1.5	6.36	2.71	8.33
Borchard	16	1.19	1.26	1.7	6.77	2.79	8.45
Holligan	16	0.31	0.91	0.18	5.28	0.52	9.16
Intrepid	16	0.39	0.79	0.34	6.21	0.58	9.09
Johnboy	16	1.56	1.96	4.25	11.74	9.92	20.08
Lesser	16	1.46	1.65	2.31	12.35	2.66	13.01
Patriot	16	0.45	0.78	0.54	6.95	0.7	7.83
Splendor	16	0.38	0.56	0.5	2.47	0.74	3.14
Total Newbury Sub		7.48	10.62	12.23	67.67	21.71	90.99

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New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

12. The table above does highlight that there is significant capacity to connect SGIP resources to the Newbury Sub via the distribution circuits. In addition to the free standing and rooftop solar PV there are several sites that can be expanded to increase the self-generation to create surplus energy that would reduce the demand on the Moorpark-Newbury-Pharmacy line and the Newbury-Thousand Oaks line. One example of these sites is the Hill Canyon Waste Water Treatment Plant, HCTP. Over the recent years the HCTP has gone from using over 1-2 MW of demand from the Newbury Sub to being a net exporter of energy. Recent analysis indicates that several options are available to increase the exporting of energy, up to 5 MW, through a variety of projects that utilize the energy, materials, equipment and land available at the facility. Given that the HCTP is connected by two separate distribution circuits, the capacity is there to export energy to the grid. This is a new Alternative to achieve the 22 AMPS.

I50-20

13. Alternative 3 overstates the environmental impact for three reasons: 1. It does not consider the poles that have already been replaced by TSP in the DEIR base case per the scoping report, 2. It does not consider that the majority of the poles would need replacement over the next ten years for safety reasons and advanced age and 3. It does not consider that the SR 118 segment can be undergrounded in the right of way to ignore double overhead circuits or under the existing pavement in the right of way. The Alternative 3 should be re-evaluated based on the fact the pole replacement projects are routinely approved through Advice Letters.

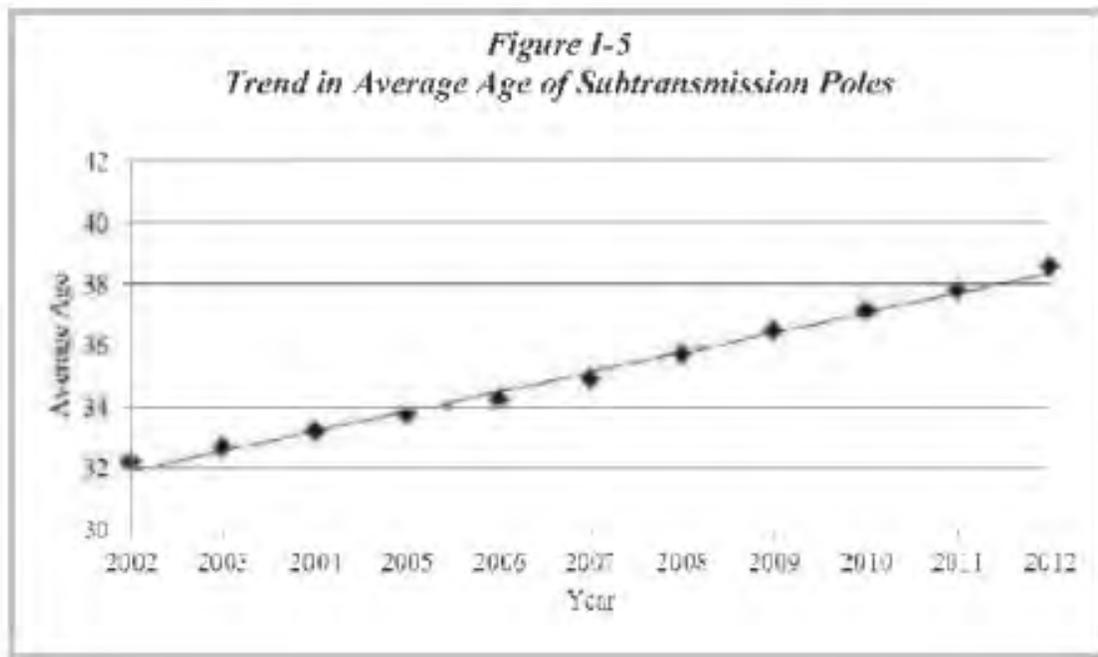
I50-21

14. The Demand Response Alternative was summarily dismissed without thorough research since the Newbury Sub area is unique. The DR alternative should be reconsidered as the Back-Up generation capacity in the Newbury Park and Thousand Oaks area contains over 82 MW of diesel back-up generators that could be modified to reduce emissions and extend their operating window to cover any N-1 issue. The N-1 scenario only fails when Pharmacy Sub, (Amgen), is reconnected to Newbury Sub; however Amgen has over 40 MW of back up generation installed. This is estimated to be double its peak demand and the ED can confirm. Amgen, once on its back-up systems, would not reconnect to the SCE grid unless sufficient energy was available. The concentration of one customer with over 40 MW back-up generators, well in excess of Amgen’s peak demand, would enable use through significant financial incentives to Amgen. The incentives would be used by Amgen to modify the current generators or replace them in order to meet the emissions standards for extended operations should an N-1 failure occur. This option also has the ability to eliminate the N-1 condition as Amgen would use its modified back up generation rather than be connected to the Newbury Sub under the failure of the Moorpark-Newbury segment of the M-N-P line. The additional financial incentive would serve to improve Amgen profits by reducing the operating cost of back-up generation, improve the reliability and buffer Amgen from an N-1 scenario on its single connection to SCE energy.

I50-22

15. CEQA requires that the EIR include the past, present and future projects that are in the vicinity of the project area. The subtransmission lines of Moorpark-Newbury-Pharmacy and Newbury-Thousand Oaks are mainly comprised of poles that were installed in the early 1960's, when the substations were energized. Per the testimony in SCE General Rate Case 2015 the mean age of the subtransmission pole was 38 years, see chart below. The majority of the poles in the two subtransmission lines that are in the Alternatives 1, 2, 3 and 1+4 average over 50 years old and will likely be replaced within the ten years of this planning cycle in the DEIR. The inevitable replacement of the subtransmission poles for the M-N-P and M-TO-N lines should be included in the base case for the purposes of the EIR. SCE's system wide project to inspect all of the distribution and subtransmission poles in its territory was ordered by the CPUC in GRC 2012 and is well underway. There has not been any request, by the Energy Division, to SCE to complete the study on the two subtransmission lines in the Alternatives. Nor has there been a request by the Energy Division to determine if the inspection of the poles of the DEIR subtransmission lines has been completed and the results already known.

I50-23



The two lines were energized in the early 1960's, so their average age is about 50 years. Given that the typical pole is replaced at 45 years of age, logic would indicate that the poles would be replaced by the time they reach an age of 60 years in 2023. Until the results are available on the poles in the M-N-P and N-TO subtransmission lines and that it is proven that the poles will not be replaced before 2026, the Alternatives that include pole replacements such as 1, 2, 3, and the combined 1+4, should include the pole replacement in each scenario or include it in the base case of the DEIR.

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

16. Alternatives that include reconductoring should not consider the environmental impact as the reconductoring projects are normally submitted under an Advice Letter with a REG 131 D exemption. A review of the SCE Advice letters for the last ten years shows that **none** of the SCE submitted Advice Letters involving reconductoring projects of 66 kV subtransmission lines have been rejected by the CPUC or withdrawn by SCE. In some cases the length of the line was in excess of 12 miles. Please note that 12 miles is the length of the Newbury-Thousand Oaks line and far greater than the length of the Moorpark-Newbury-Pharmacy line. It is important to note that this 12+ mile project replaced lightweight conductor 336.4 ACSR with 954 SAC, nearly triple the weight. Despite the weight increase only 25% of the poles required replacement. The M-N-P and N-TO poles currently carry the 653 ACSR and the increase in weight of the 954 SAC is about 50% so fewer poles may require replacement. The Alternatives involving reconductoring are assuming that the environmental damage will occur, which is yet to be determined, and that it will occur on 100% of the poles since all will be replaced. This assumption is invalid and at best needs to be confirmed through the results of the pole inspection being done as part of SCE’s Pole Loading inspection project.

150-24

17. In addition to the approval through Advice Letters of reconductoring projects, there are numerous examples of the expansion to double circuits combined with reconductoring that were submitted and approved under Advice Letter without reference to any environmental impact. The most recent example was the reconductoring and doubling of circuits on the Moorpark-Thousand Oaks segment of the Moorpark-Thousand Oaks-Newbury line in 2008 was over 9 miles long and involved 219 poles. Of the existing single circuit poles only 40% required replacement in order to take on the double circuit and addition weight of the new conductor. This project was done through terrain that is nearly identical to that of the current Moorpark-Newbury-Pharmacy line and the Thousand Oaks-Newbury line that were considered in the reconductoring alternatives. There was no Negative Declaration or EIR identifying significant or unavoidable environmental impacts so these impacts should be excluded from DEIR.

150-25

18. The N-1 condition that eliminated the Alternatives involving reconductoring is invalid as SCE has used reconductoring in the past to cure N-1 conditions. The Advice Letter 3010-E is a 2.3 mile reconductoring project to cure the potential N-1 failure of one of the transmission lines. In addition to this fact, the AMPS and MVA assumed in the data used in the EIR should be the emergency capacity when considering abnormal events such as an N-1 or 1-in-10 year event. SCE assumes the emergency rating to be 135% of the standard line rating so the line of 920 amps should be rated at 1,242 with a similar increase in MVA. The use of the emergency rating in abnormal condition scenarios would require that Alternatives 1, 4, 1+4, 5 and 6 be revised to compare the projected demand to the emergency rating not the standard rating.

150-26

19. The Alternative 1 and 1+4 involved the reconnection of the CAMGEN generation site to the existing Moorpark-Newbury-CAMGEN line that is missing the 1 mile segment removed in 2005. The feasibility criteria incorrectly uses leasehold rights as a decision criteria as property easements and right of way issues are outside of the scope of CEQA regulations. In addition, the speculative reference to the possible, but not present, overload condition of Santa Clara Sub should be excluded from the decision making process as the renewable process for the CAMGEN Power Purchase Agreement as well as the PPA for the other generators linked to Santa Clara Sub is easily in the control of the CPUC and SCE. SCE has not provided the CPUC with the information to demonstrate that there is a shortfall in generation attached to Santa Clara and has simply stated a possibility that all four generators connected to Santa Clara might cease to operate. Furthermore had SCE wanted to have the Electrical Needs Area include the Colonia Sub, Thousand Oaks Sub and the Santa Clara Sub plans it had plenty of opportunity to define the Electrical Needs Area to include those sites. However, the Electrical Needs Area is limited to the area served by the Newbury Sub. Consequently, any data or references to potential issues outside of the Electrical Needs Area defined in the PEA as solely the Newbury Sub are outside of the scope of the PEA, the Draft Environmental Impact Report and this proceeding. Any references, data and or decision criteria based on areas outside of the ENA defined in the PEA are to be removed and the analysis revised based on the Newbury ENA data only.

I50-27

20. Alternatives 3, the doubling of the circuit on the current location of the Moorpark-Newbury-Pharmacy line was rejected due to GO 95 standards as they pertain to multiple circuits on both sides of SR 118. However, the solution to this issue is to underground the 66 kV line segment that is of concern. SCE has included undergrounding as an option in Alternative 2 however undergrounding of the 66 KV circuits, in lieu of double overhead circuits on SR 118, would result in a project that meets the project criteria as well as GO 95. The greater environmental damage is speculative and unproven since the number of poles that need replacing is assumed to be 100%. In prior projects of similar nature in the same area doubled up circuits result in only 25% required pole replacements. In addition, the poles in Alternative 3 would likely be replaced within the ten years of the planning cycle for safety reasons or due to age. Thus the replacement of the poles should be in each alternative or assumed in the base case of the DEIR as it is a future project that is inevitable. Since the new circuit would be a new line, the Moorpark-Newbury line, the Alternative would meet the N-1 criteria as Newbury Sub would be served by three lines, M-N-P, N-TO and the new line of M-N, leaving two lines if one line should fail.

I50-28

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

21. The application of the N-1 is defined as the basic assumption that all subtransmission facilities are available and normally in service when an unscheduled outage or failure of a single subtransmission line occurs. The N-1 criteria was not identified in the Advice Letter issued in 2008 as SCE has only begun to apply the N-1 criteria on this project in 2013. The N-1 criteria is not mentioned in any public testimony on the Advice Letter proceeding and through the granting of the appeal on 2011. It is not stated in GRC 2009 work papers nor is it referenced in the 2012 GRC work papers. The GRC 2015 Testimony and Work Papers indicates that the project is need only for "Load Growth" and no other "type" boxes are marked indicating any other type of need for the project. It appears that the only time that the N-1 criteria was applied came after demand projections of 2008 proved to be overstated when compared to actual loadings in 2008-2013. The estimating error in projected line loading required that SCE find a new rationale in order to justify this project. Therefore the application of N-1 is arbitrary and should be excluded from the DEIR criteria when review the current and new Alternatives.

150-29

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Workpaper – Southern California Edison / 2015 GRC - APPLICATION

Southern California Edison Company
 CAPITAL WORKPAPERS - 2015 GRC
 PROJECT DETAIL WORKSHEET: TSP STL

Organizational Unit Summary: T&D
 Testimony Summary: SCE-03, Volume 3
 Major Program: LOAD GROWTH
 Category: TSP Projects
 Detail: TSP STL
 Database ID: 259 / RO Model ID: 471

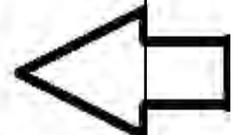
1. WITNESS Robert G. Woods
 2. PROJECT DETAIL
 Program Group LOAD GROWTH
 Program TSP PROJECTS
 Pin # 5329
 WBS Element CET-ET-LG-TS-532900

3. PROJECT TYPE Select one
 Compliance: Safety, Environmental, Licenses
 Replacements in Kind
 Upgrades
 Blanket: FE, Tools, Spare Parts, Lab, Computer Equip

Select one
 Customer Growth
 Load Growth
 Reliability
 Capitalized Software
 Various (See Below)

4. ASSET TYPE Transmission Lines
 5. CLOSE DATE 6/1/2016

NOTE: PROJECT TYPE IS LOAD GROWTH ONLY



The page of the GRC 2015 Testimony page is attached to the end of this report.

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

22. SCE filed a report to Federal Energy Regulatory Commission, "FERC" titled the FERC FINANCIAL REPORT FERC FORM No. 1 filed for Q4 of 2012 and Q4 2013. The signature block on the report states that Title 18, U.S.C. 1001 makes it a crime for any person to knowingly and willingly to make to any Agency or Department of the United States any false, fictitious or fraudulent statements as to any matter within its jurisdiction. In the reports for both years SCE identified the Moorpark-Newbury line as a "Reconductor Line" project, #21 below, not a new line or new circuit as others are named in the same report. We assume that SCE was not making a false statement in its filing to FERC given the exposure to criminal penalties and that the reconductor alternative is correct. The pages for the Moorpark- Newbury Line for years 2012 and 2013 attached to this report.

150-30

Name of Respondent Southern California Edison Company		This Report Is: (1) <input checked="" type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo. Da. Yr) 04/18/2013	Year/Period of Report End of <u>2012/Q4</u>
CONSTRUCTION WORK IN PROGRESS -- ELECTRIC (Account 107)				
1. Report below descriptions and balances at end of year of projects in process of construction (107)				
2. Show items relating to "research, development, and demonstration" projects last, under a caption Research, Development, and Demonstrating (see Account 107 of the Uniform System of Accounts)				
3. Minor projects (5% of the Balance End of the Year for Account 107 or \$1,000,000, whichever is less) may be grouped.				
Line No.	Description of Project (a)	Construction work in progress - Electric (Account 107) (b)		
1	Form Two New Underground Sections for Las Lomas Substation	10,964,387		
2	TRTP Segments 4-3: Path 26 Loop: Construct Transmission Line	11,159,559		
3	SCE.com Strategic Upgrade Program	11,485,318		
4	SONGS - Fire Protection	11,814,958		
5	Ivyglen: Bring In Second 115kv Line From Valley To Ivyglen	11,934,371		
6	Devers-Valley & Devers-Colorado River - Construct Helicopter Assembly and Mater	12,183,774		
7	SCE.com Strategic Upgrade Program	12,380,209		
8	DCR: DEVERS-Colorado River 500kV T/L	12,545,613		
9	Big Creek #1 - Install Dispatch Building	13,519,520		
10	TRTP Segment 7-2: Vincent-Rio Hondo #2 - Construct Transmission Line	13,529,780		
11	Mohave Continued Operation Project - Phase 1 Preliminary Engineering	13,554,660		
12	Ivanpah Substation - Initial Land Studies And Environmental Analysis	13,620,719		
13	SONGS WNU-00128 AHSMs 48-63	13,659,681		
14	Morongo Relocation: Preliminary Engineering	13,837,823		
15	Windhub Substation - Commence Design, Engineering for Substation	14,112,323		
16	FERC - Tehachapi Renewable Transmission Segment 8	14,245,604		
17	Water Valley - Construct New Water Valley	14,672,715		
18	La Cienega Substation - Install a New 280 MV Transformer Bank	14,701,290		
19	Devers Sub - Extend the 500kV Bus Two Positions	14,747,271		
20	FERC - Antelope Transmission Segment 4	14,789,800		
21	Moorpark-Newbury 66kV - Reconductor Line	15,175,309		
22	Santiago Sub - Install Seven 230kV Circuit Breakers	15,255,881		
23	Alberhill Sub - Construct New 500kV Substation	15,408,819		

23. Alternatives 5 and 6 have been casually dismissed as not being able to meet either of the two key project objectives of the project per the DEIR which are as follows.

- Add capacity to meet forecasted electrical demand while providing long-term, safe, and reliable electrical service in the ENA.
- Maintain sufficient voltage in accordance with applicable requirements during normal and abnormal system conditions

The DEIR locks in and measures all alternatives against Line Capacity of the 920 AMPS however this is in dispute. As noted earlier the emergency line capacity, 1,242 AMPS, should be used in comparing to 1-in-10 year or “abnormal conditions” such as HIGH CASE or N-1. If the emergency line capacity is used all Alternatives meet the Projected load of 942 AMPS compared to 1,242 AMPS. If it is necessary to achieve the elimination of the overage based on the 920 AMPS of standard rating, only 22AMPS of energy efficiency is required. The 22 AMPS, (942 AMPS less standard rating of 920 AMPS), translates to approximately 2.6 MVA of peak demand or 2.6 MW under unity of power.

I50-31

The CPUC say that SCE revised it projection for 2022 by 26 AMPS in the 2014 forecast. The reduction in comparable years that is greater than 22 AMPS and still excludes the changes in circumstances covered in item #6. This notwithstanding, there several Alternatives are available to SCE and the CPUC that have not been acted on or even considered in the 10 years that this project has been in planning, nor given thorough review in this DEIR. Given that the line capacity issue may come about many years into the future or possibility never, there is sufficient time to fund known projects to achieve a savings of 2.6 MW, the projected shortfall or as much as 10 MW which is nearly four times SCE projected shortfall.

The DEIR should be re-issued after thorough and independent analysis of the following new or revised options for Alternative #5 that leverage proven programs in California.

I50-32

- a) Implement the Preferred Resources Pilot that leverages the approach, vendors, technology and processes SCE is using to offset 300 MW in Orange County. The same program for Newbury Sub would only need to achieve 1% of 300 MW. It is recommended that the RFO be issued for 10 MW, nearly 4X the perceived shortfall, so as to make the effort worthwhile for the various vendors and SCE.
- b) Fund and implement the 8 MW of known and validated projects using preferred resources developed by the SoCalREN and VCREA. These projects have already been validated by SCE approved consultants and vendors and require funding. An RFO, open to the governmental entities in the Newbury Sub vicinity, would likely identify more than the 8 MW, since the known projects required some funds to analyze and funds are in short supply. The staff of the SoCalREN is in place to manage the RFO, selection and implementation of the 10 MW.

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

c) SCE has various low income energy efficiency programs throughout its territory however the highest incentives are found in climate zone 10 and the Newbury Sub is climate zone 9. The residential energy efficiency incentives are accelerated in the Orange County Preferred Resources Pilot even though the climate zones are lower at 6 to 8. The incentives can be promoted and managed by a third party such as the SoCalREN or VCREA. The extension of these specific energy efficiency incentives to the ENA is requested as an EE/DR Alternative.

150-32
(cont.)

d) The Newbury ENA and vicinity has over 20% low income housing, as of 2010, however, they do not qualify for the accelerated low-income specific energy efficiency programs for climate zone. This Alternative, called the “Low Income Energy Efficiency Alternative,” would apply either the Orange County residential energy efficiency options to the Newbury ENA and vicinity or implement the Imperial Valley Municipal Utility District program for low income residents. The Imperial Valley MUD program is the preferred implementation option as it has the turnkey and proven approach to solicit, enroll, train vendors, implement and measure the actual results for each residence that receives the energy efficiency retrofits. The Imperial Valley MUD program readily supports both multi-family and single family units for renters and owners. The cost of the program is about \$1 million per 2.5 MW of reduction in peak demand. As in the case of the option (a) and (b) listed above, it is recommended that 5 MW be funded to be completed over the next four years to retrofit some 8,000 low income units. It is requested that this option be evaluated under Alternative #5.

150-33

e) The demographics of the Newbury ENA and vicinity represent a mature community with a large numbers of homes built in pre-1992. The California Energy Commission funds a study, RASS, of the age of appliances that samples each zip code for the age of various appliances, including the Heat Ventilation Air Conditioning unit, HVAC. Through the survey entry of the make and serial number the age of the unit and the approximate SEER rating can be derived. The results of the latest RASS study would indicate that 9 of 10 homes have the same HVAC unit that was first installed in the residence. The age of home survey identifies over 25% were built prior to 1992 with a SEER rating of 6, the current minimum is 14. A solicitation that enabled the replacement of 50% of the SEER 6 HVAC units, would reduce peak demand by 5 MW at a cost of \$9 million. The SoCalREN or VCREA are already in position to solicit, enroll, qualify and implement the program with pre-qualified vendors. The program would be fully implemented by the end of 2018 assuming funding was granted in 2015. We request that this be considered a separate option under Alternative #5.

150-34

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report

f) The Track 1 RFO/RFP by SCE awarded 12 MW of Behind the Meter Renewable and Energy Efficiency, all to be implemented by 2018. The RFO/RFP did not identify or require specific locations so the CPUC has the option to select areas within the Big Creek/Ventura electrical needs area, such as the Newbury Sub ENA. The 12 MW awarded is not yet approved by the CPUC so in keeping with Commission President Picker’s directive to avoid duplication in the various CPUC proceedings, the specific allocation of 5.2 MW of the 12 MW to the Newbury ENA and vicinity is requested. The 5.2 MW would provide double the 2.6 MW needed to reduce the Projected Loading under the Standard Line Capacity. Both technologies in the award of Behind the Meter Renewal and Energy Efficiency are most effectively applied to commercial locations of which there are many in the Newbury ENA. Please add as an option to Alternative #5.

150-35

g) The Hill Canyon Waste Water Treatment Plant, HCTP, is located in the Newbury ENA. HCTP has implemented solar PV and self-generation in a focused effort to reach net zero demand from the Newbury Sub and the M-N-P line. These projects were implemented in recent years so they are not fully reflected in the base year of the DEIR. As the HCTP demand approaches zero and the Distributed Resources Plan progresses, there is a significant opportunity to turn the HCTP site into an energy campus that would feed the Newbury Sub and reduce the energy load on the M-N segment of the Moorpark-Newbury-Pharmacy line. As noted earlier the shortfall based on the SCE projection is some 22 AMPS or 2.6 MW. In the case of the HCTP it could eliminate the full amount of the perceived shortfall through the deployment of renewable technologies. HCTP is researching many options however the focus is on three proven technologies. First, the site already has solar PV installed and interconnected to meet its needs however additional solar PV can be installed in disturbed areas previously used for sledge handling and parking. Second, the expansion of the current installed self-generation facility to utilize the current and projected increases in methane to power IC engines and generators. Third, is the conversion of the 3.5 MW of the back-up diesel generators to natural gas, (two of the three). Since the HCTP site benefits from double distribution circuits connected to the site that are virtually unused, due its energy self-sufficiency, the two circuits could feed back to the Newbury Sub to offset energy demand on the M-N-P line. As noted earlier each distribution circuit connected to Newbury Sub has between 7 MW to 20 MW of capacity per SCE DRP report. The total amount of the three programs identified below would be up to 5 MW, nearly double the perceived need of 2.6 MW in 2023 per SCE. This option may also generate sufficient energy to alleviate the voltage drop under N-1, if it is still present after use of emergency conductor and transformer ratings versus standard ratings. Please add as separate options under Alternative #5.

150-36

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report
 2012 FERC Report page for Moorpark-Newbury RECONDUCTOR project, full report available on request.

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21	Moorpark-Newbury 66kV - Reconductor Line	15,175,309		
22	Santiago Sub - Install Seven 230kV Circuit Breakers	15,255,881		
23	Alberhill Sub - Construct New 500kV Substation	15,408,819		
24	Eldorado-Ivanpah No. 2 Transmission Line (California)	15,995,522		
25	Rio Hondo Substation - Equip The 230kv A-Banks	17,203,027		
26	Phasor (WASAS) Measurement & Grid Stability	17,710,719		
27	Fogarty Substation - Install 115kv 28MVA LTC Transformer	18,084,599		
28	Big Creek #3 - Springville 230kV - Loop the Existing Transmission Line	18,126,462		
29	TRTP Segments 6-4: New Vincent-ANF 500kV T/L	19,610,143		
30	La Fresa Substation (Phase 1) - Add a 220/66kV Transformer Bank	19,777,248		
31	TRTP Segment 9: Mira Loma Substation	19,848,142		
32	Dynamic Pricing	20,851,701		
33	San Joaquin Cross Valley Loop	21,322,809		
34	Triton Sub: Construct New Substation	22,908,891		
35	Songs Unit 3 - High Pressure Turbine U3 Replacement	23,605,128		
36	Microsoft Upgrade Program - Windows	23,629,002		
37	Construct 15 Miles of 954 SAC to Form New CO To Banning	23,849,117		
38	C-RAS:Capital:Master Workorder	24,107,857		
39	Julian Hinds Substation - Install New Line Position	25,552,126		
40	Palo Verde: Preliminary Engineering And Environmental Work	26,668,478		
41	Mesa-Vincent #1 500kV T/L - Construct Transmission Line	27,678,010		
42	Ivanpah Substation - Construct a New Substation	29,167,944		
43	TOTAL	4,291,059,967		

New Alternatives and Objections to the Moorpark-Newbury Draft Environmental Impact Report
 2013 FERC Report page for Moorpark-Newbury RECONDUCTOR project, full report available on request.

Name of Respondent Southern California Edison Company		This Report Is: (1) <input checked="" type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report (Mo, Da, Yr) 04/17/2014	Year/Period of Report End of 2013/Q4
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Line No.	Description of Project (a)	Construction work in progress - Electric (Account 107) (b)		
1	WORK ORDERS OVER \$1,000,000:			
2	New Vincent-Duarte 500kV T/L - Construct Transmission Line	253,668,116		
3	Mira Loma-Vincent: Construct New Transmission Line	235,447,491		
4	Antelope-Mesa 230kV T/L: Construct Transmission Line	120,537,033		
5	Mesa-Vincent #1 500kV T/L - Construct Transmission Line	67,066,036		
6	Big Creek #3 -Springville 230kV - Loop the Existing Transmission Line	53,671,828		
7	C-RAS:Capital:Master Workorder	32,195,946		
8	Dynamic Pricing	30,523,789		
9	Microsoft Upgrade Program - Windows	28,719,881		
10	Phasor (WASAS) Measurement & Grid Stability	25,840,434		
11	Julian Hinds Substation - Install New Line Position	25,549,361		
12	Morongo Relocation: Preliminary Engineering	25,399,995		
13	TDBU GIS Phase 2	25,386,955		
14	TRTP Segment 9: Mira Loma Substation	22,630,287		
15	Whirlwind Sub - Install 2nd AA transformer	21,928,026		
16	Alberhill Sub - Construct New 500kV Substation	21,587,219		
17	Rio Hondo Substation - Equip The 230kv A-Banks	21,499,742		
18	SCE.com Strategic Upgrade Program -	21,283,701		
19	New Cool Water-Lugo 220 kV Transmission Line	20,612,618		
20	Water Valley - Construct New Water Valley	20,126,320		
21	Windhub Sub - Install 2-280/336 MVA transformers	17,543,037		
22	Moorpark-Newbury 66kV - Reconductor Line	17,474,439		
23	TRTP Segments 6-4: New Vincent-ANF 500kV T/L	17,164,395		
24	Vincent Substation - Replace #3 AA Transformer Bank	16,865,557		
25	Devers Sub - Install Four Reactor Bank Positions	16,203,222		
26	TRTP Segments 11-2: Mesa-Gould 220kV - Structures	16,193,127		
27	Lugo Sub - Replace No. 1AA Bank 500/220k transformer	15,614,968		
28	TRTP Segment 7-2: Vincent-Rio Hondo #2 - Construct Transmission Line	14,911,837		
29	FERC - Tehachapi Renewable Transmission Segment 8	14,413,035		
30	TRTP 8 -New Vincent-Mira Loma 500kV T/L	14,098,852		
31	TRTP Segment 8-2 - Construct Transmission Line	14,098,808		
32	Ivyglen: Bring In Second 115kv Line From Valley To Ivyglen	14,066,383		
33	DCR: Colorado River - Devers #2 500kV T/L - Construct Transmission Line	13,202,227		
34	Enterprise Content Management System	13,179,816		
35	Sc Jh R/R Towers W/66-Tsp's, Seg.4	12,507,842		
36	PVCPM - Security Access Control System	12,356,261		
37	Form new Windhub-Cal Cement-Windparks T/L	12,119,191		
38	Preliminary Engineering Rector Substation with New 15 Mile Double Circuit	11,990,291		
39	Rector Substation - Equip Two Line Positions	11,382,359		
40	Form Two New Underground Sections for Las Lomas Substation	11,133,536		
41	DH KC Pler G East - Install 26 TSP's and Circuit	11,046,196		
42	Devers - Upgrade the Devers RTU	10,789,360		
43	TOTAL			3,211,996,952

398

Workpaper – Southern California Edison / 2015 GRC - APPLICATION

Southern California Edison Company
 CAPITAL WORKPAPER - 2015 GRC
 PROJECT ID: ML000001115451L

Organizational Unit Summary: TBD
 Testimony Summary: SCE-03, Volume 3
 Major Program: LOAD GROWTH
 Category: TSP Projects
 Detail: TSP STL
 Database ID: 259 IRO Model ID: 471

1. WITNESS Exhibit C - Website

2. PROJECT DETAIL

Program Group: LOAD GROWTH
 Program: ISH PROJECTS
 Div: 8324
 WBS Element: CET-ET-LG-TS-823900

3. PROJECT TYPE

Selected	Selection
<input type="checkbox"/>	Compliance, Safety, Environmental, Financing
<input type="checkbox"/>	Replacement in Kind
<input type="checkbox"/>	Uppgrades
<input type="checkbox"/>	Blocked PE Tools: Scales, Poles, Job, Connected Equip
<input type="checkbox"/>	Customer Growth
<input checked="" type="checkbox"/>	Load Growth
<input type="checkbox"/>	Reliability
<input type="checkbox"/>	Qualification Programs
<input type="checkbox"/>	Various Other Subcat

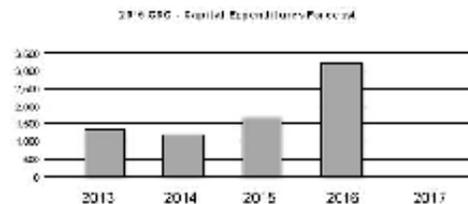
4. ASSET TYPE: Transmission Lines

5. CLOSE DATE: 6/1/2016

6. RIM ELIGIBLE: Yes

7. COST ESTIMATES (NOMINAL \$000)

Y	CCE \$
2013	1,300
2014	1,200
2015	1,600
2016	3,213
2017	0
Total	7,367



7 (a). SYSTEM SHORT TEXT: MOORPARK-NEWBURY 55KV, 27R, 40 NEW 66KV'S

7 (b). DETAILED DESCRIPTION: See workpaper for details

8. SCOPE: See workpaper for details

9. JUSTIFICATION: See workpaper for details

Exhibit No. SCE-03 / Transmission & Distribution / Vol. 03 / PL03
 Witness: R. Woods

From: Chuck cronin [mailto:cronin879@gmail.com]
Sent: Tuesday, July 28, 2015 8:31 AM
To: Moorpark-Newbury
Cc: Chuck Cronin; Matthew Fagundes
Subject: Re: Comments on Moorpark-Newbury Project DEIR

Thank You. Please note that references to the Imperial Valley Municipal Utility District in the DEIR comment document pertain to the programs funded by the Imperial Irrigation District, located in the Imperial Valley.

