

# SECTION 1

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## Introduction

### 1.1 CEQA Process

Pursuant to the requirements of the California Environmental Quality Act (CEQA) and the California Public Utilities Commission (CPUC) General Order (GO) 131-D, the CPUC prepared an Initial Study to address the application from PacifiCorp (A.05-12-011) for a Permit to Construct (PTC) approximately 18.6 miles of 115-kilovolt (kV) single-circuit transmission line between the Yreka and Weed Junction Substations (Proposed Project). Also addressed within this CEQA review, although not included as part of PacifiCorp's original application, is a planned rebuilding of the Weed Substation and upgrade of approximately 1.5 miles of single-circuit 69-kV transmission line to a double-circuit 115kV transmission line (collectively called the Weed Segment,) which was added to the CEQA review by order of Commissioner Brown in his "Ruling Regarding Piecemealing and Substations," filed June 5, 2006. The Initial Study determined that the Proposed Project and Weed Segment would not have a significant adverse effect on the environment, and a Draft Mitigated Negative Declaration (Draft MND) was prepared by the CPUC.

On September 1, 2006, the CPUC filed a Notice of Completion (NOC) with the Governor's Office of Planning and Research (State Clearinghouse), published a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration, and released the Draft MND for a 30-day public review period. The Draft MND was distributed to federal state, and local agency representatives, property owners within 300 feet of the Proposed Project and Weed Segment, and other interested individuals as outlined in Appendix J of the Draft MND. Additionally, a Public Notice was published in the two general circulation newspapers announcing the availability of the Draft MND for public review in compliance with CEQA. In accordance with Section 15105(b) CEQA Guidelines, the public review and comment period began on September 1, 2006 and ended on October 2, 2006. A public information meeting was held on September 20, 2006 in Weed, California to hear oral comments on the Draft MND. A summary of the oral comments and copies of all written comments received on the Draft MND are contained in this Final MND<sup>1</sup>.

This Final MND has been prepared pursuant to CEQA Guidelines<sup>2</sup> which outlines all aspects of the preparation of the Draft MND and its review, as well as the subsequent steps to preparing a Notice of Decision. This document incorporates comments from the applicant, public agencies,

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<sup>1</sup> The Final MND is a combination of this Response to Comment Document and the Draft MND included as Appendix A.

<sup>2</sup> Title 14, California Code of Regulations, Chapter 3, Sections 15000 – 15387 and Appendices, accessible at [http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/)

and the general public, and contains responses by the Lead Agency (the CPUC) to those comments. As a result of applicant, agency and public comments, changes have been made to the Draft MND. The sole intent and purpose of the Final MND is to provide corrections and clarity to certain facts set forth in the Draft MND to ensure accuracy. No new significant environmental impacts are identified in this Final MND. No mitigation measures presented in the Draft MND were deleted; however, modifications were made to clarify or amplify certain mitigation measures.

The Final MND is an informational document prepared by the CPUC to be used by decision makers before approving or denying a proposed project. The Final MND consists of the following:

- (a) A list of persons, organizations, and public agencies commenting on the Draft MND.
- (b) Comments and recommendations received on the Draft MND either verbatim or in summary.
- (c) Revisions to the Draft MND.
- (d) Revisions to the Mitigation Monitoring, Compliance and Reporting Plan (MMCRP).

## **1.2 Public Review Process**

On September 1, 2006, the CPUC mailed a notice to relevant agencies, organizations and individuals residing in the Proposed Project and Weed Segment areas, announcing that the Draft MND was available for public review. The CPUC established a comment fax line (415-896-0332), e-mail address (yreka-weed@esassoc.com), and web site (<http://www.yreka-weed.com>) to enable the public to ask questions, provide comments, and obtain additional information on the Proposed Project and Weed Segment discussed in the Draft MND.

Additionally, the CPUC held a public information meeting on Wednesday, September 20, 2006 at the College of the Siskiyous, 800 College Avenue, McCloud Hall, Room 3, Weed, California between 6:30 and 8:30pm. Comments made during this public informational meeting related to the Draft MND were noted and summarized.

In accordance with Section 15105(b) CEQA Guidelines, the public review and comment period for the Draft MND began on September 1, 2006 and ended on October 2, 2006. In response to the publication of the Draft MND for public review, applicant, agency, and public comments have been received. These comments are presented and discussed in this document.

## **1.3 Comments on the Draft MND**

The following agencies and individuals submitted comments on the Draft MND during the public review period. Additionally, comments specifically regarding the Draft MND that were received as part of the CPUC evidentiary hearing proceedings that did not duplicate formal comments received on the Draft MND are also considered in this Final MND. Dates of submittal are noted.

- California Department of Transportation (September 13, 2006)
- County of Siskiyou (September 28, 2006)
- Goodin, MacBride, Squeri, Ritchie & Day, LLP, on behalf of PacifiCorp (October 2, 2006)
- Meyers Nave Riback Silver & Wilson, PLC, on behalf of Don and Judy Mackintosh (October 2, 2006)
- Testimony of Leonard and Barbara Luiz (October 2, 2006).

## 1.4 Findings

Based on the analysis conducted in this Final MND, the CPUC has found, on the basis of the whole record before it (including the Initial Study/Draft MND and public comments received), that there is no substantial evidence that the Proposed Project and Weed Segmement would have any significant unmitigable environmental impacts related to either construction activities or operations. Accordingly, mitigation identified in the Final MND for the Proposed Project and Weed Segmement would avoid or reduce all of the impacts to a less-than-significant level.

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Date