Chuck Cronin
818 430-7860

On Tue, Jul 28, 2015 at 7:03 AM, Moorpark-Newbury <moorpark-newbury@esassoc.com> wrote:
Hi Chuck,

This email is to confirm that we have received the three attachments as described below. All will be responded to in the Final EIR.

Thanks so much,

Claire Myers
Senior Associate
ESA | Energy
1425 N. McDowell Boulevard, Suite 200
Petaluma, CA 94954
[707.795.0900](tel:707.795.0900) main | [707.795.0902](tel:707.795.0902) fax
cmyers@esassoc.com | www.esassoc.com
Follow us on [Facebook](#) | [Twitter](#) | [LinkedIn](#)

From: Chuck Cronin [mailto:ccronin879@sbcglobal.net]
Sent: Monday, July 27, 2015 3:10 PM
To: Moorpark-Newbury
Cc: Chuck Cronin; Chuck Cronin
Subject: Comments on Moorpark-Newbury Project DEIR

Please confirm, via return email, of the receipt of three attachments including the cover letter, a 21 page comment document and letter from SoCalREN in support of preferred resources in Ventura County. Should you need any clarification or supporting information please use this

email account.
Thank You

3.3.50 Letter I50 – Responses to Comments from CR Cronin

- I50-1 The comment is an introductory statement that summarizes the issues discussed in greater detail later in the letter. The specific issues are addressed in the responses that follow.
- I50-2 The comment summarizes objections to the Draft EIR alternatives analysis discussed in greater detail later in the letter. The specific objections are addressed in the responses that follow.
- I50-3 The commenter summarizes energy efficiency, solar photovoltaic, thermal energy storage, and demand response projects, which he indicates would amount to a total of 200 megawatts (MW) of power that could offset the development of base load or peak load generation and/or the development of expanded distribution system projects.

The CPUC acknowledges that those types of projects can reduce base load or peak load generation, and it may be true that there would be unique situations where the need for distribution facilities to specific electricity users would be offset; however, there is no evidence to suggest that implementation of such projects would offset the need for regional subtransmission lines between utility substations, such as that that would be associated with the Proposed Project. For discussion of demand-side management programs and renewable and distributed energy generation resources as alternatives to the Proposed Project, refer to Draft EIR Sections 4.5.5 and 4.5.6 (see Draft EIR pages 4-29 through 4-32), and Master Response 1, *Alternatives*, in Section 3.1.1 of this document.

- I50-4 The commenter appears to offer support to groups that urge the CPUC to implement a new Request for Offer relative to preferred resource projects. The comment is acknowledged; however, it makes no connection to the Draft EIR; therefore, no response is provided.
- I50-5 The comment requests that all of the alternatives be evaluated with the emergency rating of the conductor in amps and MVA. To clarify, the power flow studies used to evaluate whether the alternatives, including the No Project alternatives (i.e., existing infrastructure conditions), would meet the CEQA objectives were evaluated using the emergency rating of the conductor for the N-1 emergency scenario. Only the base case power flow studies, which simulate normal conditions, used the standard conductor rating. The power flow studies were conducted using units of MVA. The CPUC does not see a compelling need to have those power flow studies revised using units of amps as requested by the commenter.
- I50-6 The Draft EIR analysis of Alternative 1, *Reconductoring*, assumes the use of 954 SAC conductor, which has a slightly lower capacity compared to 954 ACSR. Subsequent to the release of the Draft EIR, SCE has provided the CPUC with information relative to

the normal and emergency ratings of 954 SAC and 954 ACSR conductors (SCE, 2015). The provided information states the normal ratings for 954 SAC and 954 ACSR are 1,090 amps and 1,110 amps, respectively, and the emergency ratings are 1,470 amps and 1,483 amps, respectively. SCE has indicated that its analyses for the reconductoring alternative have assumed the use of 954 SAC conductor because it is lighter and more economical compared to 954 ACSR conductor. Although these reasons alone do not offer substantial evidence to support the use 954 SAC conductor over 954 ACSR conductor for reconductoring, given that there is a less than one percent difference in the capacity of two conductors, the incremental increase in capacity using 954 ACSR instead of 954 SAC would be negligible and would not be expected to result in a meaningful increase in the overall line capacity. Therefore, the suggested revision has not been incorporated.

- I50-7 Subsequent to the release of the Draft EIR, SCE has conducted additional power flow analyses using data from SCE's latest (i.e., 2015 through 2024) 10-year forecast for the Draft EIR Alternatives 1, 4, and a combination of 1 and 4. The Draft EIR alternatives analysis has been revised accordingly to reflect the latest 10-year forecast and to remove reference to forecasted violations outside of the 10-year period. Refer to Master Response 1, *Alternatives*, in Section 3.1.1 for additional discussion on the ability of the alternatives to meet the CEQA objectives.
- I50-8 To clarify, the power flow studies conducted for the alternatives under the N-1 abnormal system conditions already do incorporate the emergency rating of the conductor. Refer to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for additional discussion on the power flow studies conducted for the alternatives.
- I50-9 This comment does not directly address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. However, for discussion on project need, refer to Master Response 2, *Non-CEQA Issues*. For discussion related to how SCE estimates power load growth, refer to Master Response 5, *SCE's Forecasted Peak Load Growth*.
- I50-10 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives.
- I50-11 See Master Response 1, *Alternatives* in Section 3.1.1, and Master Response 5, *SCE's Forecasted Peak Load Growth*, for a discussion on how distributed resource projects and CPUC decisions are factored into SCE's load growth forecast and for a discussion on the ability of the alternatives to meet the CEQA objectives. See also Master Response 2, *Non-CEQA Issues* in Section 3.1.2, for a discussion on project need.
- I50-12 The commenter states that the analyses for the Draft EIR may be using overestimated load growth projections similar to those used for the Presidential Substation project. Refer to Responses I50-1 through I50-11, and Master Response 5, *SCE's Forecasted*

Peak Load Growth, for discussions related to how SCE estimated its load growth forecasts for the project.

- I50-13 To clarify, SCE discontinued the use of its “high case” analysis for the evaluation of its subtransmission system in its 2014 through 2023 peak demand forecast, which is the forecast used to calculate the power flows, peak demands, and line loadings for the evaluation of the Draft EIR alternatives. The 2014 through 2023 peak demand forecast as well as the most recent 2015 through 2024 peak demand forecast incorporate “likely case” forecast data. See Response O9-1 regarding SCE’s 2015 through 2024 peak demand forecast, Master Response 2, *Non-CEQA Issues* in Section 3.1.2, for a discussion on project need, and Master Response 5, *SCE’s Forecasted Peak Load Growth*, for discussions related to how SCE estimated its load growth forecasts for the project.
- I50-14 The commenter indicates that the ENA identified in the Draft EIR ignores that Newbury Substation interacts with other substations in Thousand Oaks, and requests that the ENA be expanded to include those substations. The ENA is defined by SCE only to identify the geographic area where the need exists for the Proposed Project; it is not meant to identify all substations that are tied to Newbury Substation. In addition, the ENA has no bearing on the Draft EIR analysis, including the identification of alternatives.
- I50-15 The commenter is referred to and Master Response 5, *SCE’s Forecasted Peak Load Growth*, for discussions related to how recent CPUC decisions, such as Time-of-Use residential metering, affect SCE’s 10-year peak demand forecasts.
- I50-16 The commenter suggests that the reconductoring alternative (Draft EIR Alternative 1) should be expanded to include a second 66 kV circuit on the Newbury-Thousand Oaks line that would directly connect Newbury Substation to Pharmacy Substation. However, collocating a new circuit from Newbury Substation directly to Pharmacy Substation on the same poles that make up the Newbury-Thousand Oaks line would not be possible because the Newbury-Thousand Oaks line exits Newbury Substation towards the west and south (see Draft EIR Figure 4-1, *Alternative 1, Reconductoring*); not in the direction of Pharmacy Substation, which is located southeast of Newbury Substation.
- I50-17 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion of preferred resources as an alternative to the Proposed Project. In addition, see Mater Response 5, *SCE’s Forecasted Peak Load Growth*.
- I50-18 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion of preferred resources as an alternative to the Proposed Project.
- I50-19 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion of preferred resources as an alternative to the Proposed Project.

I50-20 The commenter notes that over the years the Hill Canyon Waste Water Treatment Plant has gone from a consumer of electricity to a net exporter of electricity and suggests that a new alternative could be identified to export additional excess energy from the Hill Canyon Waste Water Treatment Plant to the electrical grid by using one of several available options. However, no specific options are identified by the commenter for CPUC consideration. It should be noted that the reduction in the plant's use of grid electricity over the years has been factored into SCE's 2015 through 2024 forecast to the extent that the reductions have occurred prior to the 2015 summer season.

I50-21 The commenter suggests that the Draft EIR analysis of Alternative 3 does not consider poles that have already been replaced by tubular steel poles (TSPs); however, the CPUC is not aware of any poles along the Moorpark-Newbury-Pharmacy line that have recently been replaced by TSPs.

The commenter also states that the environmental impacts disclosed for Alternative 3 are overstated in part because the segment along State Route (SR) 118 could be undergrounded. There is no evidence to suggest that undergrounding the subtransmission line under Alternative 3 along SR 118 would result in fewer impacts than those disclosed for the alternative in Draft EIR Section 5.4.3.2, *Rationale for Elimination*. In fact, although undergrounding the line along SR 118 would result in slightly less adverse aesthetics-related effects, it would likely result in substantially greater impacts pertaining to ground disturbance (e.g., impacts to air quality, cultural resources, traffic, noise exposure, etc.) compared to an overhead installation of the line along the south side of SR 118. It should be noted that the Draft EIR disclosed no significant impacts associated with the overhead line along the south side of SR 118 that would be associated with Alternative 3.

The comment concludes with a statement indicating that Alternative 3 should be re-evaluated based on the fact that pole replacement projects are routinely approved through advice letters. It may be true that some pole replacement project are approved through advice letter; however, Alternative 3 would not be a pole replacement project, rather it would include construction of a new subtransmission line collocated with the existing Moorpark-Newbury-Pharmacy subtransmission line.

Refer to Response I27-46 for discussion associated with the view that the existing poles along the Moorpark-Newbury-Pharmacy line would need replacing in future years regardless of the project.

I50-22 The commenter suggests that the Draft EIR should include an alternative that would require diesel back-up generators in the Newbury Park and Thousand Oaks area to be modified to reduce emissions and to allow for an extended operating window to cover any N-1 condition. This would not be a feasible alternative because the CPUC does not have authority under this proceeding to require SCE customers to make such conversions to back-up generators. In addition, it is not clear what types of conversions the commenter is referring to, but even the most technologically advanced diesel

emergency generators result in pollutant exhaust emissions that can be harmful to the public and regional air quality. The scale of energy that would have to be produced to allow the Pharmacy Substation to stay off-line during a N-1 emergency situation would easily result in pollutant emissions that would exceed Ventura County Air Pollution Control District CEQA operational significance thresholds, resulting in a new significant operational air quality impact that would not occur under the Proposed Project. For these reasons, this would not be a viable alternative to the Proposed Project.

I50-23 This comment has been addressed. Refer to Response I27-46 for a discussion on the *inevitable replacement* of existing poles.

I50-24 The fact that some reconductoring projects are approved by advice letter without conducting a CEQA review does not eliminate the CPUC's duty as lead agency under CEQA to disclose the potential environmental effects of the EIR alternatives, including Alternative 1, *Reconductoring*. Evaluation of the potential environmental effects of the alternatives is necessary to determine if a conclusion can be made about whether or not they would reduce or avoid any of the significant impacts identified for the Proposed Project.

As disclosed in the Draft EIR, the environmental effects of Alternative 1 are unknown and would be highly variable, depending on the final design and the number of poles and/or towers that would be replaced (see Draft EIR page 4-15). Although a range of potential environmental effects are described for Alternative 1 based on the amount of poles that would be replaced, due to the uncertainty of the amount of poles/towers that would be replaced, the potential environmental effects were not the reason why Alternative 1 was eliminated from full EIR consideration. Alternative 1 was eliminated from full EIR consideration because it would not meet the project objectives that CPUC considers to be the primary purpose of the Proposed Project (see Draft EIR page 4-12).

I50-25 The comment suggest that since other projects that involved expansion to double circuits combined with reconductoring were submitted and approved under advice letter without reference to any environmental impacts, then the Draft EIR should not identify any significant or unavoidable environmental impacts for the reconductoring alternative in the Draft EIR. The CPUC disagrees. Refer to Response I50-24.

I50-26 The commenter suggests that the elimination of Alternative 1 due to violations during an N-1 situation is invalid because SCE has used reconductoring on other past projects to avoid adverse conditions under an N-1 scenario. The CPUC disagrees with the notion that reconductoring can avoid all adverse conditions under every N-1 scenario. For discussion of the N-1 scenario under Alternative 1, refer to Master Response 1, *Alternatives*.

The commenter also states that the N-1 conditions should incorporate the emergency capacity of the conductor instead of the standard conductor rating. To clarify, the power flow analyses described in the Draft EIR for the N-1 scenarios under the alternatives did use the emergency capacity ratings of the conductors, not the normal rating of the conductors.

- I50-27 The commenter indicates that the feasibility criteria discussion for the reconnection of the Camgen generator to the Moorpark System (Alternative 4) is outside the scope of CEQA regulations and/or speculative and should not be decision criteria for the alternative. The feasibility discussion in the Draft EIR for Alternative 4 is primarily based on concerns expressed by SCE and is disclosed as such. The SCE statements and opinions are included in the feasibility discussion for informational purposes only and, due to the uncertainty of the issues identified by SCE's concerns, is not the sole rationale for elimination of Alternative 4. As stated at the end of the feasibility discussion for Alternative 4, on the top of Draft EIR page 4-28:

Due to the uncertainty and the potential to address the above noted concerns through negotiation and power purchase agreements, these issues do not rise to the level of eliminating the alternative based on feasibility. Additional information would be needed for these issues to be the sole rationale for elimination of this alternative, based on feasibility alone.

- I50-28 The commenter incorrectly indicates that Alternative 3 was rejected because it does not meet the project objective associated with maintaining consistency with General Order 95 standards as they would pertain to multiple circuits on both sides of SR 118. Although having subtransmission lines on both sides of SR 118 was identified as being counter to CPUC GO 95, Section III, Rule 31.3, and would therefore not be consistent with the associated Proposed Project objective, Alternative 3 was found to meet many of the other Proposed Project objectives, including adding capacity to meet forecasted electrical demand while providing long-term, safe, and reliable electrical service in the ENA and maintain sufficient voltage in accordance with applicable requirements during normal and abnormal systems conditions, and maintaining system reliability within the ENA. Therefore, because it is not required that each alternative meets each of the Proposed Project objectives, Alternative 3 was not rejected because it would not meet the project objectives. However, Alternative 3 is not considered to be a viable alternative because it would result in greater environmental impacts compared to the Proposed Project (see Draft EIR page 4-24).

- I50-29 The commenter suggests that the N-1 criterion for evaluating alternatives is arbitrary and should be excluded from the Draft EIR. The CPUC disagrees. Evaluation of the N-1 scenario is standard practice and is not arbitrary, and is essential to evaluate the viability of the various alternatives during an emergency scenario where an existing line is suddenly put out of service.

- I50-30 This comment does not directly address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged.
- I50-31 The commenter incorrectly indicates that the emergency line capacity of the conductor was not considered in the Draft EIR for the alternatives evaluation. Refer to Response I50-26.
- I50-32 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the ability of preferred resources and demand-side management alternatives to meet the Proposed Project objectives.
- I50-33 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the ability of demand-side management alternatives to meet the Proposed Project objectives.
- I50-34 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the ability of demand-side management alternatives to meet the Proposed Project objectives.
- I50-35 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the viability of renewable and distributed energy generation as an alternative to the Proposed Project.
- I50-36 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the viability of renewable and distributed energy generation as an alternative to the Proposed Project.

RE: SCE’S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you per my previous email below this one, to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE’s **whole project**; instead divides one project into two in violation of CEQA. I 151-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 151-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 151-3
- 4. The **project is unnecessary**, not supported by “need” data or overload projections and will significantly burden ratepayers, area residents and the environment. I 151-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 151-5
- 6. The report **fails to examine “green” alternatives**, violating the CPUC’s Loading Order, AB 32 and the Governor’s mandate of 50% reduction by 2030. I 151-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA’s “whole project” and for determination of this Project’s: (a) necessity and (b) the cumulative impact. I 151-7
- 8. The **“No Project” Alternative is the environmentally superior alternative.** I 151-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 151-9

Sincerely,
 Lou & Marnie Volpe

3.3.51 Letter I51 – Responses to Comments from Marnie and Lou Volpe

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I51-1 This comment has been addressed. See Response I5-1.

I51-2 This comment has been addressed. See Response I5-2.

I51-3 This comment has been addressed. See Response I5-3.

I51-4 This comment has been addressed. See Response I5-4.

I51-5 This comment has been addressed. See Response I5-5.

I51-6 This comment has been addressed. See Response I5-6.

I51-7 This comment has been addressed. See Response I5-7.

I51-8 This comment has been addressed. See Response I5-8.

I51-9 This comment has been addressed. See Response I5-9.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | 152-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | 152-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | 152-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | 152-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | 152-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | 152-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | 152-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | 152-8

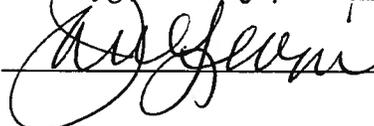
Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. | 152-9

Dated: 7/22/15

Email: janlevin@financialguide.com

Address: 2768 Marvella Court SRV 93012

Name: Jan Levin

Signature: 

Written comments must be postmarked or received in email by 7/27/15.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates Email: Moorpark-Newbury@esassoc.com
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

RE: SCE's Moorpark-Newbury Draft EIR Written Comments

Dear Mr. Rosauer:

The June 2015 Draft Environmental Impact Report is insufficient and should not be certified. It omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

Whole Project

CEQA law mandates environmental review of an entire project. It specifically proscribes segmenting one project into two to avoid environmental review. Yet, this is what appears to have happened. Initial project approval with CEQA exemption was followed by the CPUC allowing construction during the opposition's Petition for Rehearing process. Then, the CPUC reversed project approval (because of its own legal error) and ordered an EIR, only to circumscribe any meaningful assessment of damage done by "past construction" under the false CEQA exemption. This looks exactly like piece-mealing with the CPUC's active participation.

I 152-10

I 152-11

Cumulative Impact

CEQA law requires the study of a proposed project's "cumulative impact" with any "closely related past, present and future projects." Yet, this Draft EIR ignores the cumulative impact of all past construction under the vacated project approval [a disturbance of 16.68 acres of a known environmentally sensitive region], instead relegating it to "baseline."

I 152-12

The Draft EIR describes that it specifically excludes both "existing projects that have been completed and are in operation" – the very definition of a past project – and the Project's "past construction activities." In other words, the Draft EIR specifically excludes all past projects. This is completely contrary to CEQA and alone should void the report.

Additionally, it fails to include the proposed Oxnard generation plant, which will utilize the same right of way and serve the same Electrical Needs Area.

I 152-13

Alternatives

AB 32, the CPUC "loading order" and the Governor's mandate that the State reduce greenhouse gas emissions by 50% by 2030 all require that priority be given Preferred Resources, Demand Response and Energy Efficiency Alternatives over generation and transmission projects. However, the Draft EIR gives short shrift to these Alternatives.

I 152-14

As SCE’s shifting forecasts suggest, renewable energy has, and could continue to, address any gaps. At the Public Comment Meeting it became clear that local governmental entities have developed lists of ready projects that they represent could reduce demand by 8-10% in the near term—“without working very hard at it.” Yet, the report makes these Alternatives seem implausible and eliminates them from review.

↑ I52-14
(cont.)

Moreover, the Draft EIR also glossed over the viable subtransmission, Camgen reconnection and reconductoring Alternatives. Instead, it accepts at face value all of the assertions of SCE, inserting no independent investigation.

I52-15

Need

The Moorpark Newbury line project was proposed 7 years ago, based upon an urgent “need” projection that has never come to fruition. That “need” moves out with each SCE annual forecast. Part of the problem is that the project was designed based on the view of energy science in 2005. Science changes, life changes. SCE’s inability to accurately predict overload in its eight forecasts between 2005 and 2012, demonstrates that SCE’s forecasting model has failed to keep pace with the rapid advances in energy technology.

I52-16

We are now ten years down the line. We have witnessed the impact of new energy efficiency and “green” resources on actual demand. To continue down a track laid by 2005 engineering as the means for preventing overload now forecasted for 2021 would be poor environmental stewardship, and a bad investment of ratepayer dollars in outdated science, like forcing the public to buy a Chevy Suburban when it already knows Tesla is the environmentally-friendly future. The latest overload projection of 2021 is a very long time away given what has already occurred in the energy market in the wake of AB 32, and the Governor’s mandate that we rely 50% on renewable energy, self-generation, solar PV, thermal and battery storage, Demand Response and Energy Efficiency by 2030. SCE’s ever-shifting forecasts are evidence that renewable energy has, and will continue to, fill any gaps.

Bias

The streamline approval and exemption of this 9-mile project [which Mr. Rosauer admitted is one of the largest every exempted] through a known environmentally sensitive area was the first red flag that the CPUC may not be acting in the best interest of the public. Then the CPUC allowed construction to begin, without notice to the public or parties, during the opposition’s Petition For Rehearing process. During construction, the CPUC encouraged SCE to build quickly, which SCE did, as evidenced by its long hours and weekend activities. All publicly visible construction took place in the last 3 months of the 19 months it took for the CPUC to grant the Petition For Rehearing. Finally, after the CPUC reversed its CEQA exemption and ordered the long-requested environmental review, its Scoping Report excluded all past construction from review.

I52-17

The Draft EIR is contaminated by this bias.

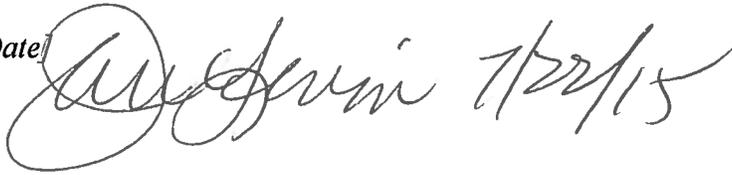


Requested Relief

An independent Lead Agency should be appointed to conduct a completely unbiased study of the whole project, its cumulative impact, its alternatives, and whether its 2005 design is needed in, or relevant to, the 2015 energy market and beyond.

I52-17
(cont.)

[Sign and Date]

A handwritten signature in cursive script, followed by the date "7/22/15". The signature is written in black ink and is positioned to the right of the "[Sign and Date]" label.

3.3.52 Letter I52 – Responses to Comments from Jan Levin

The comments in this letter are identical to, or substantively the same as, those in Letters I5 and I9.

I52-1 This comment has been addressed. See Response I5-1.

I52-2 This comment has been addressed. See Response I5-2.

I52-3 This comment has been addressed. See Response I5-3.

I52-4 This comment has been addressed. See Response I5-4.

I52-5 This comment has been addressed. See Response I5-5.

I52-6 This comment has been addressed. See Response I5-6.

I52-7 This comment has been addressed. See Response I5-7.

I52-8 This comment has been addressed. See Response I5-8.

I52-9 This comment has been addressed. See Response I5-9.

I52-10 This comment has been addressed. See Response I9-10.

I52-11 This comment has been addressed. See Response I9-11.

I52-12 This comment has been addressed. See Response I9-12.

I52-13 This comment has been addressed. See Response I9-13.

I52-14 This comment has been addressed. See Response I9-14.

I52-15 This comment has been addressed. See Response I9-15.

I52-16 This comment has been addressed. See Response I9-16.

I52-17 This comment has been addressed. See Response I9-17.

Mr. Michael Rosauer

Moorpark-Newbury Project

c/o Environmental Science Associates

Email: Moorpark-Newbury@esassoc.com

1425 N. McDowell Blvd., Suite 200

Petaluma, CA 94954

RE: SCE’S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE’s **whole project**; instead divides one project into two in violation of CEQA. I 153-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 153-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 153-3
- 4. The **project is unnecessary**, not supported by “need” data or overload projections and will significantly burden ratepayers, area residents and the environment. I 153-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 153-5
- 6. The report **fails to examine “green” alternatives**, violating the CPUC’s Loading Order, AB 32 and the Governor’s mandate of 50% reduction by 2030. I 153-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA’s “whole project” and for determination of this Project’s: (a) necessity and (b) the cumulative impact. I 153-7
- 8. The **“No Project” Alternative is the environmentally superior alternative**. I 153-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project.

Jerami Prendiville
rebar, inc
jerami@rebar-art.com
805.380.4313

3.3.53 Letter I53 – Responses to Comments from Jerami Prendiville

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

- I53-1 This comment has been addressed. See Response I5-1.
- I53-2 This comment has been addressed. See Response I5-2.
- I53-3 This comment has been addressed. See Response I5-3.
- I53-4 This comment has been addressed. See Response I5-4.
- I53-5 This comment has been addressed. See Response I5-5.
- I53-6 This comment has been addressed. See Response I5-6.
- I53-7 This comment has been addressed. See Response I5-7.
- I53-8 This comment has been addressed. See Response I5-8.
- I53-9 This comment has been addressed. See Response I5-9.

July 22, 2015

Dear Mr. Rosauer,

This letter is being sent to respectfully request that acceptance of the SCE Moorpark-Newbury electrical project EIR be halted or at least reconsidered. My goodness, this project, based on the energy science of 2005, was proposed in 2007 as "urgently needed!" It is now 2015 and energy science has greatly evolved and will continue to do so with the state mandate AB-32 requiring greenhouse gas emissions be reduced 50% by 2030. Renewable energy alternatives have been created and adapted to fill in wherever there have been energy gaps since this project was first proposed and with AB-32 now California law, there is every good reason to think even greater advances in the area of energy science will continue.

I 154-1
I 154-2

This EIR appears to have completely ignored the cumulative impact of the past, present and future projects, i.e., ignoring the proposed Oxnard generation plant and specifically excluding all past projects labeling this power project as "baseline." This is in direct violation of CEQA requirements for proposed projects.

I 154-3

It's clear that SCE has much at stake as the "green energy" resources continue to grow and change the energy playing field. Our beautiful Ventura County rural area must not be overrun with unnecessary electrical infrastructure which may only serve to visually blight our community in the long run.

I 154-4

Please seriously consider appointing an independent agency to review this whole project to determine its cumulative impact, what alternatives there may be, and whether the 2005 "design" is still relevant to the current energy requirements of 2015 and, more importantly, what those "requirements" may actually be in the future.

I 154-5

Very truly,

Kent Corzine
Kathleen Corzine



3.3.54 Letter I54 – Responses to Comments from Kathleen and Kent Corzine

- I54-1 Subsequent to the release of the Draft EIR, SCE has submitted revised power flow studies to the CPUC that are based on its new 10-year planning forecast for the 2015 through 2024 period. The revised studies for the existing infrastructure indicate that a voltage violation at Newbury Substation and a line overload of the Thousand Oaks-Newbury 66 kV line would occur as early as 2015 under the N-1 abnormal system condition. See Response O9-1, and Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.
- I54-2 Refer to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on the viability of renewable energy generation as an alternative to the Proposed Project.
- I54-3 Refer to Draft EIR Chapter 7, *Cumulative Effects*, for a discussion of the cumulative impacts associated with past, present, and reasonably foreseeable future project that have been considered part of the cumulative scenario. For discussion on the Oxnard generation plant, refer to Response I5-7, and for discussion on the cumulative effects of past construction activities, refer to Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Section 3.1.4.
- I54-4 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter's opposition to the Proposed Project is acknowledged.
- I54-5 The comment is a summary conclusion statement. For responses to the specific concerns addressed in the letter, refer to Responses I54-1 through I54-4.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE’S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE’s **whole project**; instead divides one project into two in violation of CEQA. I 155-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. I 155-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) I 155-3
- 4. The **project is unnecessary**, not supported by “need” data or overload projections and will significantly burden ratepayers, area residents and the environment. I 155-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. I 155-5
- 6. The report **fails to examine “green” alternatives**, violating the CPUC’s Loading Order, AB 32 and the Governor’s mandate of 50% reduction by 2030. I 155-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA’s “whole project” and for determination of this Project’s: (a) necessity and (b) the cumulative impact. I 155-7
- 8. The **“No Project” Alternative is the environmentally superior alternative.** I 155-8

Because the CPUC may be biased toward Edison, to avoid the appearance of impropriety, an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. I 155-9

Dated: 7/22/15

Email: hagedave@gmail.com

Address: 13025 Ripple Creek Lane, Santa Rosa Valley, CA 93012

Name : David Hage & Pamela Hage

Signature: 

3.3.55 Letter I55 – Responses to Comments from David and Pamela Hage

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I55-1 This comment has been addressed. See Response I5-1.

I55-2 This comment has been addressed. See Response I5-2.

I55-3 This comment has been addressed. See Response I5-3.

I55-4 This comment has been addressed. See Response I5-4.

I55-5 This comment has been addressed. See Response I5-5.

I55-6 This comment has been addressed. See Response I5-6.

I55-7 This comment has been addressed. See Response I5-7.

I55-8 This comment has been addressed. See Response I5-8.

I55-9 This comment has been addressed. See Response I5-9.

Vernon Dransfeldt
11648 Barranca Road
Santa Rosa Valley, CA 93012

July 23, 2015

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: Please Approve the Moorpark-Newbury 66KV Submission Line Project Draft EIR

Dear Mr. Rosauer:

Seventeen years ago, I purchased property at 10248 Presilla Road, Santa Rosa Valley, CA. The 99 acre parcel includes the wide Edison easement for transmission of electrical power from the Ormand Plant to Moorpark along the entire length of the eastern boundary of my property. When I purchased the property, I obviously knew of the easement, and I could see the transmission power lines and support structure.

One of my eleven neighbors, Allan and Peggy Ludington, also knew of the Edison easement and power lines when they purchased their property, which shares the same eastern boundary of my property. After seventeen years of having the Ludingtons as neighbors, it is not surprising to me that they have led the effort to stop SCE from completing the project to supply additional power to the Moorpark area.

During my ownership of the property, they initiated and led an effort to prevent a small, nearly invisible (to them and my other 11 neighbors) cell site below one of the towers farthest from their home). The relatively small antenna would have been placed on the tower legs and taken up less that 1% of the entire visible area of the tower, and yet would have enhanced cell phone reception in a wide area for thousands of people. Ms. Ludington raised objection after objection, similar to what she has done in the current situation for the additional power transmission line. After three hearings, the Planning Commission unanimously rejected her case.

One of the greatest things about this country is that the infrastructure for utilities is in place. Those who have visited or worked or lived in countries where those infrastructures are missing know how poor the quality of life can be without them.

On the other hand, one of the most pathetic things about this country is people who demand utility service, yet scream loudly if providing those services inconveniences them in any way. As an example, one of the alternative proposals was to route the proposed 66kv lines further west about a mile, where a much smaller Edison easement exists. That alternative would have incurred additional millions in costs, but would have been acceptable to the protestors, because it would not have been in their back yard.

I56-1

Literally millions of dollars have been unnecessarily spent or lost because the project was stopped midway to completion, based on the efforts of complainers like Ms. Ludington. All of us who have Edison service are paying for this.

I56-2

I sincerely hope the CPUC will stop the nonsense by approving the Moorpark-Newbury 66KV Submission Line Project, including the Draft EIR report.

I56-3

Sincerely,



Vernon L Dransfeldt

3.3.56 Letter I56 – Responses to Comments from Vernon Dransfeldt

- I56-1 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged.
- I56-2 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged.
- I56-3 The commenter’s support for the Proposed Project is acknowledged.

Mr. Michael Rosauer
Moorpark-Newbury Project
c/o Environmental Science Associates
1425 N. McDowell Blvd., Suite 200
Petaluma, CA 94954

Email: Moorpark-Newbury@esassoc.com

RE: SCE'S MOORPARK-NEWBURY DRAFT EIR WRITTEN COMMENTS

Dear Mr. Rosauer:

I am writing you, asking you to oppose acceptance of the June 2015 Draft Environmental Impact Report. It is inadequate, omits facts, is flawed in its scope and assumptions, and relies on faulty methodology, based on the following:

- 1. It fails to study the impact of SCE's **whole project**; instead divides one project into two in violation of CEQA. | I57-1
- 2. It fails to study the **cumulative impact** of past construction on the Project. | I57-2
- 3. **Mitigation during past construction** was overstated and/or ineffective, yet is not scrutinized. (Nearly all disturbance done during 3 months, with some unauthorized) | I57-3
- 4. The **project is unnecessary**, not supported by "need" data or overload projections and will significantly burden ratepayers, area residents and the environment. | I57-4
- 5. **Alternatives are not independently analyzed**, relying exclusively on SCE data. | I57-5
- 6. The report **fails to examine "green" alternatives**, violating the CPUC's Loading Order, AB 32 and the Governor's mandate of 50% reduction by 2030. | I57-6
- 7. The proposed **Oxnard generation plant** and this Project should be joined for purposes of CEQA's "whole project" and for determination of this Project's: (a) necessity and (b) the cumulative impact. | I57-7
- 8. The **"No Project" Alternative is the environmentally superior alternative.** | I57-8

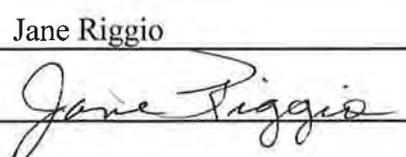
Because the CPUC may be biased toward Edison and to avoid the appearance of impropriety, I believe an independent third party Lead Agency with independent experts and analyses should be assigned to undertake a new environmental study of the WHOLE Moorpark-Newbury Project. | I57-9

Dated: July 22, 2015

Email: jjr111875@msn.com

Address: 2888 Los Fresnos Circle, Santa Rosa Valley, CA 93012

Name: Joseph Riggio Jane Riggio

Signature:  

Written comments must be postmarked or received in email by 7/27/15.

3.3.57 Letter I57 – Responses to Comments from Joseph and Jane Riggio

The comments in this letter are identical to, or substantively the same as, those in Letter I5.

I57-1 This comment has been addressed. See Response I5-1.

I57-2 This comment has been addressed. See Response I5-2.

I57-3 This comment has been addressed. See Response I5-3.

I57-4 This comment has been addressed. See Response I5-4.

I57-5 This comment has been addressed. See Response I5-5.

I57-6 This comment has been addressed. See Response I5-6.

I57-7 This comment has been addressed. See Response I5-7.

I57-8 This comment has been addressed. See Response I5-8.

I57-9 This comment has been addressed. See Response I5-9.

3.4 Public Meeting Responses

This section includes the transcripts from the public meeting with individual comments delineated, followed by responses to each comment.

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CALIFORNIA PUBLIC UTILITIES COMMISSION

CEQA PUBLIC COMMENT MEETING

TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, JUNE 24, 2015

FILE NO. 57192

REPORTED BY: TAMARA L. CARLSON
CSR NO. 12555

1 REPORTER'S TRANSCRIPT OF PROCEEDINGS, TAKEN AT THE
2 PALM GARDEN HOTEL, 495 NORTH VENTU PARK ROAD,
3 THOUSAND OAKS, CALIFORNIA, AT 6:34 P.M., WEDNESDAY,
4 JUNE 24, 2015, BEFORE TAMARA L. CARLSON, CSR NO. 12555,
5 CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF
6 CALIFORNIA.

7
8
9 APPEARANCES:

10 PARTICIPANTS:

11 MIKE ROSAUER, PROJECT MANAGER
12 CALIFORNIA PUBLIC UTILITIES COMMISSION

13 MATT FAGUNDES
14 ESA PROJECT MANAGEMENT TEAM

15 CLAIRE MYERS
16 ESA PROJECT MANAGEMENT TEAM

17 PUBLIC COMMENTS BY:

18 JILL LEDERER

19 KELLY HALL

20 LOI NGUYEN

21 CATHRYN ANDRESEN

22 MOLLY PEI

23 DOUGLAS O'BRIEN

24 MARK BURLEY

25 ALAN LUDINGTON

PENELOPE BURLEY

1 APPEARANCES (CONTINUED) :

2 DAMON WING

3 HOWARD CHOY

4 PEGGY LUDINGTON

5 WILLIAM BRANDT

6 HERB POTTER

7 DANALYNN PRITZ

8 KIM RAMSEYER

9 KEN GORDON

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1 THOUSAND OAKS, CALIFORNIA

2 WEDNESDAY, JUNE 24, 2015; 6:34 P.M.

3
4 (Public comments began during the course
5 of the presentation as follows:)

6
7 UNIDENTIFIED SPEAKER: I'm just curious. These
8 things we discussed last year when we first -- when we
9 had met the other time, they forecasted these demands be
10 met seven years later, and I'm just curious. You know,
11 I don't see any major new construction going on. I
12 don't see any major construction going on next to our
13 property. So I'm just curious who comes up with this
14 amount and this figure, and, you know, how does it
15 become gospel, so to speak?

16 MR. FAGUNDES: Should we go ahead and answer
17 some questions or run through the presentation?

18 I will say that we did ask for supplemental
19 information from Edison to update their load-flow
20 forecast, and those are available.

21 MR. ROSAUER: I think this is an ISO-mandated
22 project as well, so the independent system operator in
23 Folsom, California, that looks at the entire grid and
24 makes sure that each utility has capacity in place to
25 meet future demand there. That's their job, is kind of

PM-1

1 taking a partial look at the grid and each utility's
2 portion of that and making sure that each component is
3 in place to meet demand in a given area. That's the
4 independent system operator's role.

5 UNIDENTIFIED SPEAKER: I'm just curious. Is
6 there some planned additional growth that is going to
7 require this? Because it's seven years now, and I don't
8 see anything changed.

PM-2

9 MR. FAGUNDES: They do assume a growth factor
10 per year.

11 UNIDENTIFIED SPEAKER: What was the answer to
12 that question?

PM-3

13 MR. FAGUNDES: It does assume a growth factor
14 when they do their load projections.

15 UNIDENTIFIED SPEAKER: Growth factor, what does
16 that mean?

PM-4

17 MR. FAGUNDES: Well, a growth factor that
18 causes additional demand in electricity.

19 UNIDENTIFIED SPEAKER: Who comes up with that,
20 Edison?

21 MR. FAGUNDES: Southern California Edison,
22 correct.

23 UNIDENTIFIED SPEAKER: Of course.

24 UNIDENTIFIED SPEAKER: When you started this
25 out, there was a thing about this being exempted. Why?

PM-5

1 MR. FAGUNDES: They requested an exemption
2 under what is referred to as "Exemption G," and
3 that's --

4 UNIDENTIFIED SPEAKER: That's not an option.

5 MR. FAGUNDES: It's allowed for projects or
6 activities that occur within existing right-of-ways,
7 within existing Edison right-of-ways, road franchises,
8 and as long as the -- there's no significant
9 environmental effects associated with it.

10 UNIDENTIFIED SPEAKER: And this was granted by
11 the PUC?

12 MR. FAGUNDES: It was granted and then
13 subsequently denied.

14 UNIDENTIFIED SPEAKER: Why was it denied?

15 MR. FAGUNDES: The Commission came out with a
16 decision on that, and a lot of it has to do with an
17 informal record that was put together regarding that
18 proceeding.

19 UNIDENTIFIED SPEAKER: I'm so sorry. I have to
20 step in. It was never denied. The Commission did
21 approve Exemption G, and we appealed it. That's the
22 only way that --

23 MR. FAGUNDES: That is correct.

24 MR. ROSAUER: That is correct. We approved the
25 original Edison advice letter. We did it with an

PM-6

PM-7

1 executive director resolution, which didn't require a
2 vote of the full Commission. Because of that, it was
3 appealable. If it would have been -- if we would have
4 used another -- if we would have used the more robust
5 approach where all five Commissioners voted on the
6 resolution or -- it would have -- it wouldn't have been
7 appealable.

8 So what happened was there was an advice
9 letter. The advice letter was protested. That
10 requires us to write, to draft -- CPUC staff has to
11 draft a resolution. That resolution, there is two
12 types: One goes before the full Commission, and one
13 goes to our executive director.

14 CPUC management at that moment thought that
15 going to the executive director was the appropriate
16 approach. That provided the local community the
17 opportunity to appeal that because it wasn't -- it
18 wasn't approved with a vote of the full Commission. So
19 it was appealable. That's the process that --
20 that's -- you're right. It was appealed, and that's
21 what led to the Commission ordering a -- the utility to
22 actually apply, to submit a formal application.

23 I may be missing a step --

24 UNIDENTIFIED SPEAKER: You are.

25 MR. ROSAUER: -- but that's basically --

PM-8

1 UNIDENTIFIED SPEAKER: You are. It is approved
2 and exempted within four months of its public unveiling
3 over public protest. We continued to protest, and four
4 draft resolutions were made. Only two of them were
5 served on us. Then, while we were being told that we
6 were supposed to be compromising with Edison on this,
7 Carol Brown let the County know that it was being
8 withheld from the CPUC's calendar. The CPUC, instead,
9 restored it to its calendar and approved it while no one
10 even knew it was on calendar. So we appealed timely,
11 and that's how we ended up here.

12 MR. ROSAUER: Okay. Thank you. Thank you.

13 UNIDENTIFIED SPEAKER: As a point of order,
14 there's a lot of questions -- I don't know if we need to
15 go through. Most everybody has been through this, and
16 I'm not -- and you've done a great job of putting it up
17 here, but I'm just wondering. There seem to be so many
18 people eager to get on with what we came to talk about.

19 MR. FAGUNDES: Well, let's run -- let's run
20 real quickly.

21 MR. ROSAUER: Yeah, let's -- since we have a
22 presentation, there might be some people that are helped
23 by that. So let Matt do his --

24 UNIDENTIFIED SPEAKER: That's great.

25 (The presentation was resumed.)

1 UNIDENTIFIED SPEAKER: Matt, we met last year,
2 and one of the alternatives that was suggested was
3 moving the whole structure over half a mile to a mile.
4 What happened to that alternative?

PM-9

5 MR. FAGUNDES: That's evaluated. That's --

6 UNIDENTIFIED SPEAKER: What does that mean?

7 MR. FAGUNDES: There's an existing
8 subtransmission line there that's referred to as the
9 Moorpark-Newbury pharmacy line, and that alternative
10 would be co-locating this transmission line on with that
11 transmission line so there would be two circuits on one
12 set of poles.

13 UNIDENTIFIED SPEAKER: But it wasn't evaluated;
14 it's just ruled out.

PM-10

15 MR. FAGUNDES: It was evaluated and determined
16 to not -- let's see. That one would result in greater
17 environmental effects to the proposed project, so it was
18 dropped from --

19 UNIDENTIFIED SPEAKER: What does that mean? I
20 mean, what does that mean? The lines are already there;
21 it's already there; the poles are already there. Why is
22 that greater environmental impact than it is running it
23 through houses where it hasn't been before?

PM-11

24 MR. FAGUNDES: Well, to support another line,
25 it would need new poles.

1 UNIDENTIFIED SPEAKER: So you're talking about
2 costs.

3 UNIDENTIFIED SPEAKER: You've got to do poles
4 anyway. They just did poles through us.

5 UNIDENTIFIED SPEAKER: That's part of it.

6 UNIDENTIFIED SPEAKER: I'm just -- you know,
7 I'm trying to figure this out. You guys have -- if you
8 had to put new poles, you had to put new poles anyway,
9 but now you're putting new poles through our valley,
10 through the valley right next to houses, rather than
11 running it where it was before where there were already
12 poles.

PM-12

13 So it's more expensive, you're saying, to take
14 the poles down and replace them?

15 UNIDENTIFIED SPEAKER: Your question on all of
16 these is, where are the results of this evaluation
17 available to us in any kind of detail?

PM-13

18 MR. FAGUNDES: That's in Chapter 4.

19 UNIDENTIFIED SPEAKER: Yes, that's the detail
20 we're going to get.

21 MR. FAGUNDES: Oh, yeah, the analysis is in
22 there. I mean --

23 UNIDENTIFIED SPEAKER: It's in where?

24 MR. ROSAUER: If you have -- if you feel it's
25 inadequate in any way, that's the feedback we're looking

1 for tonight for sure.

2 UNIDENTIFIED SPEAKER: Well, I guess that's
 3 part of what we were talking about. My question is
 4 moving that line half a mile into the farm, how could
 5 you possibly -- it's beyond my understanding and
 6 comprehension that that could have a greater
 7 environmental impact than being right next to thousands
 8 of people.

PM-14

9 UNIDENTIFIED SPEAKER: And putting up new
 10 lines.

11 UNIDENTIFIED SPEAKER: Yeah, I don't get it.

12 MR. FAGUNDES: Well, that's a valid question.
 13 The significant environmental effects identified for the
 14 proposed project related to short-term construction
 15 effects, such as air quality and noise.

16 UNIDENTIFIED SPEAKER: Come on.

17 UNIDENTIFIED SPEAKER: Wait a minute. We're
 18 putting it in the middle of a farm half a mile over
 19 where there is nobody living. How can you tell me that
 20 that has a greater environmental impact than right next
 21 to people's houses? I mean, come on.

PM-15

22 UNIDENTIFIED SPEAKER: You guys have got to
 23 wait and listen because he's going to end up telling us
 24 the reason they won't take down the half-constructed
 25 facility is because it will be an environmental impact

PM-16

1 to us for noise. So just -- you need to listen to the
2 rest of this presentation.

↑
PM-16
(cont.)

3 MR. FAGUNDES: All right.

4 UNIDENTIFIED SPEAKER: In the overall scheme of
5 things, I assume this is a relatively small project by
6 Edison?

7 MR. FAGUNDES: This proposed project?

8 UNIDENTIFIED SPEAKER: Yes, is this a small one
9 or medium sized or large, or what? I don't know.

10 UNIDENTIFIED SPEAKER: It's pretty significant.

11 MR. ROSAUER: Well, what we're allowed under
12 CEQA to evaluate is -- is small to medium. Now, a lot
13 of the project is already built, and we can't look at
14 what's already built --

15 UNIDENTIFIED SPEAKER: Oh, God.

16 MR. ROSAUER: -- under the environmental laws
17 that were --

18 UNIDENTIFIED SPEAKER: Have the alternative
19 projects been denied because some of it has already been
20 built and they don't want to waste that money?

PM-17

21 UNIDENTIFIED SPEAKER: Yes.

22 MR. ROSAUER: No, the law -- the law, as Matt
23 explained, it has to do with the environmental baseline
24 at the time that we were authorized to conduct an EIR,
25 because, unfortunately -- because of the process, Edison

1 was -- Edison constructed most of the project, you know,
2 before they were -- before the CPUC issued a stop-work
3 order and ordered them to make a formal application,
4 so --

5 UNIDENTIFIED SPEAKER: What about the work that
6 they continued after that stop-work order?

7 MR. ROSAUER: Well --

8 UNIDENTIFIED SPEAKER: The holes, the last four
9 holes that they purportedly put in after that work
10 order -- stop-work order was put in?

11 UNIDENTIFIED SPEAKER: We asked you at the
12 April meeting, in reference to this 15125(a) and
13 15126.2(a).

14 UNIDENTIFIED SPEAKER: That's y'all's response
15 to --

16 UNIDENTIFIED SPEAKER: -- to take that back to
17 the CPUC and, laying out the conditions that are being
18 discussed, ask whether that was really an appropriate
19 decision on this particular project to exclude all of
20 the existing work.

21 UNIDENTIFIED SPEAKER: Right.

22 UNIDENTIFIED SPEAKER: Once again, I ask you:
23 Where is the documentation that tells us where you made
24 that presentation back to the Commission and their
25 decision that they were going to go forward despite all

PM-18

PM-19

↑ PM-19
(cont.)

1 of these alternative situations?

2 MR. FAGUNDES: We did go back to the CPUC legal
3 division --

4 UNIDENTIFIED SPEAKER: Yes.

5 MR. FAGUNDES: -- and they gave us a
6 recommendation to go forward with a baseline --

7 UNIDENTIFIED SPEAKER: Okay. And the
8 documentation on that is where?

PM-20

9 MR. FAGUNDES: That we -- that we presented
10 after the scoping meeting.

11 UNIDENTIFIED SPEAKER: So, again, like your
12 Chapter 4, there's no details. There's just a very
13 general discussion of that, huh, stating it occurred?

14 MR. FAGUNDES: Well, yes. I mean, it's based
15 on the --

16 UNIDENTIFIED SPEAKER: No justification. The
17 point is no justification.

PM-21

18 MR. ROSAUER: Yeah, it's -- our attorneys
19 required us to comply with the California Environmental
20 Quality Act the way it's -- the way it's written, so
21 it's a -- the law is the law.

22 UNIDENTIFIED SPEAKER: Was there a meeting --

PM-22

23 MR. ROSAUER: There's not really any
24 interpretation to be made. It's pretty clear -- it's
25 pretty clear what's allowable, given the way the process

1 unfolded. I agree it's -- you know, it's -- to have --

2 UNIDENTIFIED SPEAKER: I agree with you. The
3 law is straightforward under a straightforward
4 situation, but we clearly did not have a straightforward
5 situation here.

6 UNIDENTIFIED SPEAKER: Was there a meeting?
7 Were there minutes taken?

8 UNIDENTIFIED SPEAKER: No. We should have had
9 an attorney.

10 UNIDENTIFIED SPEAKER: Did anybody sign off on
11 it?

12 UNIDENTIFIED SPEAKER: Where is what we can
13 look at to see whether this was done correctly and
14 thoroughly?

15 MR. ROSAUER: Okay. Well, that is why we're
16 having this meeting tonight. So please -- you know,
17 we're recording these comments and these questions in
18 the form of a comment, and they will be answered in --
19 and addressed in the final document.

20 UNIDENTIFIED SPEAKER: What she's asking, Mike,
21 there should be a letter -- and it's not in this
22 document -- from legal, stating what y'all just said.
23 It's not in this report.

24 MR. ROSAUER: Then it will -- then --

25 UNIDENTIFIED SPEAKER: Right. That's what

PM-23

PM-24

1 she's asking. I'm just --

2 MR. ROSAUER: She will -- yeah, then we will
3 have a -- we will have --

4 UNIDENTIFIED SPEAKER: Postdated, based on our
5 April meeting?

6 MR. ROSAUER: Yes.

7 UNIDENTIFIED SPEAKER: And along with that, my
8 question before was, you're telling me that your legal
9 people, after saying that Edison was going to put in the
10 66 kV line, which was humongous more power than ever
11 there, that it didn't require an environmental study,
12 and you guys got together at a dinner or something and
13 said, "Okay. Let's let them do it"? I mean, I don't
14 quite understand that.

15 MR. ROSAUER: A lot of -- a lot of projects are
16 agencies' exemption rules, and because we can't -- we
17 can't require that -- the utility to file a formal
18 application and conduct an environmental analysis on
19 every single project that is proposed. I mean, it's
20 impossible. So projects within reason are exempted.

21 This one, although relatively large to get an
22 exemption, was -- it wasn't unusual. And so there
23 were -- you know, it was -- it wasn't unusual, and
24 that's why we approved the exemption that allowed
25 Edison to go ahead and build this project.

PM-24
(cont.)

PM-25

1 UNIDENTIFIED SPEAKER: If it had been your
 2 house, would you have thought that was unusual?

3 MR. ROSAUER: I'm just going to -- I just --
 4 you know, we can't make up the rules. You know, the
 5 rules are there, and they're for everybody to see. It's
 6 the facts. It's just the facts.

7 So in this case -- in this case, because of
 8 the public involvement, we went back and we made them
 9 file a formal application; however, in the meantime,
 10 that didn't order -- there was no order for them to
 11 stop work until that process worked its way through.
 12 There was no injunction, in other words, so...

13 UNIDENTIFIED SPEAKER: Right. But you guys
 14 knew it was under appeal on legal error, that exemption
 15 had been legal error. And when they came to you and
 16 said, "We have to start construction," you didn't say
 17 "No, we've got to sort through this." Correct?

18 MR. ROSAUER: I don't -- I'm not an attorney.
 19 I look at the environmental -- I help, you know,
 20 manage environmental review. So I can't make those
 21 decisions, and I can't -- I'm not -- I can't make those
 22 judgments. But what I can offer you is an opportunity
 23 to raise these issues in the -- in the general
 24 proceeding. That's Application 13-10-021. And I can
 25 give you the ALJ's information, and if you have -- you

PM-26

1 know, I would say that that's -- I would say that's the
2 proper forum for the types of issues that you're raising
3 because you're -- you're really challenging the
4 Commission's process, not the environmental document
5 itself. So I think that's really where you're going to
6 get traction on this.

7 UNIDENTIFIED SPEAKER: If --

8 MR. ROSAUER: Can we finish just -- and then
9 take more questions. I'm sorry, but let's just get
10 through this.

11 (The presentation was resumed.)

12 UNIDENTIFIED SPEAKER: Does everybody
13 understand what he just said?

14 UNIDENTIFIED SPEAKER: No.

15 UNIDENTIFIED SPEAKER: No.

16 UNIDENTIFIED SPEAKER: No.

17 UNIDENTIFIED SPEAKER: You just said that no --
18 no project alternative where they would go take down
19 what they have already constructed -- it has been ruled
20 out because it would cause air quality and noise; right?

21 MR. FAGUNDES: Exactly. Well, it hasn't been
22 ruled out that our -- the staff environmental impact
23 report.

24 UNIDENTIFIED SPEAKER: I would accept that
25 noise, and I will wear a mask and sign a waiver.

PM-27

1 MR. FAGUNDES: Let's hear that comment on the
2 record.

3 UNIDENTIFIED SPEAKER: They already did. They
4 put up the towers.

5 UNIDENTIFIED SPEAKER: No, I'm saying that if
6 the argument is, "Well, we can't take them down. It
7 will cause you noise and air pollution," I'll wear a
8 mask, I'll wear earplugs, I'll sign a waiver --

PM-28

9 UNIDENTIFIED SPEAKER: Let's take a vote.

10 UNIDENTIFIED SPEAKER: -- and take their poles
11 down.

12 UNIDENTIFIED SPEAKER: Second.

13 UNIDENTIFIED SPEAKER: The CPUC, how many
14 projects this size has the PUC rejected, Edison
15 projects, in the last -- say the last couple years?

PM-29

16 UNIDENTIFIED SPEAKER: Zero.

17 UNIDENTIFIED SPEAKER: Any?

18 MR. ROSAUER: Yes. There have been -- there
19 have been some projects rejected.

20 UNIDENTIFIED SPEAKER: What percentage? Give
21 me a ballpark.

PM-30

22 MR. ROSAUER: I know -- I can't -- I don't have
23 that information. I don't -- I don't see -- I don't
24 know what goes on Commission-wide in terms of what
25 applications are rejected, so I can't -- I can't give

1 you that. I don't know.

2 UNIDENTIFIED SPEAKER: The gentleman from
3 Edison: How many have been rejected?

PM-31

4 MR. ROSAUER: First of all -- first of all,
5 he's not from Edison.

6 UNIDENTIFIED SPEAKER: Is there anybody from
7 Edison here?

8 MR. FAGUNDES: Not that -- no.

9 MR. ROSAUER: This is a CPUC meeting.

10 UNIDENTIFIED SPEAKER: Nobody knows how many
11 have been rejected?

12 MR. FAGUNDES: If you ask us in your comment, I
13 think we could probably get that information or even get
14 that to you or put it in the final.

15 UNIDENTIFIED SPEAKER: Will this be as you're
16 putting on the final touches of paint?

17 UNIDENTIFIED SPEAKER: No, closing the door.

18 UNIDENTIFIED SPEAKER: Hooking up the last
19 wire?

20 UNIDENTIFIED SPEAKER: Can I ask an
21 environmental question? Something I've been wanting to
22 talk about is why was Alternative 6 -- it said it would
23 result in adverse impact. That's renewable energy. I'm
24 kind of imagining people's houses with solar on the roof
25 or something and if that's what I'm thinking that is,

PM-32

1 why would -- that wouldn't really need transmission
 2 facilities.

3 I don't see the adverse impact, Alternative 6.
 4 What --

5 MR. FAGUNDES: Well, the scale that we needed
 6 for -- to satisfy the project objectives, that would be
 7 large scale solar facilities.

8 UNIDENTIFIED SPEAKER: Yeah, but with Amgen
 9 getting smaller and more people getting solar on their
 10 houses, I would think maybe they, you know --

11 UNIDENTIFIED SPEAKER: In order to be able to
 12 share, though, you'd have to put up even more wires.

13 UNIDENTIFIED SPEAKER: No, you just share. It
 14 just goes back out on the grid.

15 UNIDENTIFIED SPEAKER: Solar is not going to do
 16 it.

17 UNIDENTIFIED SPEAKER: That's not a solution.

18 UNIDENTIFIED SPEAKER: Solar is not a solution.

19 UNIDENTIFIED SPEAKER: Nice to know.

20 MR. FAGUNDES: Right. Let's finish up. We
 21 only have just a couple more slides here.

22 (The presentation continued.)

23 UNIDENTIFIED SPEAKER: Matt, I'm just curious.
 24 You're telling us that there were no environmental
 25 impact issues when they put up the towers, but to take

PM-32
(cont.)

PM-33

1 them down was an environmental issue?

↑ PM-33
(cont.)

2 MR. FAGUNDES: We're not saying that, no.

3 UNIDENTIFIED SPEAKER: Well, then what --

4 UNIDENTIFIED SPEAKER: Then I'm confused

5 because why can't they move them?

PM-34
↓

6 MR. ROSAUER: It goes back to the baseline.

7 It's the baseline issue.

8 MR. FAGUNDES: Right.

9 MR. ROSAUER: Explain the baseline issue again.

10 MR. FAGUNDES: So, basically, per the
11 environmental law, whatever the situation when the lead
12 agency, which in this case is CPUC, releases a notice to
13 proceed with the environmental impact report, those are
14 the conditions that need to be evaluated to describe the
15 effects of the project at that time. It wouldn't be
16 possible to go back, for instance, to a baseline -- a
17 theoretical baseline before Edison started.

18 UNIDENTIFIED SPEAKER: Why? Isn't that the
19 project? The project isn't finished.

20 MR. FAGUNDES: Well, we don't know --

21 UNIDENTIFIED SPEAKER: It's the entire project;
22 it's not part of a project.

23 MR. FAGUNDES: I understand your concerns.

24 UNIDENTIFIED SPEAKER: So they slipped in
25 Phase I on exemption so that we couldn't do anything

↓ PM-35

1 about it, and then when it's stopped, now it's too late.

2 UNIDENTIFIED SPEAKER: Right.

3 UNIDENTIFIED SPEAKER: You got it.

4 UNIDENTIFIED SPEAKER: You're going to start
5 from the end of the exemption and go forward, and now it
6 has to go across. Whereas, why didn't they go use the
7 existing right-of-way with the existing lines in the
8 first place and just put new towers in. They wouldn't
9 have had to have gone through all this, or did they try
10 and slip something in? That's the question. They tried
11 to slip something in, and they got caught.

12 UNIDENTIFIED SPEAKER: They gambled and they
13 lost.

14 UNIDENTIFIED SPEAKER: They got caught.

15 UNIDENTIFIED SPEAKER: They gambled and they
16 lost.

17 UNIDENTIFIED SPEAKER: So if I understand this,
18 we're having this meeting, but it's a foregone
19 conclusion --

20 UNIDENTIFIED SPEAKER: That's what it sounds
21 like.

22 UNIDENTIFIED SPEAKER: -- and you're just --
23 this is just a placation for us so that everybody feels
24 like, you know, we've all come here and we've discussed
25 it, and "We're going to go on anyway, but you had a

PM-35
(cont.)

1 chance to talk." I mean, this is a fore- -- do I
2 understand this correctly? This is a foregone
3 conclusion and that it's going to happen no matter how
4 anybody in the community responds to it, favorably or in
5 our case unfavorably --

PM-35
(cont.)

6 MR. ROSAUER: I wouldn't --

7 UNIDENTIFIED SPEAKER: I'm sorry. I don't
8 speak for everybody.

9 MR. ROSAUER: I would not say that's a foregone
10 conclusion.

11 UNIDENTIFIED SPEAKER: But that's what it
12 sounds like right now.

13 UNIDENTIFIED SPEAKER: You've got no
14 alternatives. You knocked all those out.

15 UNIDENTIFIED SPEAKER: Yeah, you can't close
16 them. You can't close them. You're not going to move
17 them. They're going to go there. 60 percent is done.
18 There is no environmental impact. The worst -- it's
19 going to be the worst environmental impact to take them
20 out than it is to move the project.

PM-36

21 UNIDENTIFIED SPEAKER: If they stay there, then
22 they'll just come back again later and say "We're
23 halfway done, permit it now," you know.

PM-37

24 UNIDENTIFIED SPEAKER: I missed this earlier,
25 but you made a statement a little bit earlier that this

PM-38

1 is an ISO mandatory project. When was that determined?
2 When has that been declared? Maybe I just missed it,
3 but that's the first time I heard it.

PM-38
(cont.)

4 UNIDENTIFIED SPEAKER: What does it mean?

5 MR. ROSAUER: The ISO sets the reliability
6 standards for the state.

7 UNIDENTIFIED SPEAKER: I understand that. But
8 I'm asking, when did that occur?

PM-39

9 MR. ROSAUER: I can't say. I don't know when
10 that occurred, but I think that if you ask -- if you
11 submit that as a question, we can answer it.

12 UNIDENTIFIED SPEAKER: Again, I missed it. Is
13 it in the draft?

PM-40

14 UNIDENTIFIED SPEAKER: If it the draft is
15 correct, the first projections were in 2005 by the ISO.
16 Okay. Because they were -- Edison and them both
17 submitted their projections in 2005, and they were
18 updated on Table 212 in 2013.

PM-41

19 So if you're saying these projections are
20 Edison's and ISO's, they were first projected in 2005
21 and modified, and to date none of the projections have
22 been met.

23 UNIDENTIFIED SPEAKER: The point is they have
24 stated this is now an ISO mandatory project. Okay.
25 That has nothing to do with the projections. All right

PM-42

1 If ISO has declared that, we'd like to know when and
 2 obviously --

↑
 PM-42
 (cont.)

3 MR. ROSAUER: I'll --

4 UNIDENTIFIED SPEAKER: -- get a reply.

5 MR. ROSAUER: We will provide that information.
 6 We will submit that, you know, when -- we're recording
 7 your comment, and we will respond to it.

8 UNIDENTIFIED SPEAKER: If it's an ISO mandate,
 9 can CPU override ISO?

↑
 PM-43

10 MR. ROSAUER: That, I don't -- I don't know.
 11 And now we are getting out of the environmental realm,
 12 and that's why I recommended that you become party to
 13 the larger proceeding where non environmental questions
 14 can be --

15 UNIDENTIFIED SPEAKER: But if it's an ISO
 16 mandate, then all of this, all we're doing, is air to
 17 the wind. The CPU has no authority. That's what I need
 18 to know.

↑
 PM-44

19 MR. ROSAUER: I don't know.

20 MR. FAGUNDES: I don't think the project itself
 21 is an ISO mandate, but.

22 UNIDENTIFIED SPEAKER: Okay. Wait. Wait.
 23 Wait.

24 UNIDENTIFIED SPEAKER: That's different.

25 UNIDENTIFIED SPEAKER: That's different than

1 what Mike just said.

2 MR. ROSAUER: Well, I never said it was ISO --
3 if I said it was ISO mandated --

4 UNIDENTIFIED SPEAKER: Yeah.

5 UNIDENTIFIED SPEAKER: You did.

6 UNIDENTIFIED SPEAKER: Yeah.

7 MR. ROSAUER: Okay. I'm --

8 UNIDENTIFIED SPEAKER: These transmission
9 lines, the ISO said put lines in there or the
10 ISO said --

11 MR. ROSAUER: The ISO --

12 UNIDENTIFIED SPEAKER: You need to meet these
13 requirements in your system to figure out where to put
14 it?

PM-45

15 MR. ROSAUER: I think it's -- yes, the ISO made
16 makes sure that reliability standards have to be met,
17 and it's my understanding that Edison is responding to
18 that. So if you want to call that a mandate, call it
19 what you will. I'm not -- I'm not a transmission
20 planner, so those are questions that, you know, can be
21 asked of the Commission. We can answer them in this
22 document, but I would -- it's also something that I
23 think warrants raising to the Administrative Law Judge's
24 attention.

25 MR. FAGUNDES: All right. We just have a

1 couple more slides here.

2 UNIDENTIFIED SPEAKER: It looks like -- can you
3 explain that last slide because it's kind of like you
4 said because the no-project alternative was considered,
5 that you have to revert back to the preliminary or the
6 proposed projects?

7 MR. FAGUNDES: If the environmentally superior
8 alternative is a no-project alternative, you have to
9 identify one of the other options considered. In this
10 case we don't have any alternatives that have been put
11 forth for full analysis. So, by default, that's the
12 proposed project.

13 UNIDENTIFIED SPEAKER: Okay.

14 MR. FAGUNDES: So this meeting is part of the
15 comment process. All oral and written comments will be
16 considered and addressed in the final EIR. The CPUC
17 will consider -- the Commission will consider the EIR
18 and other factors and issue a draft decision on the
19 project.

20 The CPUC will consider comments on the draft
21 and alternative decisions and will vote whether to
22 approve the project.

23 For the CEQA review there are two main
24 opportunities for the public to participate: During
25 the scoping period and during the draft EIR review,

1 which we're in now. And the general proceeding is what
2 Mike's has been mentioning. The Administrative Law
3 Judge assigned to the proceeding, which is ALJ Yacknin,
4 will schedule a prehearing conference as soon as
5 practical. She has not done that at this time yet.

6 On June 11, 2015, of this year, she ruled,
7 though, that parties who wish to present evidence on
8 identification of significant environmental impacts,
9 indication measures, the environmentally superior
10 alternative must do so through this process, through
11 comment on the draft EIR.

12 So to make comments on the draft EIR, you can
13 provide them orally or written to us here this evening.
14 There are speaker cards in the back. We ask you to
15 fill one of those out so we can have -- then Claire
16 will call your names one at a time.

17 UNIDENTIFIED SPEAKER: Matt, in relation to the
18 EIR, you've brought up an environmental issue which is
19 what you say is an issue here tonight. Where is the
20 discussion? You know, it appears that the draft is
21 basically on the side of that at this point. Where is
22 the information about the effect of these
23 electromagnetic fields now on people, pets, animals,
24 et cetera, who live in the area? I don't see anything
25 about that. I understand about the ground and maybe the

PM-46

1 ground squirrels or something, but is there anything --
2 is there anything that took into consideration any
3 research or analysis about the effect on people,
4 increasing this --

↑
PM-46
(cont.)

5 MR. FAGUNDES: Yeah, we don't -- that's not
6 part of the CEQA review, but we do -- Edison is required
7 to submit a field plan which identifies all mitigation
8 that they put in place. They're called low-cost or
9 no-cost mitigations to reduce the fields as much as
10 possible. And that's in the EIR as an appendix, and it
11 shows the levels of EMF that would be associated with
12 that, so...

13 And, also, you don't have to -- if you can't
14 or if you're not ready to provide comments this
15 evening, orally or written, you can send them to us at
16 this address or email them to us, and we must receive
17 them or they need to be postmarked by July 27th.

18 All right. So we just have a couple of
19 guidelines during the oral comments, and judging by the
20 scoping meeting, everyone has been real cordial, so
21 there should be no issue there.

22 It's not too big of a group. I think we
23 could -- do we want to have any limit on the amount of
24 time we need --

25 Can I see a show of hands on who would like to

1 present oral comments?

2 MR. FAGUNDES: Okay.

3 MR. ROSAUER: Yeah, let's just -- just try to
4 be as concise as possible so we can get through
5 everybody and everybody gets a chance.

6 UNIDENTIFIED SPEAKER: Should we come up there?
7 He's having trouble hearing.

8 MR. ROSAUER: Okay. Well, we have two
9 microphones, so we can bring microphones around. So you
10 don't have to come up. You can stay in your seat unless
11 you prefer coming up. It's up to you.

12

13 PUBLIC COMMENTS

14 MS. MYERS: All right. I will actually call
15 everybody. If you would like to speak, please bring me
16 a speaker card.

17 First up, we have Jill Lederer, and after Jill
18 we will have Kelly Hall.

19 JILL LEDERER: Thank you. Good evening,
20 everybody. Thank you for being here to hear us. I am
21 actually here in two capacities this evening: One is
22 CEO of the Greater Conejo Valley Chamber of Commerce,
23 the second as a resident and neighbor, actually, of the
24 Moorpark substation.

25 My husband and I have resided in Mountain

1 Meadows for 20 years. On both our behalves, the
 2 Chamber of Commerce does support the upgrading of
 3 Southern California Edison's infrastructure to provide
 4 reliable power to the area businesses. We understand
 5 this is a sensitive topic.

6 This project is especially important, however,
 7 since Edison is forecasting load overages in the
 8 future. Power outages cost businesses to lose money.
 9 That affects all of us. Manufacturers are generally
 10 operating on a deadline and are required to complete
 11 their work in a given time or pay a late fee to their
 12 clients. They commit to deadlines based on the
 13 assumption of a reliable long term power supply.

14 We do have many quietly supportive local
 15 manufacturers in this community who do business here.
 16 They have reported previous issues with receiving
 17 reliable power and are concerned about it going
 18 forward.

19 If the power supply to Thousand Oaks or any
 20 other community becomes unreliable, it will be
 21 difficult to continue to attract businesses and the
 22 jobs that they provide to our community and in an
 23 economy that is already under a lot of regulatory
 24 issues that provide a lot of pressure on our
 25 businesses.

PM-47

1 We have reviewed the summary of the draft
2 environmental impact report and have been following
3 this for quite some time on this project, and we are
4 confident that SCE has made every effort to review
5 reasonable alternatives and that this plan is the best
6 choice for the power grid upgrade. They have also made
7 efforts to mitigate many impacts to the local community
8 where possible. Edison does work hard to balance the
9 needs and concerns of the local residents, I'm sure
10 fully recognizing that not everybody is going to be
11 happy. They do, however, have a duty to provide
12 residents and businesses in east Ventura County and
13 West Los Angeles County with reliable power going
14 forward through this transmission line.

15 All infrastructure must be upgraded on an
16 ongoing basis. I encourage you to support SCE in this
17 difficult situation and use their expertise to do what
18 needs to be done.

19 Thank you so much for your attention.

20 MS. MYERS: And after Kelly will be Loi Nguyen.

21 KELLY HALL: Hi, my name is Kelly Hall. I live
22 at 2669 Buggy Lane in Santa Rosa Valley. I'm the
23 president of Santa Rosa Valley Estates, a collection of
24 31 homes located at the north end of Yucca Drive
25 abutting the proposed project. We have several

PM-47
(cont.)

1 homeowners within our community who do oppose this
 2 project vehemently because these lines or these poles
 3 have been put up, as we all know now how. But, more
 4 importantly, if one were to fall and the line would come
 5 over, it would be literally within 40 feet of the
 6 residents that are along that particular westerly line,
 7 I believe it is.

PM-48

8 We feel that the limited scope of the draft,
 9 the EIR, involving mostly the hanging of the wires and
 10 ignoring the 17 acres of destruction to date is
 11 evidence of the CPUC's continued bias in favor of
 12 Edison. Instead of protecting the public and the
 13 environment under CEQA, the CPUC has chosen to ally
 14 with Edison at every turn, evidenced as of tonight as
 15 what we've seen here.

PM-49

PM-50

16 This was not the legislature's intention when
 17 it established the CPUC. It was supposed to protect
 18 the public from the overreaching by the corporations
 19 controlling the essential services. The public's
 20 watchdog, not Edison's best friend.

PM-51

21 We urge the CPUC to reconsider what's right,
 22 to examine the impact of the entire project as it was
 23 originally proposed. By allowing this bifurcation of
 24 one into two, CPUC was helping Edison duck the
 25 examination of destructed private property and open

PM-52

1 space that spans more than 7 miles. This was not the
2 legislature's intention of CPUC -- of CEQA.

↑
PM-52
(cont.)

3 We also urge deeper scrutiny into whether any
4 actual need justifies this \$23 million project that
5 will cost ratepayers upwards of \$55 million.

PM-53

6 Thank you very much.

7 MS. MYERS: And next will be Cathryn Andresen.

8 LOI NGUYEN: Hi. Thank you, everyone. My name
9 is Loi Nguyen. I have lived in the community for about
10 26 years. I live in Thousand Oaks. I'm a cofounder and
11 executive of a company called Inphi Corporation. This
12 is a company I started in this town 15 years ago. So
13 the company has grown to about 450 people. 120 are
14 located here in the Thousand Oaks/Westlake area.

15 So I have been asked to come here to talk
16 about the need for our company for uninterrupted
17 reliable power to the business. So we build -- we are
18 engineering, highly intensive design engineering firm.
19 So we build the chips that make the internet go faster.
20 So every time you use an email or a web browser, the
21 chance is that your data, your requested email will go
22 through one of our chips. We sell chips to --
23 worldwide, but the chip is designed here in the local
24 community.

PM-54

25 These are very high-paying jobs, white-collar

1 jobs mostly, and the typical engineer has a master or
2 Ph.D degree. We use electricity in the form of the
3 computer. We do design work on engineering stations.
4 We also do some of the testing here because these are
5 the very high-end chips and we cannot outsource some of
6 the testing to, say, Asia. So we don't use a whole lot
7 of power, but we need reliable, uninterrupted power
8 24/7.

9 The statistic is that over the past 18 months,
10 we had ten times power interruptions, so these power
11 interruptions, they range from minutes to tens of
12 minutes, a few hours; but the issue is when we have --
13 when we have an interruption like that, the computers
14 crash, the test equipment crashes. We have cases where
15 we incur losses in the damage of equipment to more than
16 half a million dollars per interruption and not
17 counting the loss of productivity.

18 And the computer design is getting more and
19 more sophisticated. We're using more computer power to
20 design ever more sophisticated chips. We realize that
21 we cannot grow further with the power situation in the
22 Thousand Oaks/Westlake area, so we have relocated our
23 entire data center consisting of hundreds of servers to
24 Las Vegas, but we have people that live in the
25 communities. We don't want to relocate the people.

PM-55

1 I'm here for 25 years. I'm not moving.

2 So I'm here to tell you the other side of the
 3 coin, which is, you know, for our business to continue
 4 to prosper in this community, we need to improve the
 5 situation. Okay.

PM-55
(cont.)

6 MS. MYERS: Cathryn Andresen, please; and after
 7 that we'll have Molly Pei.

8 CATHRYN ANDRESEN: Hello. I truly can
 9 sympathize with the perspective of needing reliable
 10 power for business. I'm here tonight, though, because
 11 I'm just a person, and I am adversely affected by
 12 Edison. I live on Santa Rosa Road right at the power
 13 line right-of-way. I have lived there for 35 years in
 14 ranch houses built more than 100 years ago. We live and
 15 sleep less than 20 feet from the property line with the
 16 Edison towers. Edison has not been a good neighbor.
 17 You don't want Edison for a neighbor if you can help it.

PM-56

18 I kind of wonder whether years ago the farms
 19 and families pushed aside by the right-of-way were
 20 promised that the current construction, then current,
 21 was to be the total disruption. I don't know what
 22 changes may have occurred since those big towers were
 23 there, but I've been there 35 years, and they've been
 24 the same until just recently.

25 I wonder if those other farmers had concerns

1 as we do and that they didn't want anything more built
2 or any more wires strung so near to their homes. Maybe
3 that's how that agreement got through with some public
4 comment. My family, pets, guests, crops -- all that
5 exist or visits my 10 acres -- like it or not, are part
6 of the local environment. That's why I'm here today.

7 The PUC has charged among other -- among other
8 responsibilities enforcing the California Environmental
9 Equality Act for utility construction. I wrote a
10 letter last round and suggested Edison place the
11 additional lines either underground or reroute the new
12 lines from the east side, which is my property line, to
13 the west side, where the property line is agricultural
14 and it wouldn't disturb the trees.

PM-57

15 Where there are homes, I think that Edison
16 could, you know, spend a couple bucks and put it
17 underground so that it doesn't cause more visual
18 pollution, electrical-stuff-in-the-air pollution, noise
19 pollution -- whatever. Okay.

PM-58

20 The power -- the new power lines are lower and
21 closer to the boundary. I don't like that. I don't
22 want that. And the fact that those poles are there --
23 I have a half a pole that I can look out and see, where
24 they stopped because they had to. If those stay there,
25 my guess is that Edison will sit it out and wait and

PM-59

1 come back again, okay, and try, "We already have the
2 stuff there." Right?

↑
PM-59
(cont.)

3 As far as the alternatives that were
4 addressed, I don't know, was -- were the linear feet,
5 going by houses, 20 feet from the property line, were
6 those addressed? Is that written down somewhere that I
7 can read it and see how my request to be considered was
8 handled?

PM-60

9 Let's see here. The reviewing agency, ESA,
10 retained by the Public Utilities Commission dismissed
11 out of hand all the alternatives that were identified,
12 and, also in this little gem tonight, apparently,
13 people have been identified as being "less than
14 significant" as far as environmental impact.

PM-61

15 They screened them for the alternatives. They
16 screened them for feasibility and whether they would
17 meet -- excuse me -- whether they would meet SCE's
18 needs -- not mine, not yours. Based on what SCE told
19 them, they ruled out the alternatives. They never even
20 studied them, thus the draft environmental report gave
21 short shift to all alternatives, including the ones
22 you're proposing. This is just further evidence that
23 the PUC should not have been in charge of the
24 environmental review.

PM-62

25 The PUC has been unabashedly promoting

↓
PM-63

1 Edison's Moorpark-Newbury project since it was filed in
 2 2008. It's apparent that independent environmental
 3 review is essential. How could the PUC be so -- I'm
 4 sorry. How could the PUC so flippantly ignore its
 5 responsibility to protect the environment and to
 6 protect the public from the overreaching of corporate
 7 greed?

PM-63
(cont.)

8 Edison is very aggressive. I'm sure they must
 9 be, but I don't think they've put up a fair showing in
 10 this issue at all.

PM-64

11 MS. MYERS: Next is Molly Pei, and after her
 12 will be Douglas O'Brien.

13 MOLLY PEI: Thank you. I'm Molly Kohler-Pei,
 14 I'm a resident of Santa Rosa Valley, and I'm kind of new
 15 in learning about what's going on with these issues, and
 16 sitting here listening this evening, I'm struck by a few
 17 things. First of all, I want to thank you for giving us
 18 the opportunity. It's really clear a lot of work has
 19 gone into the report, this monster here, monster there.
 20 Ours has lots of sticky tabs in it. And it's obvious
 21 that there are deep concerns that there are many things
 22 that were raised and we feel it seems that have not been
 23 adequately addressed.

PM-65

24 I think from what I can glean and what I feel
 25 in my gut is that somehow from the very beginning of

PM-66



1 this whole process, Edison really just kind of
2 steamrolled their way through, and now we're at a point
3 where this 7-mile stretch -- well, it just seems to be
4 the gnat buzzing around their head, and pretty soon if
5 we all just stop buzzing, they'll just go on ahead.

PM-66
(cont.)

6 It -- it bothers me that these alternatives have not
7 been really adequately addressed. It bothers me
8 that -- well, your job is to look at the environmental
9 impact and -- boy, do I love my birds. I'm a member of
10 the Audubon Society -- I deeply regret that there has
11 not been more concern towards the human population in
12 this report and with homeowners.

PM-67

PM-68

13 No doubt, we need reliable energy. No doubt,
14 businesses need to have that. But it seems that we
15 just need to find a better way of going about it with
16 this particular project.

PM-69

17 And thank you for hearing us all this evening.

18 MS. MYERS: Douglas O'Brien, and after Douglas
19 will be Mark Burley.

20 DOUGLAS O'BRIEN: Good evening, everyone. My
21 name is Douglas O'Brien. I am a resident of Ventura
22 County, and I've been involved in energy efficiency and
23 energy-related projects for public agencies for the last
24 eight years. Currently, I work for an organization
25 known as The Energy Coalition, and in my work, I have

1 been out and about working with public agencies
2 identifying energy efficiency projects, solar projects,
3 demand response projects, and storage projects.

4 I think the notion that preferred resources is
5 not a viable alternative is absurd. As it stands right
6 now, I have over 6 million kWh of savings that will be
7 implemented over the next 2 1/2 to 3 years. I've got
8 7 megawatts of solar on a mere eight school tops here
9 in Conejo Valley Unified School District, and they have
10 about 20 more buildings where we could put more solar
11 on. We've got a Tesla battery system that's going to
12 be put in at Thousand Oaks High School, which is going
13 to be 1.2 megawatt hours of power to help with demand,
14 peak saving.

PM-70

15 And I'm actively looking for other
16 opportunities, and I've got interest from multiple
17 agencies to learn more about battery storage, to learn
18 more about other energy efficiency opportunities.

19 I know with the advent of very, very powerful
20 low-cost LED technology, I can easily find another
21 10 million kWh of energy savings at any of the public
22 agencies throughout the City of Thousand Oaks alone.
23 I'm actively working with the City and with
24 Conejo Valley School District, and I will continue to
25 do that work.

PM-71

1 We do need to come back and take a look at
2 preferred resources. It is definitely a viable
3 opportunity. As I see it right now, with what I've got
4 on the table that will be implemented over the next
5 three to five years, I'm approaching 10 percent of what
6 the projected demand requirements are going to be, and
7 I'm not doing much so far. It's going to be easy to
8 find a lot more. It's out there. We just need to look
9 for it and seriously consider it.

PM-72

10 I'll do some written comments at a later date.

11 MS. MYERS: Mark Burley, please, and after Mark
12 will be Alan Ludington.

13 MARK BURLEY: Thank you. I'm Mark Burley. I
14 live in Santa Rosa Valley. First of all, I find it
15 ironic that this presentation shows how projects should
16 go. You start with an EIR, then you do the work once
17 it's approved.

18 You showed us that, and in this case the work
19 started, it was approved by an executive director, who
20 I believe subsequently resigned because he had too
21 close of a cushy relationship with a bunch of
22 utilities; so what we're really looking at is trust
23 here in the PUC. We need you to give us some trust
24 that you are really supporting the people that you're
25 representing.

PM-73

1 And, as a result of that, we should look at a
 2 couple of things: First of all, under CEQA, you are
 3 not allowed to take a project and split it into two and
 4 then say that those two projects separately do not have
 5 an environmental impact. You know this. You're
 6 experts in this. Your lawyers, who we are supposed to
 7 trust, have given a different ruling to you, and I feel
 8 very sorry that you're having to go through this
 9 because you know very well that when this goes to
 10 court, they will say this was one project, starting
 11 from the very beginning. So really everything you've
 12 done here is a waste of time, and you need to
 13 acknowledge this.

PM-74

14 You have received many, many, many letters on
 15 this, and you know that it's the case. This is not two
 16 projects. Your saying that there was a baseline is
 17 incorrect. The baseline was before the project
 18 started, before anything was put in. So we really need
 19 to go back to that, and you should probably tell your
 20 Commissioners the same thing.

PM-75

21 So, on top of that, we've had projections of
 22 what's going to be going on with the amount of power
 23 needed going back to the early 2000s, and each time
 24 they've been incorrect for reasons just as we've heard
 25 now. There are different ways of producing energy.

PM-76

1 The ways of producing energy are changing and they're
2 changing what's needed on the grid. And, consequently,
3 why should we believe the direction -- the projection
4 that we have now when the other two or three
5 projections have all proved to be wrong? So that also
6 should be considered in the environmental document.

7 Thank you for coming out here tonight and
8 talking to us. Thank you.

9 MS. MYERS: Alan Ludington, and after Alan we
10 will have Penelope Burley.

11 ALAN LUDINGTON: Thank you very much. Was it
12 "Quinn"? Mr. Quinn?

13 LOI NGUYEN: Nguyen.

14 ALAN LUDINGTON: "Nguyen," okay. Thank you.

15 I just want something clarified. I've been in
16 Westlake/Thousand Oaks owning businesses for 35, 40
17 years, and I have brown -- I mean, I've had lights go
18 out, power go out. But none of that has to do with
19 brownouts. If you read the documentation, we've never
20 had a brownout in our community. Those have to do with
21 blowing transformers, wind knocking poles down, bad
22 errors at switching stations, lightning. They're not
23 happening because of a lack of energy.

24 There was an energy report that was put out by
25 Edison forecasting use back in 2005. So your business

PM-76
(cont)

PM-77



1 was open then, my business was open then. They
2 estimated that already in that corridor, you would be
3 at 103.5 percent overload, meaning that all of us at
4 2005 would have already been in brownouts and already
5 had new things switch out of our stations.

6 Now, interesting enough, my degree is in
7 theology, and any of you know that what happened to
8 prophets who prophesied and their prophecy didn't come
9 true, they were stoned.

10 And Edison had promoted and asked to do a
11 prophecy for the next year, so they did it again in
12 2006. They prophesied that we would be at 102 percent.
13 It didn't happen. In fact, power usage went down.

PM-77
(cont.)

14 Then in 2007 they prophesied we would be at
15 105. It didn't happen. The prophecies of the
16 electricians, electrical engineers, and experts at
17 Edison to justify this corridor going in, all proved
18 false. None of it happened. In fact, energy use went
19 down. We had slow growth, we had Amgen pull out
20 20 percent of their people. We've had energy
21 efficiency appliances, energy efficiency air
22 conditioning. Even in the midst of a drought and heat
23 spells, our energy goes down. Now Governor Jerry Brown
24 has ordered that our energy use go down by 2020,
25 20 percent and by 2030, 30 percent.

PM-78

1 Their projections, Edison, even though, I
 2 guess, they think Jerry will be out of office and maybe
 3 somebody else will sleep with Edison, but their
 4 projections are, even if we listen to their prophets,
 5 okay, that the people that are working for Edison --
 6 and, by the way, this Commission did not get any
 7 independent engineering reports. We tried to hire one.
 8 It's \$15,000. We've already spent tens of thousands of
 9 dollars trying to work on this project since 2008, and
 10 I just couldn't pay the engineer. He's doing a
 11 supplemental one on alternative energies for us right
 12 now.

PM-79

13 But so I just want to say to commerce: I am a
 14 commerce owner. I love Westlake. I love the Chamber
 15 of Commerce; but please don't speak about power usage
 16 costing jobs. It will not. What costs us is when
 17 human beings are asked to sacrifice because bullies at
 18 corporations insist on using us and our land for
 19 profits.

20 Now, two mandates of CEQA, two very clear
 21 mandates: You must show need.

22 Do you know the current need, Matt, what they
 23 say? The need will not even reach 100 percent capacity
 24 according to Edison until 2021. So, if anything else,
 25 this project should be halted because moving forward

PM-80

1 causes some environmental damage. So this should be
2 held period until 2019 and reconvene and see if the
3 false prophets finally got it right, because then the
4 environment would not be injured whatsoever, just
5 waiting to see if their numbers come true.

6 It will take them six to nine months to
7 finish, according to their estimates. So if we come
8 back here in 2019 or 2020, their numbers are true, they
9 have a ballpark to play in -- where we can bring
10 stones. No.

11 And the final thing I thought I would say is
12 Edison said CEQA is supposed to look at the rate
13 increases to customers. This project costs \$23 million
14 to put in.

15 Do you know the rate increases in what Edison
16 will get back within a 20-year period? \$55 million.
17 So we pay \$23 -- they pay \$23 million to put it in, and
18 we pay them back \$55 million. That's to code if they
19 did a 20-year payout on it. So it doesn't help
20 ratepayers to add more power lines that cost us more
21 when they're used and there's no proven need for this
22 project.

23 Thank you.

24 MS. MYERS: Penelope Burley, please, and then
25 Damon Wing.

PM-80
(Cont.)

PM-81

1 PENELOPE BURLEY: Hi. I don't have anything
 2 big or grand to say. I just live in the Santa Rosa
 3 Valley. My name Penelope Burley, and there's two things
 4 I'm concerned about: One, a heavier load of EMFs, which
 5 sensitive people get really sick from, and I would like
 6 to see the independent studies that have been done as to
 7 how this will be affecting our valley if these lines go
 8 in to add to the load of EMFs that are already here;
 9 and, secondly, as you all know, there's a lot of horse
 10 properties in this valley, and yesterday there was a
 11 downed power line in Moorpark that caused a brushfire.
 12 I don't know how many people here have horses, but when
 13 the added worry of more lines going in, which could
 14 potentially cause brushfires in this neighborhood with
 15 horses to evacuate, it's very worrying, and I do not
 16 want to add to the burden that we all have already with
 17 the drought and the hot weather that we could have more
 18 fires in this area and more damage to our livestock.

PM-82

PM-83

19 Thank you.

20 DAMON WING: I didn't mean to grandstand, but I
 21 was hoping there would be something to hold it because,
 22 ironically, we lost power at the office and I don't have
 23 my notes so I have to read off of technology that's
 24 going to require two hands. I'm Damon Wing from County
 25 Supervisor Linda Park's office, and I'm glad to know --

1 thank you, Mr. Ludington, for letting us know the
2 reasons why we didn't lose power.

3 Thank you for the opportunity to comment
4 tonight. There are a few things that are probably
5 going to reiterate what Mr. Burley so eloquently
6 stated.

7 Initially, the CPUC apparently erroneously
8 exempted this project from proper environmental review
9 under CEQA. Back in October of 2008, Supervisor Linda
10 Parks requested an environmental review that would
11 evaluate alternatives to place the lines further from
12 residences or to underground the lines.

PM-84

13 Also, in October of 2008 the Ventura County
14 Board of Supervisors asked for alternative location of
15 the lines or undergrounding of the lines or
16 co-locations of the lines on existing poles.

PM-85

17 In June of 2009 the County informed the CPUC
18 that its Board unanimously approved a request for a
19 hearing as we were unable to resolve our differences
20 with Southern California Edison.

21 As you're hearing tonight, administrative and
22 legal remedies have not been exhausted, and we're still
23 here going through the process today with this draft
24 EIR. Yet Southern California Edison proceeded to
25 construct this controversial project before

PM-86

1 administrative and legal remedies were exhausted and
2 before an EIR was certified.

↑
PM-86
(Cont.)

3 Significant impacts are being disregarded.
4 The scope of this EIR is inadequate and does not serve
5 the purpose of an EIR. This project has been
6 segmented, and so the impacts of the project are
7 ignored and the cumulative impacts unaddressed. And
8 I'm going to actually read the first couple sentences
9 on project segmenting from the State CEQA guidelines,
10 Subsection 15378, which is the other element that CEQA
11 requires, is that a project is defined as:

PM-87

12 "The whole of an action and may not be
13 segmented nor divided into smaller
14 parts in an attempt to avoid full
15 consideration of its environmental
16 impacts. Thus all the separate permits
17 and approvals for a particular project
18 shall be considered together along with
19 the underlying activity itself when
20 determining the project's environmental
21 effects."

PM-88

22 So how many times have you seen an EIR with two
23 no-project alternatives? This multiple no-project
24 alternative CEQA anomaly is meant to address impacts
25 that have been made that would require mitigation or

PM-89

1 outright restoration for the damage done. How can a
2 project alternative mitigate for an impact of a project
3 that is not even being otherwise considered as an
4 impact?

PM-89
(cont.)

5 If there is something that seems strange or
6 unusual about this draft EIR, it's because it has been
7 segmented. There were impacts to and loss of
8 agricultural land. There were impacts to ag business,
9 impacts to habitat of the southwestern willow
10 flycatcher, California gnatcatcher, and least Bell's
11 vireo are not addressed in the draft EIR. The project
12 started without an EIR. The poles have been constructed
13 closer to homes, not further away, creating visual and
14 aesthetic impacts, and this occurred without an EIR.

PM-90

PM-91

15 We spoke of the segmentation problem at the EIR
16 scoping meeting, about how CEQA requires a project in
17 its entirety to be reviewed, yet this draft EIR neglects
18 to do that. The draft EIR devotes an entire section to
19 the activities and impacts this project has incurred, a
20 project that should not have commenced without an EIR.

PM-92

21 How can it be segmented in regard -- how can it
22 be segmented to disregard its impacts? For example,
23 could you fill a wetland and construct a house and then
24 do an environmental review of just the impacts of moving
25 into that house? Of course not. CEQA requires a

1 project be looked at as a whole. It would otherwise be
2 impermissible segmentation and piecemealing.

PM-92
(cont.)

3 Thank you.

4 MS. MYERS: Next we have Howard Choy, and after
5 Howard will be Peggy Ludington.

6 HOWARD CHOY: Hi. Good evening. I'm Howard
7 Choy. I live in Newbury Park. I work for the
8 Los Angeles County Office of Sustainability. In that
9 role with Los Angeles County, we are the administrators
10 of the Southern California Regional Energy Network,
11 which is an independent administrator of demand-side
12 management programs authorized by the California Public
13 Utility Commission, and we work in this area.

14 Doug O'Brien, who spoke previously about the
15 potential projects in this area, and his company, they
16 are a contractor to the Southern California Regional
17 Energy Network, working in this area. Specifically to
18 the EIR, I note that there was not a lot of detail
19 about the preferenced resources identified to help
20 mitigate the project, Alternative 6 and 7.

PM-93

21 I would be very interested to see the scope of
22 what Edison considered for both demand-side management
23 resources and renewables as mitigating measures, and I
24 also -- it looks like Alternative 6 and 7 were
25 considered independently, and it seems to me that

PM-94

1 demand-side management and renewables should be
2 considered in totality. So I would also ask for that.

PM-94
(cont.)

3 In working in this region to identify
4 preferred resources, both in the public sector and in
5 the private sector, the So Cal Regional Energy Network
6 has identified about 150,000 megawatts of preferred
7 resource projects: energy efficiency, demand response,
8 storage, and renewables. And we're happy to make our
9 project list available, and we can do that, but I'd
10 like to compare that against what Edison has proposed
11 as alternatives under 6 and 7.

PM-95

12 We worked with Edison under the Southern
13 California Regional Energy Network, but they never have
14 worked with us specific to this region about preferred
15 resources that we've identified, so I think that's
16 probably some communication that we should have. And I
17 also note that in ruling 14-08-013, Distributed
18 Resources Plan Guidance Ruling from the Commission.
19 The Commission indicates that:

20 "Distribution system planning, design,
21 and investments should move towards an
22 open, flexible, and node-friendly
23 network system rather than a
24 centralized linear closed one that
25 enables seamless distributed energy

PM-96



1 resource integration."

2 That's on page 7 of that ruling. It also
 3 states that:

4 "Distribution planning should start
 5 with a comprehensive scenario-driven
 6 multi-stakeholder planning process that
 7 standardizes data and methodologies to
 8 address locational benefits and costs
 9 of distributed resources."

10 That's also on page 7 of the ruling.

11 And then I also note that the utilities are
 12 required to submit distributed resource plans for their
 13 entire service territories by July 1 of 2015 and that,
 14 after the submittal of those plans, there should be a
 15 four- to five-month process of working with stakeholders
 16 and other engaged participants to discuss those plans.

17 We're only a week away from the submittal of
 18 those plans. I understand that's on the distribution
 19 side, but I think the distribution planning drives -- I
 20 believe 66 kV is a subtransmission system. I believe
 21 that the distribution plans drive decisions on
 22 transmission and subtransmission. So I would propose
 23 that this is probably a very good project to implement
 24 the elements of the distribution resource planning that
 25 the Commission has ordered the utilities to start, and

PM-96
(cont.)

1 this is probably a good place to maybe pilot the
2 objectives of that ruling.

PM-96
(cont.)

3 Thank you.

4 MS. MYERS: After Peggy William Brandt.

5 PEGGY LUDINGTON: Hi. My name is Peggy
6 Ludington. I thank everybody for coming tonight, and I
7 thank you very much for the opportunity to address you,
8 all of you.

9 There's a piece here that isn't being
10 mentioned, and I'm going to mention it. SCE and the
11 CPUC have colluded to avoid CEQA.

PM-97

12 UNIDENTIFIED SPEAKER: Peggy, we can't hear
13 you.

14 PEGGY LUDINGTON: I'm sorry. I'll hold it
15 closer.

16 The California Public Utilities Commission and
17 Edison have colluded to ram yet another unneeded
18 project down our throats. When we recently discovered
19 an email regarding an elicited meeting between the
20 Commission and Edison, the corridor of truth began to
21 open, and it allowed us to see the corruption.

PM-98

22 In this meeting, the Commission colluded with
23 Edison to complete as much of the project as possible
24 before the Commission was forced to vacate the original
25 project exemption and halt all construction and to

1 order an environmental review.

2 Mr. Rosauer, it turns out you have been very
3 involved in this project from its inception. I was
4 looking back in my email, and I noticed your email come
5 up a whole lot back in 2008, 2009, and 2010 as the
6 project was exempted from CEQA. So I don't really
7 understand how you feel you can be unbiased in looking
8 at the future of this project. I don't understand it.

9 When the Commission chief counsel -- that is
10 the very top attorney for the California Public
11 Utilities Commission -- met with a high-ranking Edison
12 official, they met secretly during the course of
13 construction. They tacitly agreed that Edison should
14 proceed as fast as possible and to complete as much as
15 possible prior to the inevitable environmental review.
16 It sounds a little bit like conspiracy to subvert CEQA.

17 At that time, President Michael Peevy, who is
18 no longer president and is under investigation for his
19 overly cozy relationships with Edison and other
20 utilities, knew his Commission was caught in the web of
21 its own legal error, which ultimately forced him to
22 reverse the earlier exemption.

23 I am currently in touch with the State
24 Attorney General's office, with the State Senate and
25 Assembly Committees, who are investigating the

↑ PM-98
(cont.)

PM-99

PM-100

1 allegations of CPUC corruption. This project is being
2 watched. We are definitely not as large as San Onofre.
3 We're not as deadly, thank goodness, as the disaster in
4 the City of San Bruno, but we are the tip of an
5 iceberg, an iceberg of questionable projects
6 perpetually crammed down the public's throat by what is
7 supposed to be our watchdog agency.

8 Mr. Rosauer, for you not to recuse yourself
9 from acting as the project manager is unconscionable,
10 and for ESA to promote a report that has no independent
11 outside evaluation/input/oversight when you know what
12 is going on at the CPUC and the corruption going on
13 there is also unconscionable.

14 I am angry. I'm angry that you so quickly
15 didn't pay any attention to the comments that people
16 were making in that all you -- you took your charge to
17 protect the environment and to protect the public so
18 lightly. As for hiding behind the skirt of a scoping
19 report instead of mustering the courage to stand up for
20 the public and stand up for the environment --
21 inexcusable, absolutely unacceptable.

22 All of us here realize that nothing we say
23 tonight will make any change in any of this, but we do
24 hope that the Administrative Law Judge will see her way
25 to the corridor and see the truth of what we've stated.

PM-101

PM-102

PM-103

PM-104

1 There's absolutely no need for this project, there are
2 much better alternatives, and the entire process has
3 been corrupted by the inexplicable collusion between
4 Edison and our watchdog agency, the Public Utilities
5 Commission.

PM-105

6 Thank you.

7 MS. MYERS: We have William Brandt now, and
8 after William will be Herb Potter.

9 WILLIAM BRANDT: Thank you. My name is William
10 Brandt. I'm here speaking on behalf of my daughter
11 Krista Pederson and Phil Pederson, her husband, who live
12 in Citrus Drive in Home Acres, Moorpark.

13 This draft EIR is fatally flawed. It is based
14 on false assumptions and faulty methodology, and
15 independent analysis is required. The draft EIR
16 accepts SCE's representations at face value. Its
17 conclusions about impact mitigation and alternatives
18 and the environmentally preferred alternative are all
19 based on SCE's assertion, computations, and science.

PM-106

20 It essentially restates SCE's PEA
21 representations as the CPUC's own. The document does
22 not reflect independent judgment on the part of the
23 Commission. Once the CPUC was forced to reverse itself
24 on the exemption of the project from CEQA, it was
25 originally -- pardon me. It was only logical the

PM-107

PM-108

1 Commission should not play a role in subsequent
 2 environmental review. To avoid even the appearance of
 3 impropriety, the CPUC should have recused itself from
 4 becoming lead agency. Instead, it assumed that role
 5 and appointed Mr. Rosauer as EIR project director
 6 despite his involvement with the process that led to
 7 the original CEQA exemption.

PM-108
(cont.)

8 The initial CEQA exemption of the project, the
 9 allowing and encouraging of rapid construction before
 10 approval was vacated, and the truncated scoping report
 11 all are evidence of possible collusion between the CPUC
 12 and SCE. Under the circumstances, an independent lead
 13 agency needs to be appointed to direct the
 14 environmental review and an independent environmental
 15 review agency needs to be assigned to conduct analysis
 16 of the impacts of all project construction, both past
 17 and proposed. Additionally, on the issue of project
 18 justification, an independent engineering expert should
 19 assess projected overload.

PM-109

PM-110

20 Thank you.

21 HERB POTTER: My name is Herb Potter. I live
 22 in Home Acres. I thought I was close to the lines
 23 until...

24 I mean we can hang clothes out, hang laundry
 25 there to dry, you know. It's kind of nice.

1 UNIDENTIFIED SPEAKER: If it gets any closer,
2 they're going to condemn us.

3 HERB POTTER: What about the value of our
4 homes? I mean, I'm thinking about that. I don't know
5 about anybody else. This is pretty interesting.
6 There's quite a cross-section here; but the little guy,
7 us, I mean, I understand that you need power. That's --
8 that's important.

PM-111

9 We have another home up in Big Bear. We don't
10 have any telephone poles. Where's the -- where is the
11 power? It's underground. Why do they stick that big
12 thing up there? When we moved in, we knew there was
13 some lines there. Why did they put them on our side?
14 Why the east side? Why not the west? There's nothing
15 else but orchards -- at least I -- there might be
16 somebody else on the other side. I don't know. I
17 don't know that. You might offend somebody else. I
18 don't know.

PM-112

19 But it's just you look at the whole picture.
20 Why put that big thing up there? Why -- we all need
21 power. I understand that, and when it gets hot, we're
22 lucky because half of our house is underground, so we
23 go downstairs. It's nice and cool down there because
24 we're underground. We go up on top, and it's
25 87 degrees in the house. We don't put the electricity

1 on. We've saving power for you. Right? We think
2 about our neighbors. We take care, the same with the
3 water. I told them not so many showers. Our water
4 bill went sky high one month. I go, "What are you
5 doing, taking five showers a day?" And we found out we
6 had a leak. When we were trying to figure that one, we
7 had the American Leak Detection Company come in -- \$360
8 to find your leak.

9 But this is the whole thing: We've got to do
10 something. Get the power, but go underground. Get rid
11 of that doggone thing. It's an eyesore. It's
12 terrible. I don't have to look at the thing. I know
13 you don't. I don't. I hope we can do something to
14 solve this problem.

PM-113

15 MS. MYERS: Next we have Danalynn Pritz and
16 then Kim Ramseyer.

17 DANALYNN PRITZ: Hi. I'm Danalynn Pritz. I
18 live in the Santa Rosa Valley Estates. My house is
19 situated close to the lines. I've also been involved in
20 this with Peggy since its inception back in 2008. I
21 will be filing a written comment, so I'm not going to
22 get into those details. I was a little late, and when I
23 walked in, we were talking about or you were trying to
24 explain the baseline, and it was whatever the situation
25 is when the CPUC issues the order to review the

PM-114

1 situation, then that's the situation they consider to be
 2 in existence at the time. That's the baseline, as I
 3 understood your definition.

PM-114
(cont.)

4 It's just stunning to me because it fails to
 5 consider why the CPUC ordered you guys to review it in
 6 the first place, why the project was stopped in the
 7 first place. And I don't know how many of you have
 8 seen it, but there's literally half a pole on the line
 9 somewhere where they just stopped. They didn't even
 10 start, by the way, until it got close -- until they got
 11 close to not being able to do it, and they made a mad
 12 rush to install as many poles as they possibly could
 13 put up in a very short period of time.

PM-115

14 We started in 2008. They didn't do anything.
 15 The order came out -- what, 2011?

16 UNIDENTIFIED SPEAKER: The stop order or the --

PM-116

17 DANALYNN PRITZ: Yeah, the stop order.

18 UNIDENTIFIED SPEAKER: The stop order was
 19 November '11.

20 DANALYNN PRITZ: 2011. In a matter of just a
 21 few months before 2011 they put up all those poles. So
 22 they did nothing for three years. So this project is
 23 clearly a continuation of what they've already started.
 24 And the last time we met, you guys had no idea about the
 25 Petition for Rehearing, what got you involved in the

PM-117

1 first place, what caused the stop; and what happened was
2 they tried to avoid an environmental review, and we
3 fought that, and we finally got some relief.

PM-117
(cont.)

4 And the CPUC ordered Edison to stop because
5 they violated due process. They didn't share
6 information with the public. They -- if they had any.
7 We don't know. We never saw it. It was all backdoor
8 dealings, and through these backdoor dealings that we
9 knew nothing about, they somehow justified what they
10 were doing. We don't know whether they justified it or
11 not. We never saw anything. But they were ordered to
12 stop pending this investigation.

PM-118

13 So the Petition for Rehearing is what caused
14 them to stop, the ordered -- the Petition for Rehearing
15 is what caused the CPUC to issue that order, and it
16 totally defies logic to get up here and say, "Well,
17 we're only going to look at, you know, putting up the
18 second half of that pole and however many more continue
19 down the line and then stringing a line across all of
20 them." It's just a game of semantics. That's all it
21 is. And I know semantics. I've been a lawyer for over
22 20 years. I can talk semantics all day long. But this
23 really violates both the letter and the spirit of CEQA.

PM-119

24 And if we want to talk about semantics --
25 Damon had a great quote from CEQA. I have another one:

1 CEQA Guideline Section 15130(a) says:

2 "An EIR shall" -- "shall," okay.

3 Here's a semantic. "Shall" means must.

4 There's no discretion.

5 -- "shall discuss cumulative impacts of

6 a project when the project's

7 incremental effect is cumulatively

8 considerable."

9 "Cumulatively considerable" means that the
10 incremental effect of an individual project are
11 considerable when viewed in connection with the effect
12 of past projects, the effects of other current projects,
13 and the effects of probable future projects.

14 So I stand here today as I have since 2008,
15 just stunned at the shortsightedness of this whole
16 thing, and it just reeks of SCE's backdoor dealings all
17 over again. So we're still here. We're still fighting
18 the fight. There's been a lot of great reasons given
19 here tonight why this draft EIR is not only unacceptable
20 but shortsighted. So, for what it's worth, I appreciate
21 the opportunity to speak.

22 Thank you.

23 MS. MYERS: I have Kim Ramseyer, and then I
24 don't any more speaker cards, so if you would like to
25 speak, please let me know.

PM-120

1 KIM RAMSEYER: I'm from Home Acres, which is
2 the very Moorpark-ish end of this whole thing, and I'm
3 really kind of not very smart on a lot of this stuff, so
4 forgive me for coming up with a few crazy questions.

5 I guess I want to go more on the economical
6 side. You kind of were leaning toward the
7 environmental side today. And I guess at some point,
8 it wasn't a public thing on the economic, but you
9 mentioned competition, and I was thinking to myself,
10 "Well, Edison doesn't have any competition." I was
11 wondering how that influenced any of this, the
12 decision-making by the CPUC.

PM-121

13 I also wanted to know about -- more about the
14 underground option, which also got mentioned, and I
15 wanted to know more about the independent system
16 option -- operator. That sounds really interesting.

PM-122

17 But and then I just got to the last -- nobody has
18 addressed this yet, and I just -- I probably should
19 know this, but is the public able to sue the CPUC? I
20 mean, how do you guys get a job? And who oversees you?
21 Maybe I should go home and Google all this, but it just
22 seems today I'm learning about who you are and what you
23 do, and it sounds like it's just not doing what you're
24 set up to do. And so you don't even need to say. I'll
25 go home and Google it.

PM-123

1 Thank you.

2 KEN GORDON: Hi. I'm Ken Gordon. I wasn't
3 going to speak originally because I think I kind of
4 interrupted a few times, which I appreciated you letting
5 me do. I live in the Santa Rosa Valley Estates, and
6 we've been there for about 22, 23 years. The reason I
7 wanted to speak is I wanted to address the Chamber of
8 Commerce lady and I wanted to address this gentleman
9 over here.

10 I have been in business as a manufacturer
11 for -- since 1980 in the Conejo Valley, and I have to
12 tell you about a couple of issues: One is I've --
13 we've had the best power we've ever had in the Conejo
14 Valley. When we were in Los Angeles and Hollywood and
15 the San Fernando Valley, we used to have problems all
16 the time. So, you know, creating fear, it sounds more
17 like a legislature. Every time they want to raise
18 taxes or do something, they blame education and health
19 care, and that's what you guys are doing when you come
20 up with these stories.

21 Our businesses, we employ about 225 people,
22 and I have never had any major problems. Plus, if
23 you're in business and you're a manufacturer,
24 especially in products like we have where we
25 manufacture lenses and things like that, we have

1 battery backup systems for our computers, and to say
2 that, you know, your power goes out for two hours and
3 everybody goes home or goes out for lunch just doesn't
4 happen. So I don't -- I want -- I'd like the truth
5 being told here.

6 So in the years that we've been here, we have
7 had very, very few power outages and everybody else has
8 had them, and they happen everywhere anyways. And for
9 businesses to say, "Oh, no, we really need to have some
10 upgraded power system" is fallacy to me. The other
11 fallacy is that, obviously, this is an ego and a power
12 issue with Edison. There doesn't seem to be a reason
13 why they would spend this amount of time and this
14 amount of effort to fight a group of people or a
15 community or a land area where they can simply move
16 something to another place where it won't have the same
17 impact. It's amazing to me, and that reeks to me of
18 ego and power.

19 The other thing is I've always been fascinated
20 by the fact that utilities build something, like they
21 build a new structure or they build a new building --
22 and as you were saying -- suddenly we're paying for it,
23 yet I don't own a part of their business. Do you? I
24 don't. Do you? My customers don't pay for my
25 improvements to my business, you know. So I'm always a

1 little bit suspect of all these issues and in terms of
 2 what kind of collusion is at work here.

3 And the last thing is it's an interesting
 4 issue when Edison can come up with reports. I had
 5 asked you before about the environmental reports, and I
 6 don't see anything relating to people, okay. I hear
 7 about the land, and you take this down, it makes noise,
 8 and there's air. You know, we live in an area where we
 9 have airplanes coming over and landing at
 10 Point Hueneme. They make noise at times, okay. That's
 11 an environmental issue, but there's not a lot we're
 12 going to be able to do about it.

13 But what I'm always fascinated by is that here
 14 it is, Edison makes this claim that they need this
 15 increased power. We have not seen it. I have been
 16 manufacturing since 1980, as I said I haven't had
 17 problems. Maybe this gentleman moved to Vegas because
 18 it was cheaper and it is cheaper, the employment force
 19 there. I have no -- I have no idea why he did what he
 20 did. But the reality is that it isn't going to make a
 21 whole lot of difference because in the next coming
 22 years my belief system -- and, again, it's my opinion
 23 -- is that if they end up raising the minimum wage in
 24 manufacturing and business and wholesaling to \$12 or
 25 \$15 an hour, there is going to be a mass exodus out of

PM-124

1 California and we won't need all that power because
2 we'll be able to divert it from other places.

3 Thank you for listening.

4 MS. MYERS: Is there anybody else who would
5 like to speak this evening? Okay.

6 MR. ROSAUER: Well, I appreciate the
7 enthusiasm, even though not everything that got said
8 about the CPUC is -- was -- you know, looks favorably on
9 the organization. All I can say is I do my job there
10 and I do it the best I can, and a lot of issues here
11 that are raised, I think, you know, they have to be
12 addressed in the proceeding. And I think there's issues
13 here that the ALJ will address when she holds her
14 hearing here.

15 I wouldn't wait to hit her with that when
16 she's here in person. I would give her a heads up as
17 to what your concerns are, and I can do that, but I
18 think it's most effective if it comes from the public.
19 Again, you're going to have to become party to the
20 proceeding to do that, and I would do that as quickly
21 as possible, and I think --

22 UNIDENTIFIED SPEAKER: Can you tell us how to
23 do that again, Mike? I'm sorry. You had told us
24 that -- because I know there's only a couple of us right
25 now that are party to the proceedings.

1 MR. ROSAUER: Okay. I would contact the ALJ
2 directly. I don't know if you have her contact
3 information. I have it.

4 UNIDENTIFIED SPEAKER: We've been in touch with
5 them already. Oh, now we have it.

6 Say it for everybody else.

7 MR. ROSAUER: Okay. The assigned ALJ is Hallie
8 Yacknin, and her email is hallie.yacknin@cpuc.ca.gov.

9 UNIDENTIFIED SPEAKER: Can you do that one more
10 time?

11 UNIDENTIFIED SPEAKER: One more time.

12 MR. ROSAUER: Sure. Hallie.yacknin --
13 y-a-c-k-n-i-n -- @cpuc.ca.gov.

14 UNIDENTIFIED SPEAKER: That was "n" like Nancy,
15 i-m like Mary?

16 MR. ROSAUER: N-i-n, Yacknin.

17 UNIDENTIFIED SPEAKER: Oh, I'm sorry.

18 UNIDENTIFIED SPEAKER: @cpuc?

19 MR. ROSAUER: @cpuc.ca.gov.

20 UNIDENTIFIED SPEAKER: She works for the CPUC?

21 MR. ROSAUER: Yeah, she is the Administrative
22 Law Judge who will issue the decision on whether or not
23 this project should be built. That decision will then
24 be voted on by the five Commissioners at the CPUC. That
25 decision will first be issued in draft form, which we

1 call a proposed decision. That's -- that can be
2 comments. If you are a party to the proceeding, you can
3 comment on that decision, and then that -- then those
4 comments will be incorporated as she sees fit, and it
5 will go before the full Commission for a vote.

6 UNIDENTIFIED SPEAKER: And that Commission is
7 also --

8 MR. ROSAUER: The Commission is the Commission.
9 It's the CPUC, the Commissioners --

10 UNIDENTIFIED SPEAKER: Who can override you
11 guys?

12 UNIDENTIFIED SPEAKER: The federal court.

13 MR. ROSAUER: The courts.

14 UNIDENTIFIED SPEAKER: So we can sue?

15 UNIDENTIFIED SPEAKER: Yes.

16 UNIDENTIFIED SPEAKER: You didn't have a
17 schedule for any of that, Mike. Are you prepared to
18 talk about proposed schedules?

19 MR. ROSAUER: No, I'm not, because it's the --
20 the ALJ sets her own schedule, and so you have to
21 contact her to find out when she's going to hold her
22 hearing because, again, this is just a sub -- what we're
23 doing here is a subcomponent of a larger proceeding.

24 UNIDENTIFIED SPEAKER: Mike, would they ask --
25 this is just because I don't understand. So they would

1 email her and ask her to be -- what would they -- what's
2 the language? We ask to be included as a principal
3 or...

4 MR. ROSAUER: Yeah, a formal party.

5 UNIDENTIFIED SPEAKER: A formal party in the
6 Moorpark corridor?

7 MR. ROSAUER: In application A13, 13-10-021.

8 UNIDENTIFIED SPEAKER: Okay. Thank you. Thank
9 you.

10 UNIDENTIFIED SPEAKER: Excuse me. I'm sorry.

11 I missed -- is this judge an elected official by the
12 County? The State?

13 MR. ROSAUER: No, this is an Administrative Law
14 Judge.

15 UNIDENTIFIED SPEAKER: So she's in-house --

16 MR. ROSAUER: Yes.

17 UNIDENTIFIED SPEAKER: California Public
18 Utilities Commission?

19 MR. ROSAUER: Correct.

20 UNIDENTIFIED SPEAKER: And she's to help us?

21 MR. ROSAUER: She will be the person at the
22 CPUC that drafts a legal decision that will then be
23 voted upon.

24 UNIDENTIFIED SPEAKER: By the Commission?

25 MR. ROSAUER: By the Commission?

1 THE WITNESS: Of the CPUC?

2 MR. ROSAUER: By the five -- the five
3 Commissioners that will vote on this are appointed.
4 They're not elected; they're appointed officials.

5 UNIDENTIFIED SPEAKER: I think what we need are
6 a couple whistleblowers, one from Edison and one from
7 the CPUC.

8 UNIDENTIFIED SPEAKER: Could the ALJ force you
9 guys to go back and review the EIR and consider the
10 project thus far as concluded and override your
11 interpretation of CEQA?

12 MR. ROSAUER: I -- legally, I hear -- I know
13 there's been -- there's been a challenge of -- as to the
14 legality of the CEQA process that we followed. I'm not
15 a CEQA attorney, but that would -- she would be the
16 person that would make that determination as to whether
17 we did follow a -- the preferred CEQA approach here.

18 THE WITNESS: So she'll review your process?

19 MR. ROSAUER: Correct.

20 UNIDENTIFIED SPEAKER: And determine whether or
21 not --

22 MR. ROSAUER: She will report, yes.

23 UNIDENTIFIED SPEAKER: Before she then takes
24 into account your findings and rules on them?

25 MR. ROSAUER: Correct.

1 UNIDENTIFIED SPEAKER: And how often does -- I
2 don't know if you have an answer to this, but how often
3 does the Commission go against her or with her
4 recommendation?

5 MR. ROSAUER: I don't know how often, but I
6 know that every Commissioner has the ability to issue an
7 alternate decision that is drafted from within their
8 office, so it's not uncommon for a Commissioner to
9 disagree with an ALJ's decision and actually draft what
10 is known as an alternate decision, which will also go
11 before the full PUC. And, oftentimes, it's not uncommon
12 for an alternate to be voted out instead of the actual
13 ALJ's decision.

14 UNIDENTIFIED SPEAKER: So they have to consider
15 one of those and vote on that?

16 MR. ROSAUER: Correct.

17 UNIDENTIFIED SPEAKER: Okay.

18 UNIDENTIFIED SPEAKER: What is the distinction
19 between the ALJ and the lawyers or the relationship
20 between the ALJ and the lawyers who gave you the
21 recommendation that this was a legal CEQA document?

22 MR. ROSAUER: Well, they're --

23 UNIDENTIFIED SPEAKER: Or are they the same?

24 MR. ROSAUER: They're separate divisions within
25 the CPUC, so it's ALJ division. I work for energy

1 division, we're advised by legal division, and the
2 decisions are ultimately made by the Commission, but
3 after a decision has been drafted by ALJ division.

4 So input from legal division and energy
5 division -- legal division guides our actions in terms
6 of CEQA and how we approach CEQA. We followed legal
7 division's advice to -- on the course of action we've
8 taken here. So ALJ division will have their own. They
9 have their own procedures and their own ability to act;
10 and, again, this is a subcomponent of the larger
11 proceeding, which the ALJ oversees. So, in effect,
12 we -- you know, we hand off the environmental portion
13 of the ALJ, so...

14 UNIDENTIFIED SPEAKER: Mike, Frank Lindh, I
15 know he's no longer with the office. Which one of
16 those -- because he's the guy that had lunch with the
17 SCE guy and talked and where we have the document that
18 states --

19 MR. ROSAUER: He was general counsel for the --

20 UNIDENTIFIED SPEAKER: He was general counsel
21 for CPUC, but not of the ADJ office?

22 MR. ROSAUER: No, he was in legal division. He
23 headed up legal division.

24 UNIDENTIFIED SPEAKER: Is there a direct access
25 from the public to the Commissioners, or do you have to

1 go through the filtered channels?

2 MR. ROSAUER: No -- no, you can contact the
3 Commissioner's office directly.

4 UNIDENTIFIED SPEAKER: And that's public
5 knowledge online?

6 MR. ROSAUER: Yes. Yes.

7 UNIDENTIFIED SPEAKER: With the Commissioners'
8 names and things can be addressed direct?

9 MR. ROSAUER: Yes. What each -- there's one
10 Commissioner that's been assigned to this project, and
11 I'm not sure which Commissioner it is, but I can get
12 that information to you. I can -- we can do that. I
13 can do that if you -- if you contact me directly or give
14 me your contact information, then I can tell you which
15 Commissioner has been assigned to this because I'm not
16 sure off the top of my head because I haven't -- I don't
17 know.

18 UNIDENTIFIED SPEAKER: But one thing to
19 remember, you can communicate to them, but anything you
20 say -- the only way you can have it impact the
21 proceedings is if you become part of the party to the
22 proceedings. So you can have all the conversations you
23 want, but that won't go into their decision-making. You
24 have got to go through the proceeding process --

25 MR. ROSAUER: Yes. To become part of the

1 formal record, you're correct. You have to become --

2 UNIDENTIFIED SPEAKER: There's a filtering
3 process through here, and then this Administrative Law
4 Judge has the ability to write their own.

5 UNIDENTIFIED SPEAKER: Yes. But if you're a
6 party to the proceeding, if you email her and you want
7 to be part of --

8 UNIDENTIFIED SPEAKER: Then it's on the record.

9 UNIDENTIFIED SPEAKER: It's on. So that's the
10 way you get it into the record, so they can't say that
11 they didn't see it.

12 MR. ROSAUER: So anything that pertains to CEQA
13 is part of the record. Your comments tonight will
14 become part of the record that the ALJ will have access
15 to, but I strongly recommend that you contact her with
16 many of these things that are not part of the CEQA --
17 the CEQA record, in terms of challenging the legality of
18 our CEQA process and larger issues like that, so...

19 Okay. Again, thanks everybody. I appreciate
20 everybody coming out and being honest and trying to
21 make this process as good as possible.

22 (The proceedings concluded at 8:21 p.m.)
23
24
25

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) ss.

3
4 I, Tamara L. Carlson, CSR No. 12555, in and for
5 the State of California, do hereby certify:

6 That the foregoing ___ -page proceedings were
7 taken down by me in shorthand at the time and place
8 stated herein and represent a true and correct
9 transcript of the proceedings.

10 I further certify that I am not interested in the
11 event of this action.

12 Witness my hand this _____ day of _____,
13 2015.

14
15 _____
16 Certified Shorthand Reporter
17 for the State of California
18
19
20
21
22
23
24
25

3.4.1 PM – Responses to Comments from Public Meeting

- PM-1 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need, and Master Response 5, *SCE’s Forecasted Peak Load Growth* in Section 3.1.5, for discussion on how SCE estimates peak electrical load growth in the electric needs area (ENA) for the Proposed Project.
- PM-2 The commenter is referred to Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5 for discussion on how SCE estimates peak electrical load growth in the ENA for the Proposed Project.
- PM-3 The commenter is referred to Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5 for discussion on how SCE estimates peak electrical load growth in the ENA for the Proposed Project.
- PM-4 The commenter is referred to Master Response 5, *SCE’s Forecasted Peak Load Growth*, in Section 3.1.5 for discussion on how SCE estimates peak electrical load growth in the ENA for the Proposed Project.
- PM-5 The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-6 The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-7 The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-8 The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-9 The alternative referred to by the commenter is evaluated in Draft EIR Section 4.5.3, *Alternative 3 – New 66 kV Line Collocated with the Existing Moorpark-Newbury-Pharmacy 66 kV Line* (pages 4-20 et seq.). As discussed in this section, although Alternative 3 achieved most of the Proposed Project objectives, it was eliminated for full evaluation because it would result in greater impacts to air quality, biological resources, cultural resources, and noise exposure than the Proposed Project.
- PM-10 This comment has been addressed. See Response PM-9.
- PM-11 This comment has been addressed. See Response PM-9.
- PM-12 The commenter is referred to Draft EIR Chapter 4, *Project Alternatives*, for a discussion on the CEQA context for the consideration of alternatives, the alternatives development and screening process, and the reasons why Alternative 3 was eliminated from full evaluation based on the potential for it to increase environmental impacts compared to the Proposed Project.

The commenter questions the role that the expense of replacing poles played in Alternative 3 being eliminated from full evaluation. Per CEQA Guidelines, an alternative that is more expensive than a project is not automatically eliminated; specifically, the CEQA Guidelines state that a discussion of alternatives “shall focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly (§15126.6(b))” (Draft EIR page 4-1).

Economic factors are considered only if they render the alternative infeasible, where CEQA Guidelines Section 15364 defines “feasible” as: “. . . capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” In addition, CEQA requires that the Lead Agency consider site suitability, economic viability, availability of infrastructure, general plan consistency, other regulatory limitations, jurisdictional boundaries, and the proponent’s control over alternative sites in determining the range of alternatives to be evaluated in the EIR (CEQA Guidelines §15126.6(f)).

PM-13 This comment has been addressed. See Responses PM-9 and PM-12.

PM-14 This comment has been addressed. See Responses PM-9 and PM-12.

PM-15 This comment has been addressed. See Responses PM-9 and PM-12.

PM-16 A description of the removal of infrastructure installed as part of past construction activities is provided in Draft EIR Chapter 4, *Alternatives*, Section 4.4.2, *No Project Alternative 2 – Infrastructure Removal*. A discussion of environmental impacts associated No Project Alternative 2 is provided for each resource section in Draft EIR Chapter 5, Sections 5.1 through 5.18. As summarized in Chapter 6, *Comparison of Alternatives* (page 6-6):

No Project Alternative 2 would also not achieve any of the Proposed Project objectives, and similar to No Project Alternative 1, could result in the ENA experiencing a shortage of electricity, the effects of which would include the electrical system becoming vulnerable to upset until a new project could be designed, permitted, and constructed to provide additional subtransmission capacity and reliability to the area. No Project Alternative 2 would result in beneficial impacts to aesthetics after the completion of construction, as it would remove industrial infrastructure from the viewshed. However, like the Proposed Project, it would result in significant and unavoidable impacts pertaining to air quality and noise, and greater impacts (Class II and Class III) than No Project Alternative 1 for the following resource areas: agriculture and forestry resources, biological resources, cultural resources, energy conservation, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, population and housing, recreation, traffic and transportation, and

utilities and service systems. For these reasons, No Project Alternative 2 is not the Environmentally Superior Alternative.

- PM-17 See Response PM-12.
- PM-18 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-19 The commenter(s) request documentation to substantiate the legal basis for the CPUC to use the baseline that includes the previously built portions of the project. Subsequent to the public meeting, CPUC Energy Division staff requested the documentation from the CPUC Legal Division; however, the Legal Division informed the Energy Division that it usually does not commit to providing copies of Legal Advice to parties because the Commission would need to waive the attorney client privilege in order to do so. However, the legal basis for the baseline used in the EIR is discussed in Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3.
- PM-20 See Response PM-19.
- PM-21 See Response PM-19.
- PM-22 See Response PM-19.
- PM-23 See Response PM-19.
- PM-24 See Response PM-19.
- PM-25 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The comment is acknowledged.
- PM-26 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-27 This comment has been addressed. See Response PM-16. To clarify, there has not yet been a decision on whether or not to approve the Proposed Project, a project alternative, or one of the No Project Alternatives.
- PM-28 Comment acknowledged.
- PM-29 This comment does not pertain to the adequacy or accuracy of the EIR. The requested information is not readily available.
- PM-30 This comment does not pertain to the adequacy or accuracy of the EIR. The requested information is not readily available.
- PM-31 This comment does not pertain to the adequacy or accuracy of the EIR. The requested information is not readily available.

- PM-32 The commenter is referred to Draft EIR Section 4.5.6, *Alternative 6 – Renewable and Distributed Energy Generation Resources*. As stated in the discussion on page 4-31, “because renewable resources would not provide the demand, reliability, or operational flexibility needs of SCE, as stated in the objectives for the Proposed Project, and because subtransmission infrastructure upgrades would still be required to integrate any renewable resources, this alternative was eliminated from further consideration.” Additional information on development of alternatives, including renewable energy generation, is provided in Master Response 1, *Alternatives*, in Section 3.1.1.
- PM-33 The Draft EIR does not evaluate potential environmental impacts associated with the project’s past construction activities. As described in Draft EIR Chapter 2, *Background*, and reiterated in Master Response 2, *Non-CEQA Issues* in Section 3.1.2 of this Final EIR, past project activities are not analyzed in the EIR. Draft EIR Chapter 2 provides an overview of past CPUC procedural activities, past construction activities associated with the Moorpark-Newbury 66 kV Subtransmission Line, and the environmental effects of past construction activities as reported by SCE in its Proponent’s Environmental Assessment (PEA) (see page 2-1). The Draft EIR discloses that: “The effects of past project construction are provided for informational purposes only, and are not assigned impact significance determinations (e.g., less than significant impact, less than significant with mitigation)” (see page 2-2).
- PM-34 See Response PM-33 and Response PM-16.
- PM-35 The commenter appears to indicate that approval of the Proposed Project is a foregone conclusion. This is incorrect. The Final EIR will be used by the CPUC, in conjunction with other information developed in the CPUC’s formal record, to act on SCE’s Moorpark-Newbury 66 kV Subtransmission Line application for a Permit to Construct (PTC). (See Final EIR Section 1.1, *Purpose of this Document*, on page 1-2.). Therefore, a conclusion on whether or not to approve the Proposed Project will not be made until the CPUC acts on SCE’s PTC application. The commenter is also referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on the process for the PTC proceeding.
- PM-36 Comment acknowledged. See Response PM-16.
- PM-37 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR.
- PM-38 This comment does not pertain to the adequacy or accuracy of the EIR. However, for purposes of clarification, the Moorpark-Newbury 66 kV Subtransmission Line Project is not a California Independent System Operator (CAISO)-approved Transmission Project.¹

¹ California Energy Commission – Tracking Progress, Transmission Expansion Project for Renewables, Table 1: Status of California ISO-Approved Transmission Projects, last updated June 24, 2015.

- PM-39 See Response PM-38.
- PM-40 See Response PM-38.
- PM-41 See Response PM-38.
- PM-42 See Response PM-38.
- PM-43 See Response PM-38.
- PM-44 See Response PM-38.
- PM-45 See Response PM-38.
- PM-46 The commenter is referred to Draft EIR Chapter 3, *Project Description*, Section 3.9, *Electric and Magnetic Fields Summary* (pages 3-45 et seq.), as well as Master Response 2, in Section 3.1.2 of this Final EIR, *Non-CEQA Issues*, for a discussion on Electric and Magnetic Fields (EMF).
- PM-47 The commenter's support for the Proposed Project is acknowledged. The commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for a discussion of SCE's latest peak energy load forecasts for the electrical needs area (ENA) identified for the project.
- PM-48 This comment has been addressed. See Response I1-1.
- PM-49 This comment has been addressed. See Response I1-2.
- PM-50 This comment does not address the accuracy or adequacy of the Draft EIR. The comment is acknowledged.
- PM-51 This comment does not address the accuracy or adequacy of the Draft EIR. The comment is acknowledged.
- PM-52 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.
- PM-53 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need.
- PM-54 The commenter's support for the Proposed Project is acknowledged.
- PM-55 The commenter's support for the Proposed Project is acknowledged.

- PM-56 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter's opposition to the Proposed Project is acknowledged.
- PM-57 For information on alternatives evaluated in the EIR, including placing the line on the west side of the 220 kV ROW (Alternative 2) with an underground option, see Draft EIR Section 4.5.2, *Alternative 2 – West Side of 220 kV ROW*.
- PM-58 The commenter expresses general concerns pertaining to aesthetic impacts, air quality and, noise. These issues were considered and discussed in the Draft EIR Sections 5.1, *Aesthetics*; 5.3, *Air Quality*; and 5.11, *Noise*. Placing the line underground can be used as mitigation or an alternative to reduce significant aesthetics-related impacts of the Proposed Project. However, no significant aesthetics impacts have been identified; therefore, undergrounding is not recommended. For discussion of why the underground option associated with Alternative 2 was determined to be infeasible, refer Draft EIR Section 4.5.2, *Alternative 2 – West Side of 220 kV ROW*.
- PM-59 The commenter expresses concern that if the Proposed Project is not approved and the previously installed poles are left in place, then SCE would come back at a later date and try to complete the project. This comment is acknowledged.
- PM-60 The commenter asks whether the linear feet of facilities within 20 feet of residential property lines were considered in the Draft EIR. This specific metric was not analyzed in the Draft EIR; rather, impacts on property owners were considered in the context of the 18 resource areas analyzed in Draft EIR Chapter 5. The following resource areas are frequently of interest to homeowners in a project area: Sections 5.1, *Aesthetics*; 5.2, *Agriculture and Forestry Resources*; 5.3, *Air Quality*; 5.9, *Hazards and Hazardous Materials*; 5.11, *Noise*; and 5.17, *Transportation and Traffic*.
- PM-61 The commenter is referred to Draft EIR Chapter 4, *Project Alternatives* for a discussion on the CEQA context for the consideration of alternatives, the alternatives development and screening process, and the reasons why the project alternatives were eliminated from full EIR evaluation. In addition, see Master Response 1, *Alternatives*, in Section 3.1.1 for additional discussion on the alternatives analysis.
- PM-62 The commenter is referred to Response PM-61.
- PM-63 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.
- PM-64 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.
- PM-65 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.

- PM-66 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.
- PM-67 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives.
- PM-68 The comment indicates that the Draft EIR inadequately addresses the human population and homeowners in the vicinity of the Proposed Project. The potential impacts of the Proposed Project on humans and homeowners are evaluated in the Draft EIR in Chapter 5, in the context of 18 different resource areas. Visual impacts are analyzed in Section 5.1, *Aesthetics*. Impacts to local agricultural land are analyzed in Section 5.2, *Agriculture and Forestry Resources*. Impacts from Proposed Project-generated air pollution and dust are analyzed in Section 5.3, *Air Quality*. The potential for the Proposed Project to create hazardous conditions for locals is analyzed in Section 5.9, *Hazards and Hazardous Materials*. The effects of noise on sensitive noise receptors are analyzed in Section 5.13, *Noise*. Additional topics of particular interest to the human population and homeowners are analyzed in Sections 5.14, *Population and Housing*; 5.15, *Public Services*; 5.16, *Recreation*; 5.17, *Transportation and Traffic*; and 5.18, *Utilities and Service Systems*.
- PM-69 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.
- PM-70 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives, including the use of renewable and distributed energy generation resources (Draft EIR Alternative 6) to negate the need for the Proposed Project.
- PM-71 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives, including the use of demand-side management programs (Draft EIR Alternative 5) to negate the need for the Proposed Project.
- PM-72 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for a discussion on alternatives, including the use of renewable and distributed energy generation resources (Draft EIR Alternative 6) to negate the need for the Proposed Project.
- PM-73 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged. The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-74 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.

- PM-75 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.
- PM-76 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need, and Master Response 5, in Section 3.1.5 *SCE's Forecasted Peak Load Growth*, for discussion on how SCE estimates peak electrical load growth in the ENA for the Proposed Project.
- PM-77 Refer to Response PM-76.
- PM-78 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged. Draft EIR Section 5.6, *Energy Conservation*, includes a discussion of the regulatory setting pertaining to energy use, including federal, state, and local policies, as well as an analysis of energy-related impacts resulting from construction, operation, and maintenance of the Proposed Project.
- PM-79 Contrary to the commenter's statement, the CPUC did perform an independent evaluation of SCE's peak load growth forecasts. Refer to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5 for discussion of CPUC's independent evaluation of SCE's estimated peak electrical load growth in the ENA.
- PM-80 Regarding SCE's most recent load growth forecasts, see Master Response 5, *SCE's Forecasted Peak Load Growth* in Section 3.1.5. Regarding showing project need as a CEQA mandate, the commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2.
- PM-81 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on rate increases to customers.
- PM-82 For discussion relative to the effects of electric and magnetic fields (EMF) and CPUC policy for evaluation of EMF in CEQA reviews, refer to Master Response 2D *EMF*, in Section 3.1.2.
- PM-83 Regarding impacts of the Proposed Project pertaining to hazards, including wildfires, see Draft EIR Chapter 5.9, *Hazards and Hazardous Materials*. As discussed under Impacts 5.9-7 and 5.9-8 (Draft EIR Impacts 5.9-6 and 5.9-7, respectively, pages 5.9-19 et seq.), implementation of the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires.
- PM-84 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-85 The Draft EIR evaluated the viability of alternatives consistent with the previous requests of Supervisor Parks.

Alternative 2, which would result in the new line being placed in a different location on the west and north side of the Moorpark-Ormond Beach 220 kV Transmission line ROW with an option to underground the lines in Santa Rosa Valley, met most CEQA objectives and the overhead subtransmission line option also met feasibility criteria. However, Alternative 2 would result in greater impacts to air quality, biological resources, and cultural resources compared to the Proposed Project, and would generate new significant noise impacts that would not occur under the Proposed Project. Moreover, the underground option of Alternative 2 was found to be infeasible due to existing seismic and geotechnical hazards, such as the Simi-Santa Rosa Fault zone and excessively steep terrain (see Draft EIR Section 4.5.2, *Alternative 2 – West Side of 220 kV ROW* on pages 4-15 through 4-19).

Alternative 3 which would result in the collocation of the proposed line with the existing Moorpark-Newbury-Pharmacy 66 kV line, met most of the CEQA objectives, and the option to put the subtransmission line on the south side of State Route 118 was deemed feasible. However, Alternative 3 would result in greater impacts to air quality, biological resources, cultural resources, and noise exposure compared to the Proposed Project because the number of new double-circuit poles installed would be substantially greater than the number of poles installed under the Proposed Project (see Draft EIR Section 4.5.3, *Alternative 3 – New 66 kV Line Collocated with the Existing Moorpark-Newbury-Pharmacy 66 kV Line*, on pages 4-20 through 4-24).

For additional information on alternatives evaluated in the EIR, see Draft EIR Chapter 4, *Project Alternatives*, and Final EIR Master Response 1, *Alternatives*, in Section 3.1.1.

- PM-86 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-87 The commenter states that significant impacts are being disregarded, but does not specify which significant impacts he is referring to. It appears that the commenter may be referring to impacts from past project construction activities. In this case, the commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues, and also Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-88 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.
- PM-89 The commenter suggests that the Draft EIR included No Project Alternative 2, Infrastructure Removal, to mitigate or restore damage that occurred during the past construction activities. To clarify, No Project Alternative 2 was included in the EIR to disclose the effects of infrastructure removal should the Commission decide to not

approve the Proposed Project and order SCE to remove the previously installed infrastructure.

- PM-90 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.
- PM-91 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. Regarding the CPUC's decision to not evaluate past construction activity in the EIR, see Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3, and Master Response 2, *Non-CEQA Issues*.
- PM-92 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline and piecemealing issues.
- PM-93 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1 for discussion of why Draft EIR Alternatives 6 and 7 were eliminated from full EIR evaluation.
- PM-94 See Response PM-93.
- PM-95 See Response PM-93.
- PM-96 See Response PM-93.
- PM-97 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.
- PM-98 See Response PM-97.
- PM-99 See Response PM-97.
- PM-100 See Response PM-97.
- PM-101 See Response PM-97.
- PM-102 See Response PM-97.
- PM-103 See Response PM-97.
- PM-104 See Response PM-97.
- PM-105 The commenter is referred to Master Response 1, *Alternatives*, in Section 3.1.1; Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on project need; and Master Response 5, and Response O9-1, regarding SCE's latest peak load forecast for the ENA.

- PM-106 The commenter indicates that the Draft EIR accepts SCE's representations at face value. This is incorrect. The CPUC and its consultants prepared the Draft EIR based on independent analysis of the Proposed Project and alternatives. For discussion of the CPUC's independent alternatives screening analysis conducted for the EIR, refer to Master Response 1, *Alternatives*, in Section 3.1.1.
- PM-107 See Response PM-106.
- PM-108 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The CPUC is the CEQA Lead Agency for the project because the Commission has discretionary approval authority over all Permit to Construct (PTC) applications.
- PM-109 See Response PM-108.
- PM-110 Regarding CPUC's electrical engineering consultant that conducted an independent analysis of SCE's load growth projections, the commenter is referred to Master Response 5, *SCE's Forecasted Peak Load Growth*, in Section 3.1.5.
- PM-111 The commenter is referred to Master Response 2, *Non-CEQA Issues* in Section 3.1.2 for a discussion on economic issues, including property values.
- PM-112 The commenter is referred to Draft EIR Section 4.5.2, *Alternative 2, West Side of 220 kV ROW* (pages 4-15 through 4-19) and Master Response 1, *Alternatives*, in Final EIR Section 3.1.1 for a discussion of why installation of the subtransmission line on the west side of the 220 kV ROW was eliminated as an alternative from full EIR analysis.
- PM-113 The commenter's opposition to the Proposed Project is acknowledged.
- PM-114 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues.
- PM-115 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-116 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues.
- PM-117 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. This comment is acknowledged.
- PM-118 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on past CPUC procedural activities.
- PM-119 The commenter is referred to Master Response 3, *CEQA Baseline and Piecemeal Review of the Project*, in Section 3.1.3 for a discussion on baseline issues.

- PM-120 The commenter is referred to Master Response 4, *Cumulative Effects Associated with Past Construction Activities*, in Final EIR Section 3.1.3.
- PM-121 The commenter is referred to Master Response 2, *Non-CEQA Issues*, in Section 3.1.2 for a discussion on economic impacts.
- PM-122 The commenter is referred to Draft EIR Section 3.5.1.2, *Conductor, Below-Ground Conductor*, and Section 3.6.9, *Subtransmission Line Construction (Below Ground)*, for discussion of the underground subtransmission line that would be associated with the Proposed Project. In addition, see the Draft EIR *Feasibility* discussion for the West Side of 220 kV ROW alternative (Alternative 2; pages 4-16 through 4-19) for analysis relative to the underground line option for that alternative.
- PM-123 This comment does not address any concern or issue specifically related to the accuracy or adequacy of the Draft EIR. The commenter is referred to Response PM-38.
- PM-124 The commenter is referred to Master Response 2, *Non-CEQA Issues*, regarding project need, and Master Response 5, *SCE's Forecasted Peak Load Growth* in Section 3.1.5, regarding SCE's projected growth forecast for the electrical needs area.

CHAPTER 4

Revisions to the Draft EIR

4.1 Introduction

Pursuant to CEQA Guidelines Section 15132, this section presents the changes that were made to the Draft EIR to clarify or amplify its text in response to received comments. Such changes are insignificant as the term is used in CEQA Guidelines Section 15088.5(b), in that the changes merely clarify or amplify or make insignificant modifications.

The changes are grouped by Draft EIR chapters and are then shown by page number in the Draft EIR and identified as to the location of the change in the body of the text or table.

For clarity purposes, Appendix F contains the Final Mitigation Monitoring, Reporting, and Compliance Program (MMRCP). Consequently, clarification to mitigation measures is included in the MMRCP in Appendix F.

Where changes are shown inserted in the existing Draft EIR text, revised or new language is underlined, deleted language is indicated by ~~strikethrough text~~, and the original text is shown without underline or strikethrough text.

4.2 Text Changes

Page **Identification / Text Change**

Executive Summary

ES-1 *The last paragraph in Draft EIR Section ES.1, Introduction, has been clarified as follows:*

In its application, SCE requested authorization to construct the new Moorpark-Newbury 66 kV Subtransmission Line and upgrade the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to collectively address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.

ES-5 *The first sentence of the fourth bullet has been revised as follows:*

Segment 4: Installation of approximately 1 mile of conductor for the new Moorpark-Newbury 66 kV Subtransmission Line to be collocated with the

existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line on previously installed lightweight steel (LWS) poles into Newbury Substation.

ES-18 *Based on the changes to Draft EIR Mitigation Measure 5.1-2b (Draft EIR page 5.1-30), the following changes to Table ES-3 have been made:*

<p>Impact 5.1-2: Use of temporary staging and laydown areas during the construction period would result in adverse impacts to visual quality.</p>	<p>Class II</p>	<p>Mitigation Measure 5.1-2a: SCE shall not place equipment at the laydown or conductor stringing areas any sooner than two weeks prior to the required use.</p> <p>Mitigation Measure 5.1-2b: SCE shall coordinate with the Conejo Open Space Conservation Agency (COSCA) to ensure that designated trails in the vicinity of the Proposed Project are not blocked by the laydown areas or conductor stringing areas, <u>or otherwise provide for safe substitute means of access for recreational trail users.</u> SCE shall coordinate with COSCA to post signage at trailheads within the Conejo Canyons Open Space area, alerting recreationalists to construction locations and dates.</p>	<p>Less than significant.</p>
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ES-18 *Based on the changes to Draft EIR Mitigation Measure 5.1-6 (Draft EIR page 5.1-36), the following changes to Table ES-3 have been made:*

<p>Impact 5.1-6: If night lighting is required during construction, the Proposed Project could adversely affect nighttime views in the Proposed Project area.</p>	<p>Class II</p>	<p>Mitigation Measure 5.1-6: SCE shall design and install all <u>new</u> lighting at Project facilities <u>construction areas</u>, including construction and storage yards and staging areas, such that light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination of the project facilities <u>construction areas</u>, vicinity, and nighttime sky is minimized. SCE shall submit a <i>Construction Lighting Mitigation Plan</i> to the CPUC for review and approval at least 90 days prior to the start of construction or the ordering of any exterior lighting fixtures or components, whichever comes first. SCE shall not order <u>use</u> any exterior lighting fixtures or components until the <i>Construction Lighting Mitigation Plan</i> is approved by the CPUC. The Plan shall include but is not limited to the following measures:</p> <ul style="list-style-type: none"> • Lighting shall be designed so exterior lighting is hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light sources are shielded to prevent <u>minimize</u> light trespass outside the Project boundary area requiring illumination. • All lighting shall be of minimum necessary brightness consistent with worker safety. • High illumination areas not occupied on a continuous basis shall have switches or motion detectors to light the area <u>be illuminated only when occupied.</u> 	<p>Less than significant.</p>
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ES-19 Based on the changes to Draft EIR Mitigation Measure 5.3-1 (Draft EIR page 5.3-14), the following changes to Table ES-3 have been made:

<p>Impact 5.3-1: Construction activities would generate exhaust emissions that could contribute substantially to a violation of an air quality standard.</p>	<p>Class I</p>	<p>Mitigation Measure 5.3-1: For diesel-fueled off-road construction equipment of more than 50 horsepower, SCE shall make a good faith effort to use available construction equipment that meets the highest USEPA-certified tiered emission standards. An Exhaust Emissions Control Plan that identifies each off-road unit's certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC for review and approval at least 30 days prior to commencement of construction activities. Construction activities cannot commence until the plan has been approved. <u>Separate from the Exhaust Emissions Control Plan, an inventory of off-road diesel equipment over 50 hp that identifies each off-road unit's certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC prior to mobilization of that unit.</u> For all pieces of equipment that would not meet Tier 3 emission standards, the Exhaust Emissions Control Plan inventory submittal shall include documentation from two local heavy construction equipment rental companies that indicates that the companies do not have access to higher-tiered equipment for the given class of equipment.</p>	<p>Significant and unavoidable.</p>
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ES-21 Based on the changes to Draft EIR Mitigation Measure 5.4-1a and Mitigation Measure 5.4-1b (Draft EIR page 5.4-38), the following changes to Table ES-3 have been made:

<p>Impact 5.4-1: Construction activities could result in adverse impacts to rare plants.</p>	<p>Class II</p>	<p>Mitigation Measure 5.4-1a: <u>SCE and/or its contractors shall perform preconstruction surveys for rare plants in areas of future ground disturbance shall be surveyed for rare plants, including Plummer's mariposa lily, white rabbit tobacco, and chaparral ragwort, in accordance with CDFW's 2009 Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities, unless otherwise agreed to by CDFW.</u> If no rare plants are encountered, no further mitigation is required. If rare plants <u>are known to occur or new populations</u> are found, the applicant proposed measures related to special-status plants shall be implemented for any identified CRPR Rank 1 or Rank 2 species.</p> <p>Mitigation Measure 5.4-1b: To reduce the potential for introduction or spread of invasive weeds in sensitive habitats during ground-disturbing activities, SCE shall prepare and implement a Weed Control Plan. The Weed Control Plan shall address the following:</p> <ol style="list-style-type: none"> 1) A pre-construction weed inventory to be conducted by surveying all areas subject to ground-disturbing activity, including, but not limited to, pole installation sites and construction areas, tower removal sites, pulling and tensioning sites, guard structures, and 	<p>Less than significant.</p>
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		<p>areas subject to grading for new or improved access and spur roads.</p> <p>2) During construction of the Project, implement measures to control the introduction and spread of noxious weeds in the Project work area. These shall include:</p> <ul style="list-style-type: none"> a. washing vehicles (including wheels, undercarriages, and bumpers) at existing construction yards, commercial car washes, or similar suitable sites prior to commencing work in off-road areas; b. washing tools such as chainsaws, hand clippers, pruners, etc., prior to use in off-road areas; c. ensuring that all seeds and erosion-control materials used in off-road areas are weed-free, and any imported gravel or fill material are certified weed free by the county Agriculture Commissioners' Offices before use; and d. during Proposed Project operation and maintenance activities, that require clearing invasive weeds from helicopter landing areas, assembly and laydown areas, spur and access roads, staging areas, and other weed-infested areas; and disposing SCE will dispose of weeds in appropriate off-site locations. 	
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ES-21 *Based on the changes to Draft EIR Mitigation Measure 5.4-2 (Draft EIR page 5.4-39), the following changes to Table ES-3 have been made:*

Impact 5.4-2: Construction activities could result in adverse impacts to special-status reptiles.	Class II	Mitigation Measure 5.4-2: Within areas that provide potentially suitable habitat for special-status reptiles, SCE and/or its contractors shall perform preconstruction surveys within 24 hours of initial ground disturbance to identify the potential presence of western pond turtle, coast horned lizard, silvery legless lizard, two-striped garter snake, and South Coast garter snake within work areas. If any of these species are identified during surveys of the immediate construction area footprint, individuals shall be relocated to <u>nearby suitable habitat</u> from work areas by an individual who is authorized by CDFW to undertake species relocation. A suitable relocation area shall be identified and confirmed in advance with CDFW prior to preconstruction surveys.	Less than significant.
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ES-22 *Impact 5.4-4a has been added to Table ES-3 as follows:*

Impact 5.4-4a: <u>Construction activities could result in adverse impacts to San Diego desert woodrat.</u>	Class III	<u>None required.</u>	<u>Less than significant.</u>
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ES-22 Based on the changes to Draft EIR Mitigation Measure 5.4-5 (Draft EIR page 5.4-42), the following changes to Table ES-3 have been made:

<p>Impact 5.4-5: Construction could impact native grassland and sage scrub vegetation communities.</p>	<p>Class II</p>	<p>Mitigation Measure 5.4-5: <u>SCE will develop a revegetation plan to restore temporarily impacted native habitats consistent with</u> Revegetation of native habitat areas will follow the prescriptions identified in the 2012 revegetation plan prepared by Wildscape Restoration for the Proposed Project, included as PEA Appendix F5, Habitat Restoration and Monitoring Plan. The 2012 revegetation plan, which was subject to CDFW review and approval, proposes the use of native revegetation for temporary impacts created by the Proposed Project. Implementation of the plan in disturbed areas will ensure that the functions and values of the disturbed habitat are restored by protecting and restoring soil conditions, restoring topography and topsoil following construction, using local native plants, and controlling aggressive non-native plant species.</p>	<p>Less than significant.</p>
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ES-22 Based on the changes to Draft EIR Mitigation Measure 5.5-1b (Draft EIR page 5.5-20), the following changes to Table ES-3 have been made:

<p>Impact 5.5-1: Construction activities and operation could cause an adverse change in the significance of a historical resource [inclusive of archaeological resources] which is either listed or eligible for listing on the National Register of Historic Places, the California Register of Historical Resources, or a local register of historic resources</p>	<p>Class II</p>	<p>Mitigation Measure 5.5-1b: Prior to the commencement of construction activities and in coordination with the qualified archaeologist, the construction zone shall be narrowed or otherwise altered to avoid impacts to resource P-56-001797. In coordination with the qualified archaeologist, avoidance shall be ensured by the delineation of an Environmentally Sensitive Area around the site. Protective fencing or other markers shall be erected around the Environmentally Sensitive Area prior to any ground disturbing activities; however, the Environmentally Sensitive Area shall not be identified specifically as an archaeological site, in order to protect sensitive information and to discourage unauthorized disturbance or collection of artifacts.</p> <p>If avoidance of site P-56-001797 is demonstrated to be infeasible, prior to the <u>start of construction in the vicinity of site P-56-001797</u> issuance of any grading or building permits, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist. The Cultural Resources Treatment Plan shall include a research design and a scope of work for data recovery of the portion(s) of the resource to be impacted by construction activities. Treatment may consist of (but would not be limited to): a sufficient avoidance buffer to protect the resource until data recovery and/or removal is completed; sample excavation; surface artifact collection; site documentation; and historical research, with the aim to target the recovery of important scientific data contained in the portion of the significant resource to be impacted. The Cultural Resources Treatment Plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, and curation of</p>	<p>Less than significant.</p>
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		<p>artifacts and data at an approved facility. The reports documenting the implementation of the Cultural Resources Treatment Plan shall be submitted to and approved by the CPUC prior to the commencement of construction activities, and shall also be submitted to the South Central Coastal Information Center.</p> <p>Prior to the commencement of the operation and maintenance phase, the qualified archaeologist, in coordination with SCE, shall develop a long-term cultural resources management plan for archaeological site P-56-001797 in order to minimize future impacts during project operation and maintenance.</p>	
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ES-25 *Based on the changes to Section 5.7, Geology and Soils, the following changes to Table ES-3 have been made:*

Impact 5.7-5: Construction, operation, and maintenance of the Proposed Project could result in erosion or the loss of topsoil.	Class III II	None required. Implement Mitigation Measure 5.10-1.	Less than significant.
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ES-25 *Based on the changes to Draft EIR Mitigation Measure 5.9-1a (Draft EIR page 5.9-13), the following change to Table ES-3 has been made:*

Impact 5.9-1: Construction would require the use of hazardous materials that could pose a potential hazard to the public or the environment if improperly used or inadvertently released.	Class II	<p>Mitigation Measure 5.9-1a: SCE and/or its contractors shall implement construction best management practices including but not limited to the following:</p> <ul style="list-style-type: none"> Follow manufacturer’s recommendations on use, storage, and disposal of chemical products used in construction; Avoid overtopping construction equipment fuel gas tanks; Use tarps and adsorbent pads under construction equipment and vehicles when refueling to contain and capture any spilled fuel; During routine maintenance of construction equipment, properly contain and remove grease and oils; and Properly dispose of discarded containers of fuels and other chemicals. 	Less than significant.
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ES-27 *Based on the changes to the discussion on Impact 5.9-5 (Draft EIR page 5.9-17 and 5.9-18), the following has been added to Table ES-3:*

Impact 5.9-5: The Proposed Project could result in a safety hazard for people working in the Proposed Project area because a nearby private helipad.	Class II	Mitigation Measure 5.9-5: In the event that the Federal Aviation Administration (FAA) provides SCE with recommendations other than those identified in the EIR Project Description, SCE shall implement the recommendations to the extent feasible. If SCE determines that the	<u>Less than significant.</u>
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		<p><u>recommendation is not feasible, SCE must attempt to consult with FAA to identify how the intent of the recommendation, in terms of aviation safety, can be achieved in a feasible manner. If SCE and FAA cannot agree on the aviation safety measures for the project, SCE shall submit to the CPUC a detailed report identifying the specific reasons why it has determined that the recommendations are not feasible. The report shall include documentation of SCE's correspondences with FAA and offer solutions to achieve the aviation safety intent of the FAA recommendations. The report shall be submitted to the CPUC for review and approval at least 90 days prior to installation of any conductor.</u></p>	
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ES-27 *The impact number for Impact 5.9-6 (Draft EIR Impact 5.9-5, page 5.9-18) has been corrected as follows:*

<p>Impact 5.9-5 5.9-6: Construction of the Proposed Project could interfere with an emergency response or evacuation plan.</p>	Class III	None required.	Less than significant.
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ES-27 *Based on the revisions to Impact 5.9-7 (Draft EIR Impact 5.9-6, page 5.9-19), the following changes to Table ES-3 have been made:*

<p>Impact 5.9-6 5.9-7: Construction-related activities could ignite dry vegetation and start a fire.</p>	Class II	<p>Mitigation Measure 5.9-6 5.9-7: SCE and/or its contractors shall prepare and implement a Health and Safety Fire Safety Plan to ensure the health and safety of construction workers and the public. The Ventura County Fire Department (VCFD) shall be consulted during plan preparation and include health and safety fire safety measures recommended by this agency. The plan shall list fire prevention procedures and specific emergency response and evacuation measures that would be required to be followed during emergency situations. The plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • SCE and/or its contractors shall have water tanks and/or water trucks sited/available in the Proposed Project area for fire protection. • All construction vehicles shall have fire suppression equipment. • All construction workers shall receive training on the proper use of fire-fighting equipment and procedures to be followed in the event of a fire. • As construction may occur simultaneously at several locations, each construction site shall be equipped with fire extinguishers and fire-fighting equipment sufficient to extinguish small fires. • Construction personnel shall be required to park vehicles away from dry vegetation. 	Less than significant.
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		<ul style="list-style-type: none"> • Prior to construction, SCE shall contact and coordinate with the VCFD to determine the appropriate amounts of fire equipment to be carried on the vehicles and appropriate locations for the water tanks if water trucks are not used. SCE shall submit verification of its consultation with CalFire and the local fire departments department to the CPUC. • The plan shall be submitted to CPUC staff for approval prior to commencement of construction activities and shall be distributed to all construction crew members prior to construction of the Proposed Project 	
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ES-27 *The impact number for Impact 5.9-8 (Draft EIR Impact 5.9-7) has been corrected as follows:*

Impact 5.9-7 5.9-8: Operation of the subtransmission lines could increase the probability of a wildfire.	Class III	None required.	Less than significant.
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ES-28 *Based on the changes to the discussion on Draft EIR Impact 5.10-1 (Draft EIR page 5.10-21), the following changes to Table ES-3 have been made:*

Impact 5.10-1: Construction, operation, and maintenance activities could result in increased erosion and sedimentation and/or pollutant (e.g., fuels and lubricants) loading to surface waters, which could increase turbidity, suspended solids, settleable solids, or otherwise degrade water quality.	Class II	<p>Mitigation Measure 5.10-1: For all improved or rehabilitated access roads that would be within 300 feet of an existing surface water channel (i.e., one that has a distinct bed and banks, including irrigation ditches where no berm/levee is currently in place) and traverse a ground slope greater than two percent, the following protective measures shall be adhered to and/or installed:</p> <ul style="list-style-type: none"> • All improved or rehabilitated access roads shall be out-sloped <u>match the existing in-sloped or out-sloped construction</u>; • Cross-drains (road surface drainage, e.g., waterbars, rolling dips, or channel drains) <u>and energy dissipation features (e.g., rock rip-rap, rock-filled containers)</u> shall be installed at intervals based upon the finished road slope: road slope 5 percent or less, cross-drain spacing shall be 150 feet; road slope 6 to 15 percent, cross-drain spacing shall be 100 feet; 16 to 20 percent, cross-drain spacing shall be 75 feet; and 21 to 25 percent, cross-drain spacing shall be 50 feet; and. • Energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at all cross-drain outlets. 	Less than significant.
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Chapter 1. Introduction

- 1-1 *The first sentence in Draft EIR Section 1.1, Project Overview has been clarified as follows:*

The Proposed Project would include constructing the new Moorpark-Newbury 66 kV Subtransmission Line and upgrading the existing Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line to collectively address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility.

Chapter 2. Background

- 2-2 *The following revisions have been made to the fifth paragraph in Draft EIR Section 2.2, CPUC Procedural Activities:*

Therefore, past project activities are not analyzed in Chapter 5, Environmental Analysis, of this EIR, ~~and because the components of the project completed during the past construction activities are considered to be part of the EIR baseline and will not~~ However, to the extent that past project activities have continuing effects that could combine with those of the Proposed Project, these components are ~~not identified or~~ analyzed as a “past project” in Chapter 7, *Cumulative Effects*.

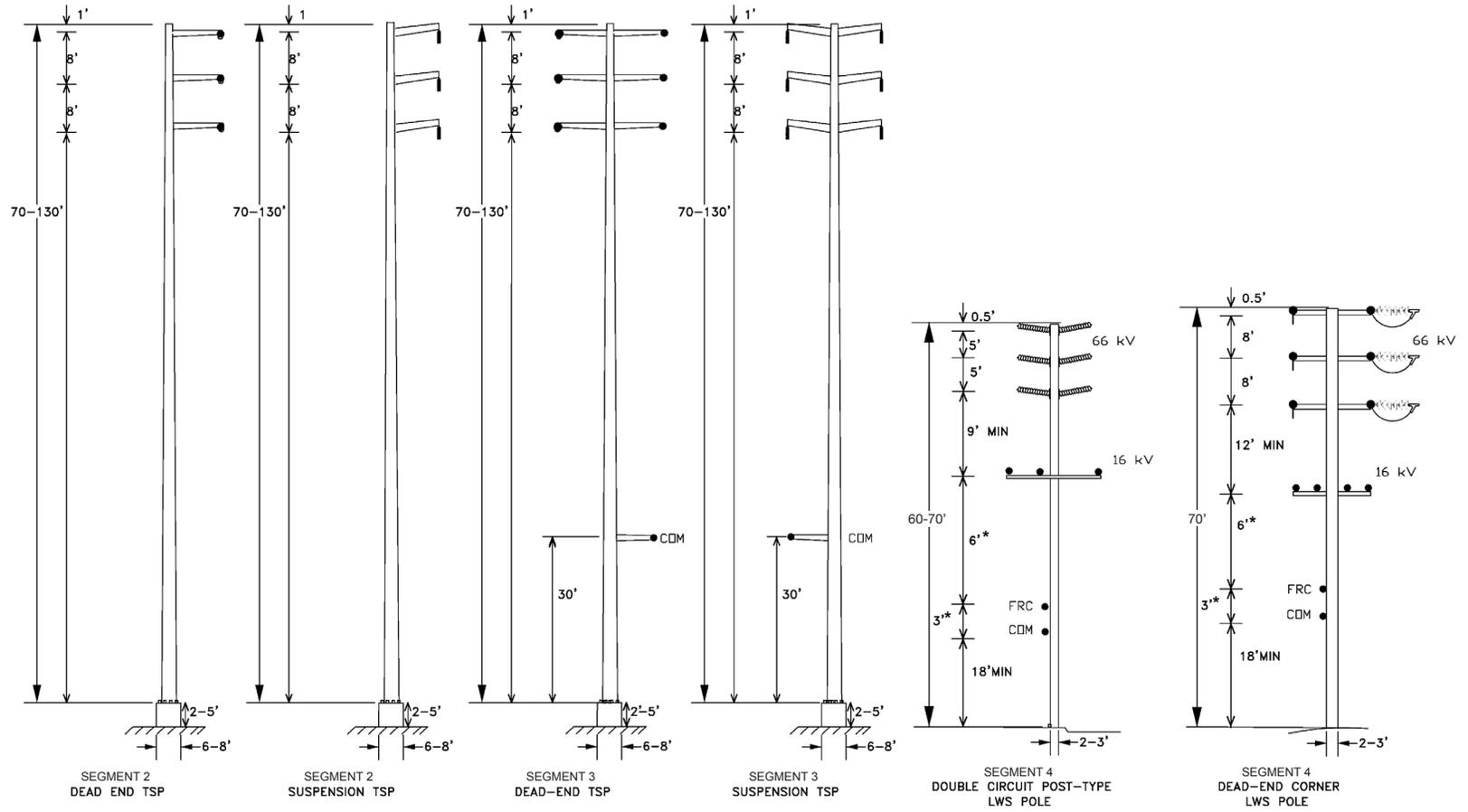
- 2-26 *The second sentence of the second paragraph has been modified as follows:*

Electric transmission lines are recognized as exempt from the zoning ordinance in the City of Thousand Oaks, are a permitted use in the City of Moorpark, and are a conditionally permitted use requiring a Planning Director approval in Open Space, Agricultural, and Residential zones in Ventura County. ~~Therefore, past construction activities were consistent with these plans and associated policies.~~

Chapter 3. Project Description

- 3-13 Figure 3-8, *Typical Pole Design*, has been revised to include an asterisks footnote and is presented on the follow page.
- 3-17 *The first sentence of the second paragraph under heading Below-Ground Conductor has been revised to allow flexibility in the type of underground cable that can be used for the Proposed Project:*

Three separate 3,000 kcmil copper or aluminum underground cables approximately 1,200 feet in length each would be installed through the TSP and conduit within the duct bank.



*These dimensions may vary depending on the space available on each particular pole, as well as the height of the pole and field conditions.

3-22 *The first paragraph in Draft EIR Section 3.6.5 has been revised as follows:*

Routine maintenance and refueling of construction equipment and fuel storage by SCE personnel would occur at SCE's Thousand Oaks Service Center, Valencia Service Center, or Ventura Service Center. ~~These locations~~ facilities are equipped with approved fuel stations. In addition, normal maintenance and refueling of construction equipment would also be conducted at staging areas, construction laydown areas, and construction work sites. All refueling and storage of fuels ~~at these facilities~~ would be in accordance with site-specific stormwater permits, and refueling equipment procedures would be included within the Storm Water Pollution and Prevention Plan (SWPPP).

3-27 *The first sentence in Draft EIR Section 3.6.8.4, Guard Structures, has been clarified as follows:*

Guard structures are temporary facilities that would be installed at some conductor ~~transportation, flood control, and utility~~ crossings of transportation, flood control, and utility facilities.

3-36 *The first sentence in Draft EIR Section 3.6.17, Construction Schedule, has been revised as follows to reflect the current construction schedule:*

SCE anticipates that construction of the Proposed Project would take approximately 10 months ~~and expects that construction would occur between fall of 2015 and summer 2016; clean-up would continue through December of 2016.~~ Construction would commence following CPUC approval, final engineering, procurement activities, and receipt of applicable permits. Clean-up would continue for approximately 4 to 5 months thereafter.

3-45 *The first sentence in Draft EIR Section 3.9, Electric and Magnetic Fields Summary, has been corrected to reflect the high end of extremely low frequency fields:*

Extremely low frequency (ELF) electric and magnetic fields (EMF) include alternating current (AC) fields and other electromagnetic, non-ionizing radiation from 1 Hz to ~~300~~ 3,000 Hz.

Chapter 4. Project Alternatives

4-4 *The last sentence on Draft EIR page 4-4 that continues on page 4-5 has been updated to reflect more recent data responses:*

It should be noted that these data were provided to the CPUC in response to CPUC Data Requests 3, and 4, and 7 (SCE, 2014, ~~and 2015a, and 2015d,~~ respectively) under confidential seal because they present critical infrastructure information.

- 4-7** *The second column of the first row in Table 4-2 and the related footnote have been updated to reflect new data received after publication of the Draft EIR:*

Fails. The Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy line would overload in ~~2026~~¹-2023 and voltage violations are projected at Newbury Substation in 2015.

¹ This date is outside the 10-year planning window. The load estimates for beyond the 10-year planning period are based on SCE's projections of 1.6 percent, 0.1 percent, and 1.1 percent growth per year at Newbury Substation, Pharmacy Substation, and Thousand Oaks Substation, respectively, beyond the 10-year planning period (SCE, 2014).

- 4-8** *The second column of the first row in Table 4-2 and the related footnote have been updated to reflect new data received after publication of the Draft EIR:*

Fails. The Moorpark-Newbury tap of the Moorpark-Newbury-Pharmacy line would overload in ~~2026~~²-2023 and voltage violations are projected at Newbury Substation in 2015.

² This date is outside the 10-year planning window. The load estimates for beyond the 10-year planning period are based on SCE's projections of 1.6 percent, 0.1 percent, and 1.1 percent growth per year at Newbury Substation, Pharmacy Substation, and Thousand Oaks Substation, respectively, beyond the 10-year planning period (SCE, 2014).

- 4-12** *The first two paragraphs of the Meeting Proposed Project Objectives discussion for Alternative 1 have been updated to reflect new data received after publication of the Draft EIR:*

The reconductoring of the subject 66 kV subtransmission lines would increase the normal capacity of the lines by approximately 20 MVA for a total of 125 MVA. Based on power flow analyses conducted for the base case (normal conditions) and contingency cases, it is anticipated that this additional 20 MVA would be sufficient to accommodate future load growth in the short term; however the Moorpark-Newbury-Pharmacy 66 kV line would overload by year 2023 under the base case. ~~-, but~~ In addition, Alternative 1 would not address future voltage violations at Newbury ~~and Pharmacy s~~Substations. Although Alternative 1 would provide a short-term correction of the exceedance of the 5 percent voltage drop limit for the base case, voltage violations under this alternative are projected to occur starting in 2026³ as early as 2015 under emergency conditions. ~~Analysis indicates a 5.3 percent voltage decrease would occur at Newbury Substation during the loss of the Moorpark Newbury Pharmacy line and the Pharmacy Substation load in 2026 (SCE, 2014 and 2015a).~~

~~Further a~~ Analysis indicates that if the Pharmacy load were to be reenergized from the Newbury Substation side (served from Thousand Oaks Substation), the voltage decay at Newbury Substation in 2015 would increase to approximately ~~9.0~~ 18.2 percent (SCE, 2015ed). With the assumption that the Pharmacy

Substation load would be reenergized, and given the ~~9.0~~ 18.2 percent voltage reduction noted in the 2015 model, voltage violations at Newbury Substation can be expected to occur the first year the alternative would be operational.

³—~~SCE prepares load forecasts for its ENAs within a 10-year planning period. Within the Proposed Project area, SCE's most recent report is its 2014-2023 Peak Demand Forecast. Because a Proposed Project objective is to meet long-term (i.e., beyond 10-year) electrical service in the ENA, the analysis in this EIR looks beyond the 10-year planning period. SCE calculated normal and emergency capacities of the existing and potential new conductors beyond 2023 using data from the 2014-2023 Peak Demand Forecast, extrapolating projections beyond 2023 based on growth rates from 2014-2023.~~

4-25 *The first paragraph of the Meeting Proposed Project Objectives discussion for Alternative 4 has been updated to reflect new data received after publication of the Draft EIR:*

Reconnecting Camgen to the Moorpark System would only provide a short-term solution to addressing voltage violations for the base case scenario. With Camgen reconnected to the Moorpark System, SCE anticipates that ~~the existing Moorpark-Newbury Pharmacy 66 kV Subtransmission Line would be subject to an overload under N-1 (contingency) conditions in the year 2027 (SCE, 2015a).~~ In addition, it is also expected that voltage violations would occur during the first year that this alternative would be operational with the loss of the Moorpark-Newbury line and the reconnection of the Pharmacy Substation load (SCE, 2015 ed). Accordingly, SCE would still need to have the Proposed Project operational to address this forecasted N-1 violation on the Moorpark System. Therefore, Alternative 4 is not considered to be a viable alternative to the Proposed Project and has been eliminated from full consideration in this EIR.

4-25 *The second paragraph of Section 4.5.4.3, Combination of Alternatives 1 and 4 – Reconductoring plus Camgen Reconnection has been updated to reflect new data received after publication of the Draft EIR:*

As noted above, reconductoring a portion of the Moorpark-Newbury-Pharmacy line and the Newbury-Thousand Oaks line would provide sufficient line capacity ~~(normal and emergency) in the short term; however the Moorpark-Newbury-Pharmacy 66 kV line would overload by year 2023 under the base case. going forward, but~~ In addition, it would not solve long-term voltage violations at Newbury Substation. With the loss of the Moorpark-Newbury-Pharmacy line and the Pharmacy Substation load, and with the Camgen generator operating, voltage at Newbury Substation would remain within an acceptable range, dropping only ~~4.9~~ 1.2 percent. However, upon reenergizing the Pharmacy load, the voltage at Newbury and Pharmacy substations would plunge, resulting in a total decrease of ~~6.3~~ 6.6 percent for year ~~2026~~ 2015 compared to pre-outage conditions. Given the relatively slow load growth projected for the area, the 6.3 percent voltage drop noted in SCE's power flow plots for 2026 translates to a voltage loss of slightly

~~more than 5 percent in 2015.~~ This would exceed SCE's limit of a 5 percent drop in voltage, resulting in a voltage violation.

4-32 *The following new reference has been added to Chapter 4:*

SCE, 2015d. Responses to California Public Utilities Commission (CPUC) Data Request 7 for the Moorpark-Newbury 66 kV Subtransmission Line Project, submitted September 9 and 10, 2015.

Section 5.1, Aesthetics

5.1-12 *Table 5.1-1 has been revised to clarify the portion of SR 118 that is designated as scenic:*

SR 118	Eligible Ventura County Scenic Highway <u>east of SR 23, approximately 2 miles east of the Proposed Project area</u>	Proposed Project crosses once and runs parallel within 600 feet to 1,500 feet for 0.6 mile.	High
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5.1-30 *Mitigation Measure 5.1-2b has been revised offer flexibility in implementation, while maintaining the intent of the measure:*

Mitigation Measure 5.1-2b: SCE shall coordinate with the Conejo Open Space Conservation Agency (COSCA) to ensure that designated trails in the vicinity of the Proposed Project are not blocked by the laydown areas or conductor stringing areas, or otherwise provide for safe substitute means of access for recreational trail users. SCE shall coordinate with COSCA to post signage at trailheads within the Conejo Canyons Open Space area, alerting recreationalists to construction locations and dates.

5.1-30 *In the discussion for Impact 5.1-3 the number of pulling/splicing sites has been corrected as follows:*

Temporary pulling/splicing sites would be staged at approximately ~~32~~ 10 locations along the Proposed Project alignment.

5.1-31 *The text in the discussion for Impact 5.1-3 has been corrected as follows:*

Some pulling/splicing sites would be visible from locations that provide views of scenic vistas along recreational trails; in particular, the stringing site near pole 40 would be highly visible from and could impede access to the Western Plateau Trail and the Peninsula Loop Trail.

5.1-33 *The second full paragraph has been revised to describe impacts from marker ball installation:*

Figure 5.1-7 presents an existing view and visual simulation of the Proposed Project as seen from Santa Rosa Road at Hill Canyon Road, looking southwest.

The viewer would be approximately 0.5 mile away from the Proposed Project, placing the Proposed Project in the foreground/midground. In this viewshed, the existing portal-type tower transmission line transitions to a lattice-tower type transmission line as it climbs in elevation. Low growing crops and an existing wood-pole electrical line are in the foreground, on the south side of the road. The Proposed Project would result in the installation of TSPs and conductor parallel to the east side of the existing portal-type/lattice tower type transmission line. The TSPs would have a simpler, more streamlined profile than the portal-type and lattice-type towers, and would not be immediately apparent due to distance and as details become indiscernible. Not shown in Figure 5.1-7, marker balls would be installed on the conductor between poles 25 and 26, and poles 27 and 28, at intervals of approximately 200 feet or a fraction thereof. The proposed subtransmission line would result in an incremental visual effect change to the viewshed, as the new TSPs, ~~and~~ conductor, and marker balls would be nearly imperceptible, with little to no visual contrast. They would be fully subordinate to other features in the landscape, and would not block or substantially alter the intrinsic character or composition of the existing view. Overall visual change would be low. In conjunction with the moderate visual sensitivity of Santa Rosa Road, impacts would be adverse but not significant.

5.1-35 *The first paragraph has been revised to describe impacts from marker ball installation:*

As shown in Photos 10 and 11 on Figure 5.1-4, electricity-related infrastructure is prominent in existing views, including LSTs and LWS poles, conductor, and access roads. Figure 5.1-9 presents an existing view and visual simulation of the Proposed Project as seen from a trail located within the Conejo Canyons Open Space area, approximately 1,000 feet north of North Wendy Drive. The Proposed Project would be in the foreground as viewed from this location. In these photos the Proposed Project travels north (away from the viewpoint) for approximately 0.4 mile. The Proposed Project would result in the installation of conductor on existing LWS poles in the ROW. As shown in the visual simulation, this change would not be immediately perceptible to the common viewer. The visual contrast would be none, as the element contrast is not visible. The proposed conductor would not alter the intrinsic character or composition of the existing view. Not shown on Figure 5.1-9, the Proposed Project would result in the installation of marker balls on the conductor between poles 39 and 40, and poles 40 and 41, at intervals of approximately 200 feet. The addition of these marker balls would create a weak visual contrast, as they would be visible but not attract attention or dominate the characteristic landscape, given the distance between the marker balls and viewers. Moreover, the marker balls would not block or impair views of the scenic landscape. Despite the high visual sensitivity of the Conejo Canyons Open Space area, the overall visual change would be low and the associated impacts would be adverse but not significant.

5.1-36 *The discussion under Impact 5.1-6 has been revised to reflect available portable construction lighting equipment:*

With implementation of Mitigation Measure 5.1-6, which requires a *Construction Lighting Mitigation Plan* with the use of shielded lighting elements, and directed fixtures, ~~and motion or timing sensors~~, this impact would be reduced to less than significant.

5.1-36 *Mitigation Measure 5.1-6 has been revised to reflect available portable construction lighting equipment and clarify that the mitigation measure applies to construction areas:*

Mitigation Measure 5.1-6: SCE shall design and install all new lighting at ~~Project facilities~~ construction areas, including construction and storage yards and staging areas, such that light bulbs and reflectors are not visible from public viewing areas; lighting does not cause reflected glare; and illumination of the ~~project facilities~~ construction areas, vicinity, and nighttime sky is minimized. SCE shall submit a *Construction Lighting Mitigation Plan* to the CPUC for review and approval at least 90 days prior to the start of construction ~~or the ordering of any exterior lighting fixtures or components, whichever comes first~~. SCE shall not ~~order~~ use any exterior lighting fixtures or components until the *Construction Lighting Mitigation Plan* is approved by the CPUC. The Plan shall include but is not limited to the following measures:

- Lighting shall be designed so exterior lighting is hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of the lighting shall be such that the luminescence or light sources are shielded to ~~prevent~~ minimize light trespass outside the ~~Project boundary area requiring illumination~~.
- All lighting shall be of minimum necessary brightness consistent with worker safety.
- High illumination areas not occupied on a continuous basis shall ~~have switches or motion detectors to light the area~~ be illuminated only when occupied.

Section 5.2, Agricultural and Forestry Resources

No text changes have been made to Section 5.2, *Agricultural and Forestry Resources*.

Section 5.3, Air Quality

5.3-14 *In order to provide flexibility in the construction schedule while maintaining the overall intent and effectiveness of the measure, Mitigation Measure 5.3-1 has been revised as suggested:*

Mitigation Measure 5.3-1: For diesel-fueled off-road construction equipment of more than 50 horsepower, SCE shall make a good faith effort to use available construction equipment that meets the highest USEPA-certified tiered emission standards. An Exhaust Emissions Control Plan ~~that identifies each off-road unit's certified tier specification and Best Available Control Technology (BACT)~~ shall be submitted to the CPUC for review and approval at least 30 days prior to commencement of construction activities. Construction activities cannot commence until the plan has been approved. Separate from the Exhaust Emissions Control Plan, an inventory of off-road diesel equipment over 50 hp that identifies each off-road unit's certified tier specification and Best Available Control Technology (BACT) shall be submitted to the CPUC prior to mobilization of that unit. For all pieces of equipment that would not meet Tier 3 emission standards, the ~~Exhaust Emissions Control Plan inventory submittal~~ shall include documentation from two local heavy construction equipment rental companies that indicates that the companies do not have access to higher-tiered equipment for the given class of equipment.

5.3-18 *The third sentence of the second paragraph of the discussion under Impact 5.3-4 has been revised as follows:*

Mitigation Measure 5.3-1 would help reduce NO_x emissions; however, NO_x emissions could continue to exceed the ~~VCAPCD~~ significance threshold.

Section 5.4, Biological Resources

5.4-10 *In response to the comment and findings cited in the 2015 botanical survey report (Environmental Intelligence, LLC, 2015), the setting discussion for rare plants (third sentence of the last paragraph) is revised as follows:*

As identified in Table 5.4-2, seven non-listed special-status plants were identified with at least a moderate potential to occur in the study area: round-leaved filaree (*California macrophylla*), Santa Susana tarplant (*Deinandra minthornii*), Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*), Conejo buckwheat (*Eriogonum crocatum*), mesa horkelia (*Horkelia cuneate* ssp. *puberula*), white-veined Monardella (*Monardella hypoleuca* ssp. *hypoleuca*), and Ojai navarretia (*Navarretia ojinensis*). Conejo buckwheat, a CRPR List 1.B.2 species, and two A single CRPR List 4 species, Catalina mariposa lily (*Calochortus catalinae*) and Hubby's phacelia (*Phacelia hubbyi*), was were also observed within the Proposed Project study area during botanical surveys.

5.4-21 *In response to the clarifications identified by the commenter, the first sentence of the discussion entitled Coastal California Gnatcatcher has been revised as follows:*

Coastal California gnatcatcher is a federally-listed Threatened species and a California SSC. In California, this subspecies is an obligate resident of coastal sage scrub vegetation types. ~~Focused surveys were conducted to determine species presence within suitable habitat in the Proposed Project study area.~~ Within 500 feet of the Proposed Project right-of-way (ROW), Leopold Biological Services (2014) mapped 113.53 acres of suitable California gnatcatcher habitat (see **Figure 5.4-4, California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity**). This included 7.25 acres of suitable habitat in Segment 2 on the south side of Santa Rosa Valley; 62.24 acres of suitable habitat in Segment 3; and 44.04 acres in Segment 4. Focused surveys were conducted to determine species presence within suitable habitat in the project study area in 2008, 2010, 2011, and 2014 (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014). No coastal California gnatcatchers were observed in 2008. Within Segment 4 and the Conejo Open Space near pole locations 48 through 63, eight coastal California gnatcatchers were observed in three territories in 2010; four coastal California gnatcatchers plus an unspecified number of nestlings were observed in two territories in 2011; and, within these areas, 10 coastal California gnatcatchers were observed in four occupied territories totaling 32.44 acres in 2014. Active gnatcatcher territories were described in association with coastal sage scrub habitat near pole locations 48 through 63 the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2 (Leopold Biological Services, 2014) (see Figure 5.4-4). Native vegetation in these areas includes rosemary flat-topped buckwheat, California sagebrush, black sage, gray coast buckwheat, coastal prickly pear, purple sage, bladderpod (*Isomeris arborea*), bush sunflower (*Encelia californica*), lemonadeberry, coyote brush, western poison oak, bush monkeyflower, laurel sumac, and deerweed. ~~Three nesting pairs were identified near the alignment within the Conejo Open Space (BonTerra, 2008; 2010b; 2011a; Leopold Biological Services, 2014).~~

5.4-27 *In response to the clarifications identified by the commenter, the regulatory setting discussion for Riparian Communities has been deleted as follows:*

~~**Riparian Communities in California.** Riparian communities have a variety of functions, including providing high quality habitat for resident and migrant wildlife, streambank stabilization, and runoff water filtration. Throughout the U.S., riparian habitats have declined substantially in extent and quality compared with their historical distribution and condition. These declines have increased concerns about dependent plant and wildlife species, leading federal agencies to adopt policies to arrest further loss.~~

- 5.4-36** *The following discussion of potential impacts to southern steelhead has been added under criterion a), after the heading entitled Construction and prior to Impact 5.4-1:*

Southern steelhead. Southern steelhead are documented from Arroyo Simi and Conejo Creek, both of which would be crossed by Segment 2 of the proposed subtransmission line. The Proposed Project would have a limited footprint with no direct impacts to either Arroyo Simi or Conejo Creek. As previously described, pole locations near these creeks are in upland areas and the staging and activities related to stringing electrical lines would also be located in upland areas. SCE would comply with a General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, which would incorporate Stormwater Pollution Prevention Program (SWPPP) and other common construction Best Management Practices (BMPs) including erosion control/soil stabilization, sediment control, wind erosion control, tracking control, stormwater management, and waste management and materials pollution controls. With direct impacts to Arroyo Simi and Conejo Creek avoided through Proposed Project design, and potential indirect impacts avoided through implementation of SWPPP measures and construction BMPs, no aspects of the Proposed Project would directly or indirectly impact Arroyo Simi or Conejo Creek. Thus, no potential impacts are anticipated to Southern steelhead or their habitat during construction or maintenance (No Impact).

- 5.4-37** *In response to the comment and findings cited in the 2015 botanical survey report (Environmental Intelligence, LLC, 2015), the discussion for Impact 5.4-1, starting with the third paragraph, has been revised as follows:*

Botanical surveys performed by BonTerra in spring 2008 and 2010 focused on the potential presence of Lyon's pentachaeta and Conejo dudleya and did not assess the potential presence for all special-status plant species that could occur on-site (BonTerra, 2008; 2010). While many rare plant species potentially present either share an overlapping blooming period with Conejo dudleya and Lyon's pentachaeta or are perennial species recognizable throughout the year, there remain some annual or perennial bulb species that do not have overlapping blooming periods and may not have been detectable during the focused surveys conducted for Conejo dudleya and Lyon's pentachaeta. ~~In particular, the following three non-listed late-blooming species were identified for which further surveys would be needed to characterize their presence or absence on-site: Plummer's mariposa lily; white rabbit tobacco; and chaparral ragwort.~~

Botanical surveys performed by Environmental Intelligence in spring and summer 2015 included systematic searches for Lyon's pentachaeta and Conejo dudleya in addition to all other special status plant species that could occur on-site (see Table 5.4-2). The botanical surveys were comprehensive and floristic in nature and were not restricted to, or focused only on species listed in Table 5.4-2.

The following rare species were observed in 2015: Conejo dudleya, Lyon's pentachaeta, Conjeo buckwheat (*Eriogonum crocatum*; List 1B.2), Hubby's phacelia (*Phacelia hubbyi*; List 4.2), and Catalina mariposa lily (*Calochortus catalinae*; List 4.2).

5.4-38 *In response to the comment and findings cited in the 2015 botanical survey report (Environmental Intelligence, LLC, 2015¹), Mitigation Measure 5.4-1a is revised as follows:*

Mitigation Measure 5.4-1a: SCE and/or its contractors shall perform preconstruction surveys for rare plants in areas ~~Areas of future ground disturbance shall be surveyed for rare plants, including Plummer's mariposa lily, white rabbit tobacco, and chaparral ragwort, in accordance with CDFW's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, unless otherwise agreed to by CDFW. If no rare plants are encountered, no further mitigation is required. If rare plants are known to occur or new populations are found, the applicant proposed measures related to special-status plants shall be implemented for any identified CRPR Rank 1 or Rank 2 species.~~

5.4-38 *In response to the clarifications identified by the commenter, section 2d of Mitigation Measure 5.4-1b has been revised as follows:*

d. ~~during Proposed Project operation and maintenance activities, that require clearing invasive weeds from helicopter landing areas, assembly and laydown areas, spur and access roads, staging areas, and other weed-infested areas; and disposing~~ SCE will dispose of weeds in appropriate off-site locations.

5.4-39 *Mitigation Measure 5.4-2 has been revised as follows:*

Mitigation Measure 5.4-2: Within areas that provide potentially suitable habitat for special-status reptiles, SCE and/or its contractors shall perform preconstruction surveys within 24 hours of initial ground disturbance to identify the potential presence of western pond turtle, coast horned lizard, silvery legless lizard, two-striped garter snake, and South Coast garter snake within work areas. If any of these species are identified during surveys of the immediate construction area footprint, individuals shall be relocated to nearby suitable habitat from work areas by an individual who is authorized by CDFW to undertake species relocation. ~~A suitable relocation area shall be identified and confirmed in advance with CDFW prior to preconstruction surveys.~~

¹ Environmental Intelligence, LLC, 2015. Botanical Survey Report for Moorpark-Newberry [sic] 66 kV Subtransmission Line Project Located in Ventura County, California. August 21, 2015.

5.4-39 *In response to the clarifications identified by the commenter, the discussion for coastal California gnatcatcher under Impact 5.4-3 has been revised as follows:*

In 2014, four active coastal California gnatcatcher territories were identified in the Proposed Project area in association with coastal sage scrub habitat near pole locations 48 through 63 in Segment 4 ~~the northernmost two towers in Segment 4, throughout Segment 3, and in the southernmost portion of Segment 2~~ (Leopold Biological Services, 2014). In all, 113.53 acres of suitable California gnatcatcher habitat was identified within 500 feet of Proposed Project activities; however, habitat impacts would be limited to a fraction of this area. As identified in Impact 5.4-5, 2.38 acres of temporary ground disturbance is anticipated within native grassland and sage scrub vegetation habitat. Within this area of native vegetation disturbance, 0.07 acre of coastal sage scrub habitat (370 linear feet) in Segment 4 would be disturbed by the Proposed Project in support of access road rehabilitation. On the basis of survey findings, the Proposed Project would cause the temporary loss of potential coastal California gnatcatcher habitat in the vicinity of pole locations 45 and 46, in areas there were unoccupied by gnatcatcher in 2014 (see Figure 5.4-4, California Coastal Gnatcatcher (CAGN) Suitable Habitat in the Proposed Project Vicinity) (Leopold Biological Services, 2014). Coastal California gnatcatchers could breed within the unoccupied habitat at a later date, prior to disturbance; however, this species was not detected and is presently considered absent from ground disturbance areas within potentially suitable habitat. No ground disturbance is proposed within active territories. Because the gnatcatcher was not identified in disturbance sites during protocol-level surveys and the Proposed Project is outside of designated critical habitat for this species, no compensatory mitigation is proposed for coastal California gnatcatcher habitat losses. Note that disturbances to sage scrub habitat are separately addressed by APMBIO-1, which provide that restoration activities in disturbed areas of native habitat (coastal sage scrub) will be implemented in accordance the CDFW SAA and HRMP requirements, and Mitigation Measure 5.4-5.

5.4-41 *The following discussion of potential impacts to San Diego desert woodrat and American badger have been added to Draft EIR page 5.4-41 after the discussion for Impact 5.4-4:*

Impact 5.4-4a: Construction activities could result in adverse impacts to San Diego desert woodrat and American badger. Less than significant (Class III)

Potential habitat for San Diego desert woodrat and American badger was identified in and near the Proposed Project area (SCE, 2013a; page 4-132).^{*} No direct impacts are anticipated to these species; however, construction activities may result in limited indirect impacts such as noise and human presence, temporary dust, and

^{*} Southern California Edison (SCE), 2013a. *Proponent's Environmental Assessment Moorpark-Newbury 66 kV Subtransmission Line Project*. Submitted to the Public Utilities Commission of the State of California, October 28, 2013.

periodic vibrations. Impacts to these species are considered to be less than significant.

Mitigation: None required.

5.4-42 *The revisions to Mitigation Measure 5.4-5 proposed by SCE has been reviewed and partly incorporated, as follows:*

Mitigation Measure 5.4-5: SCE will develop a revegetation plan to restore temporarily impacted native habitats consistent with ~~Revegetation of native habitat areas will follow~~ the prescriptions identified in the 2012 revegetation plan prepared by Wildscape Restoration for the Proposed Project, included as PEA Appendix F5, Habitat Restoration and Monitoring Plan. The 2012 revegetation plan, which was subject to CDFW review and approval, proposes the use of native revegetation for temporary impacts created by the Proposed Project. Implementation of the plan in disturbed areas will ensure that the functions and values of the disturbed habitat are restored by protecting and restoring soil conditions, restoring topography and topsoil following construction, using local native plants, and controlling aggressive non-native plant species.

5.4-47 *The following reference has been added to Section 5.4:*

Southern California Edison (SCE), 2013a. Proponent's Environmental Assessment Moorpark-Newbury 66 kV Subtransmission Line Project. Submitted to the Public Utilities Commission of the State of California, October 28, 2013.

Section 5.5, Cultural Resources

5.5-20 *The first sentence of the second paragraph of Mitigation Measure 5.5-1b has been revised as follows:*

If avoidance of site P-56-001797 is demonstrated to be infeasible, prior to the start of construction in the vicinity of site P-56-001797 ~~issuance of any grading or building permits~~, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist.

Section 5.6, Energy Conservation

5.6-5 *The fourth sentence of the second paragraph under the Impact 5.6-1 discussion has been revised to acknowledge that planned outages may be required during construction activities:*

Construction activities would not reduce or interrupt existing electrical or natural gas services due to insufficient supply, nor would they interrupt existing local SCE service with the exception of minor short term planned outages as necessary for construction, safety, and operational requirements.

Section 5.7, Geology and Soils

- 5.7-2** *The last sentence of the second paragraph under the Soils discussion is corrected as follows:*

Soil engineering properties were also evaluated at specific boring locations identified in the geotechnical data report prepared for previous construction along the project alignment, shown in Figure 5.7-2, Well-Geotechnical Boring Locations.

- 5.7-4** *The title and legend of Draft EIR Figure 5.7-2 on page 5.7-4 has been changed to clarify that borings were drilled for geotechnical soil data, not for well installation. The revised Figure is presented on page 4-25.*

- 5.7-17** *The following has been added to the Section 5.7, Geology and Soils, regulatory setting after the Ventura County General Plan discussion:*

Ventura County Grading Ordinance

All grading, drainage improvement, and site development within unincorporated Ventura County shall be conducted in a manner consistent with the requirements of the Grading Ordinance for the County of Ventura, Article 3, non-Development Standards, regardless of whether or not a permit is required by the article. Unless otherwise recommended or approved in a Geotechnical Report or Grading Plan, cuts and fills shall be designed, constructed, and maintained during construction in compliance with this ordinance.

- 5.7-19** *The first sentence of the second paragraph under the Impact 5.7-1 discussion is clarified as follows:*

However, the single TSP within the A-P Zone would not be constructed directly on a mapped fault trace.

- 5.7-20** *Under the discussion of Impact 5.7-3, the fourth sentence in the first paragraph is revised as follows:*

The amount of sand in the ~~well-geotechnical~~ borings taken from the Little Simi Valley near Moorpark Substation indicates liquefaction could occur at the site.

- 5.7-20** *In the discussion for Impact 5.7-3, the eighth sentence in the first paragraph is revised as follows:*

However, in accordance with APM GEO-1, the Proposed Project would be designed to minimize the potential impacts from hazards including liquefaction by incorporating recommendations from future geotechnical ~~reports~~ analysis.

5.7-22 *Impact 5.7-5 has been corrected as follows:*

b) Result in substantial soil erosion or the loss of topsoil.

Impact 5.7-5: Construction, operation, and maintenance of the Proposed Project could result in erosion or the loss of topsoil. *Less than significant with mitigation* (Class ~~III~~ II)

5.7-25 *The following mitigation measure has been added for Impact 5.7-5:*

Mitigation: ~~None required.~~ Implement Mitigation Measure 5.10-1.

Significance after mitigation: Less than significant.

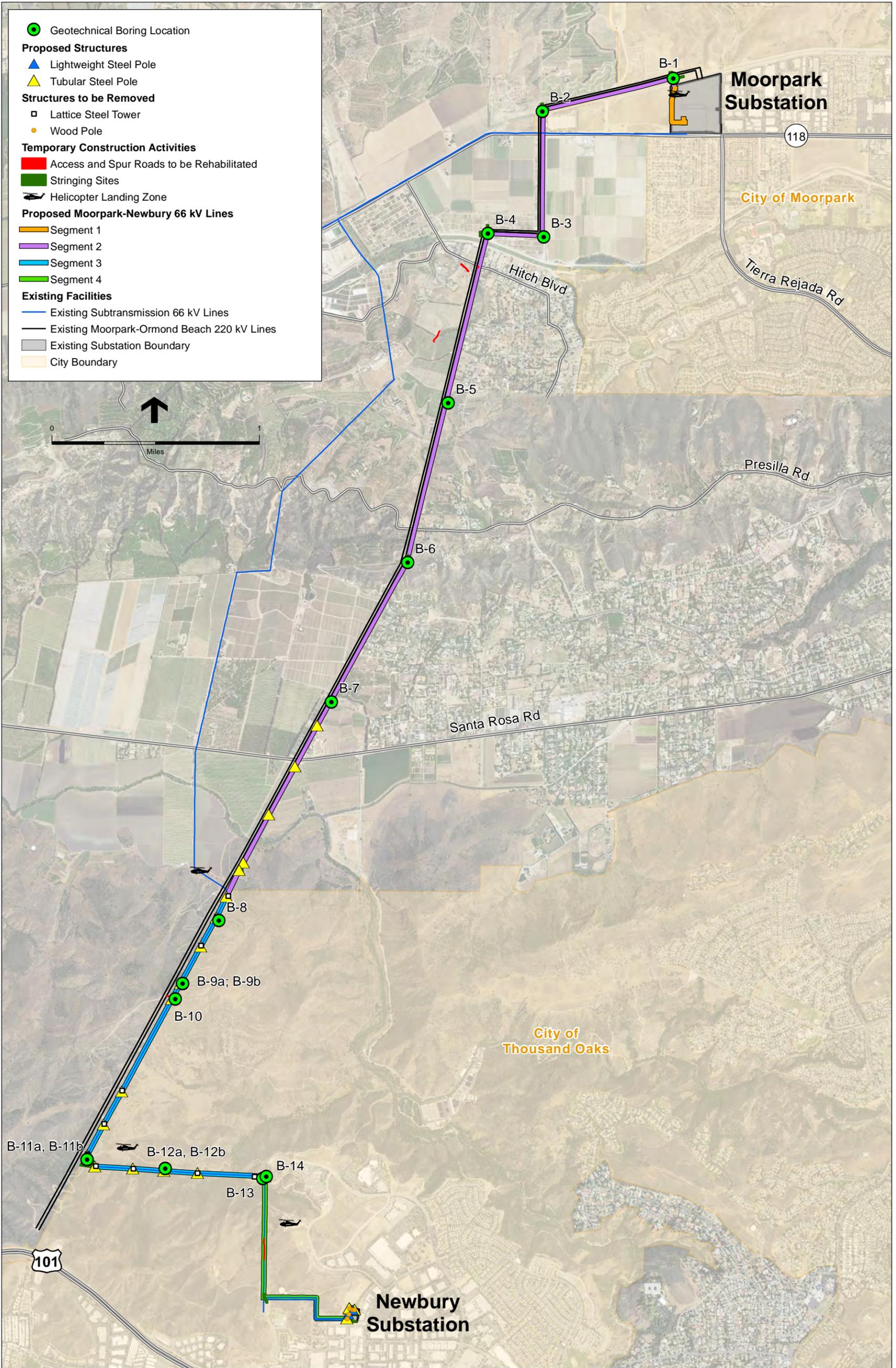
5.7-25 *The third sentence in the paragraph under Construction for Impact 5.7-6 has been corrected as follows:*

One of the TSPs would be constructed ~~over~~ near a location found to have landslide deposits (borings B-9a and B-9b) (Converse, 2011).

Section 5.8, Greenhouse Gas Emissions

5.8-8 *The fourth sentence under Operation and Maintenance Emissions has been revised to acknowledge the source of SCE's sulfurSF₆ emissions estimates:*

As part of the CPUC's Permit to Construct application process, SCE provided a long-term SF₆ emissions estimate; however, the estimate was calculated using ~~an unsupported~~ a circuit breaker leak rate of 0.5 percent of the total SF₆ capacity of the proposed circuit breakers. SCE's PEA did not identify a source for the leak rate. Therefore, ESA revised the long-term SF₆ operational emissions estimate using a USEPA SF₆ published leak rate for electrical circuit breakers manufactured in and after 1999 of up to 1.0 percent (USEPA, 2006). Using the USEPA referenced leak rate of 1.0 percent, annual SF₆ emissions that would be associated with the Proposed Project have been estimated to be equivalent to approximately 12 metric tons CO₂e per year (ESA, 2014). Subsequent to the release of the Draft EIR, SCE has disclosed that the SF₆ leak rate identified in the PEA is based on the manufacturer's guaranteed maximum leak rate. Using this leak rate, SF₆ emissions in the form CO₂e would be approximately 6 metric tons.



SOURCE: Converse, 2011

Moorpark-Newbury 66 kV Subtransmission Line Project. 207584.15

Figure 5.7-2
Geotechnical Boring Locations

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Section 5.9, Hazards and Hazardous Materials

5.9-13 *Mitigation Measure 5.9-1a has been clarified as follows:*

Mitigation Measure 5.9-1a: SCE and/or its contractors shall implement construction best management practices including but not limited to the following:

- Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction;
- Avoid overtopping construction equipment fuel gas tanks;
- Use tarps and adsorbent pads under construction equipment and vehicles when refueling to contain and capture any spilled fuel;
- During routine maintenance of construction equipment, properly contain and remove grease and oils; and
- Properly dispose of discarded containers of fuels and other chemicals.

5.9-17 *The conclusion statement for Impact 5.9-5 has been revised as follows to reflect the incorporation of mitigation:*

Impact 5.9-5: The Proposed Project could result in a safety hazard for people working in the Proposed Project area because a nearby private helipad. Less than significant with mitigation (Class II) ~~(Class III)~~

5.9-18 *The last paragraph of the Impact 5.9-5 discussion on Draft EIR page 5.9-18 has been revised to incorporate mitigation:*

As part of the Proposed Project, marker balls may be recommended ~~required~~ by FAA to be installed on several of the subtransmission line spans. In Segment 2, marker balls may be installed on the conductor between poles 25 and 26, and between poles 27 and 28. In Segment 3, marker balls may be installed on the conductor between poles 32 and 33, and poles 39 and 40. Marker balls would increase the visibility of the new lines ~~and as required by the FAA~~. Subsequent to the release of the Draft EIR, SCE has indicated that it may not implement FAA recommendations not currently identified in the Project Description if it determines the recommendations are not reasonable or feasible. To ensure that the desired intent of the FAA recommendations with regard to aviation safety are incorporated in the Proposed Project, implementation of Mitigation Measure 5.9-5 is suggested. Implementation of this measure would reduce this potentially significant impact to aviation safety to a less-than-significant level. This impact would be less than significant.

Mitigation: ~~None required.~~

Mitigation Measure 5.9-5: In the event that the Federal Aviation Administration (FAA) provides SCE with recommendations other than

those identified in the EIR Project Description, SCE shall implement the recommendations to the extent feasible. If SCE determines that the recommendation is not feasible, SCE must attempt to consult with FAA to identify how the intent of the recommendation, in terms of aviation safety, can be achieved in a feasible manner. If SCE and FAA cannot agree on the aviation safety measures for the project, SCE shall submit to the CPUC a detailed report identifying the specific reasons why it has determined that the recommendations are not feasible. The report shall include documentation of SCE's correspondences with FAA and offer solutions to achieve the aviation safety intent of the FAA recommendations. The report shall be submitted to the CPUC for review and approval at least 90 days prior to installation of any conductor.

Significance after Mitigation: Less than significant.

5.9-18 *The numbering of Impact 5.9-6 (Draft EIR Impact 5.9-5) has been corrected as follows:*

Impact 5.9-5 5.9-6: Construction of the Proposed Project could interfere with an emergency response or evacuation plan. Less than significant (Class III)

5.9-19 *The numbering of Impact 5.9-7 (Draft EIR Impact 5.9-6) has been corrected as follows:*

Impact 5.9-6 5.9-7: Construction-related activities could ignite dry vegetation and start a fire. Less than significant with mitigation (Class II)

5.9-19 *The last sentence in the second paragraph of the Impact 5.9-7 discussion and the first two sentences of Mitigation Measure 5.9-7 have been revised as follows:*

However, to ensure that potentially significant wildland fire impacts associated with the Proposed Project are reduced to less than significant, implementation of Mitigation Measure ~~5.9-6~~ 5.9-7 would require the preparation of a ~~Health and Safety~~ Fire Safety Plan and appropriate fire protection equipment.

Mitigation Measure ~~5.9-6~~ 5.9-7: SCE and/or its contractors shall prepare and implement a ~~Health and Safety~~ Fire Safety Plan to ensure the health and safety of construction workers and the public. The Ventura County Fire Department (VCFD) shall be consulted during plan preparation and include ~~health and safety~~ fire safety measures recommended by this agency.

5.9-20 *The sixth bullet to Mitigation Measure 5.9-7 (Draft Mitigation Measure 5.9-6) has been clarified as follows:*

- Prior to construction, SCE shall contact and coordinate with the VCFD to determine the appropriate amounts of fire equipment to be carried on the vehicles and appropriate locations for the water tanks if water trucks are not used. SCE shall submit verification of its consultation with CalFire and the local fire ~~departments~~ department to the CPUC.

5.9-20 *The fifth and sixth sentences under No Project Alternative 2 have been corrected as follows:*

Construction activities would occur in high fire hazard zones; however, there would be less potential to start a fire under this alternative given the limited amount of activities that would occur in high fire zone compared to the Proposed Project (Impact ~~5.9-6~~ 5.9-7). Nevertheless, Mitigation Measure ~~5.9-6~~ 5.9-7 would be required to reduce impacts to less than significant.

5.9-20 *The numbering of Impact 5.9-8 (Draft EIR Impact 5.9-7) has been corrected as follows:*

Impact ~~5.9-7~~ 5.9-8: Operation of the subtransmission lines could increase the probability of a wildfire. *Less than significant* (Class III)

Section 5.10, Hydrology and Water Quality

5.10-16 *The following sentence has been added to the third paragraph of the Ventura County Watershed Protection District discussion:*

Segments of the Proposed Project would cross a few delineated watercourses (see Figure 5.10-1 *FEMA Flood Zones and Surface Hydrology in the Proposed Project Vicinity*); however, only the subtransmission conductor would actually cross or span the watercourses, and these are unlikely to be considered “structures” in the context of this ordinance. However, SCE would consult with, and as necessary obtain required permits from, the VCWPD for all construction activities that would be conducted over or across a VCWPD red line channel.

5.10-21 *The last sentence of the second paragraph has been revised as follows:*

Mitigation Measure ~~4.10-4~~ 5.10-1 would be required to specifically address the potential water quality impacts associated with proposed road work.

5.10-21 *Mitigation Measure 5.10-1 has been revised as follows:*

Mitigation Measure 5.10-1: For all improved or rehabilitated access roads that would be within 300 feet of an existing surface water channel (i.e., one that has a distinct bed and banks, including irrigation ditches where no berm/levee is currently in place) and traverse a ground slope greater than two percent, the following protective measures shall be adhered to and/or installed:

- All improved or rehabilitated access roads shall ~~be out-sloped~~ match the existing in-sloped or out-sloped construction;
- Cross-drains (road surface drainage, e.g., waterbars, rolling dips, or channel drains) and energy dissipation features (e.g., rock rip-rap, rock-filled containers) shall be installed at intervals based upon the finished road slope: road slope 5 percent or less, cross-drain spacing shall be 150

feet; road slope 6 to 15 percent, cross-drain spacing shall be 100 feet; 16 to 20 percent, cross-drain spacing shall be 75 feet; and 21 to 25 percent, cross-drain spacing shall be 50 feet; ~~and,~~

- ~~Energy dissipation features (e.g., rock rip rap, rock filled containers) shall be installed at all cross drain outlets.~~

Section 5.11, Land Use and Planning

No text changes have been made to Section 5.11, *Land Use and Planning*.

Section 5.12, Mineral Resources

No text changes have been made to Section 5.12, *Mineral Resources*.

Section 5.13, Noise

No text changes have been made to Section 5.13, *Noise*.

Section 5.14, Population and Housing

5.14-4 *The last sentence of the second paragraph under Impact 5.14-1 has been revised as follows:*

Therefore, implementation of the Proposed Project would not be expected to result in any significant increase to the local population ~~or adverse effect on the housing market.~~

Section 5.15, Public Services

5.15-7 *Under the heading No Project Alternative 2, the second sentence has been revised as follows:*

Construction impacts associated with No Project Alternative 2 would be similar to those of the Proposed Project because this alternative would require construction activities within the same SCE right-of-way, and would require a similar, ~~yet smaller, temporary~~ construction workforce as the Proposed Project.

Section 5.16, Recreation

No text changes have been made to Section 5.16, *Recreation*.

Section 5.17, Transportation and Traffic

No text changes have been made to Section 5.17, *Transportation and Traffic*.

Section 5.18, Utilities and Service Systems

5.18-2 *The sixth sentence of the second paragraph of the Impact 5.18-2 discussion has been revised as follows:*

The existing wood poles removed for the Proposed Project would be returned to ~~the~~ a staging yard, and either reused by SCE, returned to the manufacturer, disposed of in a Class I hazardous waste landfill, or disposed of in the lined portion of a municipal landfill which the RWQCB has approved for the disposal of treated wood waste.

5.18-3 *The discussion under Electricity and Natural Gas has been revised as follows:*

Southern California Edison (SCE) is the primary provider of electrical services ~~and natural gas~~ throughout Ventura County, and the Gas Company is the primary provider of natural gas (Ventura County, various dates).

5.18-5 *Additional language from Ordinance 4421 has been added to the discussion under Ventura County Construction and Demolition Debris Ordinance, to highlight requirements of this ordinance:*

Ventura County Ordinance 4421 establishes regulations for the recycling and diversion of construction and demolition (C&D) waste within Ventura County. This ordinance requires permit applicants working C&D projects within unincorporated areas of the county to practice waste prevention; reuse, recycle, or salvage; and, least preferred, landfilling solid wastes (VCPWA, 2014). Section 4781-8 in this ordinance outlines the following requirements for a C&D Debris Recycling Report to show compliance with this section:

(a) Final Report. Prior to Completion of a Covered Project pursuant to Sec. 4781-2(k), the Permit Applicant shall submit a C&D Debris Recycling Report, under penalty of perjury, to a C&D Debris Recycling Compliance Official in a form approved by the County of Ventura. The report shall include the following information:

(1) The dates on which Grading, Building, Paving, Demolition and/or Construction actually commenced and were completed; (2) The actual weight of C&D Debris, listed by each material type; (3) The actual weight of C&D Debris that was diverted, listed by each material type; (4) A specification of the method used to determine the weights (the CIWMB-approved solid waste weight conversion tables are strongly recommended) and a certification that the method used was the most accurate, commercially reasonable method available; and (5)

Original receipts from all vendors and permitted Recycling Facilities, which collected or received C&D Debris, indicating actual weights and volumes, by individual material type, received by each.

5.18-11 *Reference to Ordinance 4421 has been added to the last paragraph of the criterion g) discussion:*

Nevertheless, as stated in Section 5.18.1, Regulatory Setting, Ventura County has a C&D ordinance that establishes diversion requirements for construction and demolition occurring within unincorporated areas. SCE would reduce construction material and treated wood pole waste through the processes described above in Impact 5.18-2 consistent with Ventura County recycling and reduction policies, including Ordinance Number 4421. Thus, the Proposed Project would not result in impacts related to conflict with statutes or regulations related to solid waste and recycling (No Impact).

Chapter 6. Comparison of Alternatives

No text changes have been made to Chapter 6, *Comparison of Alternatives*.

Chapter 7. Cumulative Effects

No text changes have been made to Chapter 7, *Cumulative Effects*.

Chapter 8. Other CEQA Considerations

No text changes have been made to Chapter 8, *Other CEQA Considerations*.

Chapter 9. Report Preparation

No text changes have been made to Chapter 9, *Report Preparation*.

Chapter 10. Mitigation Monitoring, Reporting, and Compliance Program

All text changes to Chapter 10, *Mitigation Monitoring, Reporting, and Compliance Program*, are reflected in Appendix F of the Final EIR Document.