

## PUBLIC UTILITIES COMMISSION



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February 19, 2016

Mr. Nate Lishman  
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**RE: Application Completeness – Permit to Construct the Fulton-Fitch Mountain Reconductoring Project – Application No. A.15-12-005**

Dear Mr. Lishman:

The California Public Utilities Commission's (CPUC) Energy Division CEQA Unit has completed a second review of Pacific Gas and Electric Company's (PG&E) Application (A.15-12-005) and Proponent's Environmental Assessment (PEA) for a Permit to Construct (PTC) the Fulton-Fitch Mountain Reconductoring Project.

Section 15100 of the California Environmental Quality Act (CEQA) requires the agency responsible for the certification of a proposed project to assess the completeness of the project proponent's application. The Energy Division uses CPUC's Information and Criteria List and PEA Checklist as the guide for determining the adequacy of project applications.

Following completion of the CPUC's first review of the application and PEA, CPUC provided PG&E with Deficiency Report #1 on December 23, 2015, which identified deficiencies and information needed to prepare a CEQA document in a timely manner. PG&E submitted written responses and supplemental information identified in Deficiency Report #1 on January 22, January 25, January 29, and February 6, 2016.

The CPUC reviewed the material submitted by PG&E and has found that PG&E's application remains incomplete. While many of PG&E's responses were complete, several responses were not addressed adequately or in full. Missing information was separated into two categories, remaining application deficiencies and future data needs. The attached Deficiency Report #2 identifies key issues that need to be addressed in order for CPUC to deem the application complete. The CPUC will request the remaining information from PG&E as a data need once the application is deemed complete.

Information provided by PG&E in response to the Energy Division's finding of deficiency should be submitted as supplements to Application A.15-12-005. One set of responses should be sent to the Energy Division and one to our consultant Panorama Environmental, in both hardcopy and electronic format. We request that PG&E respond to Deficiency Report #2 no later than March 20, 2016. Upon receipt of this information, we will review it within 30 days and determine if it is adequate to accept the PEA and amended application as complete. We will be available to meet with you at your convenience to discuss these items.

The Energy Division reserves the right to request additional information at any point in the application proceeding and during subsequent construction of the project should PG&E's PTC be approved.

Please direct questions related to this application to me at [REDACTED] or [REDACTED].

Sincerely,



Lisa Orsaba  
Project Manager  
Energy Division, CEQA Unit

cc: Mary Jo Borak, Supervisor  
Elizabeth Dorman, CPUC Attorney  
Jo Lynn Lambert, PG&E Attorney  
Tania Treis, Project Manager, Panorama Environmental  
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## DEFICIENCY REPORT #2 FOR THE PG&E FULTON-FITCH MOUNTAIN RECONDUCTORING PROJECT – APPLICATION NO. A.15-12-005

### REPORT OVERVIEW

The California Public Utilities Commission (CPUC) identified deficiencies in Pacific Gas and Electric Company’s (PG&E) Application (A.15-12-005) and Proponent’s Environmental Assessment (PEA) for a Permit to Construct (PTC) the Fulton-Fitch Mountain Reconductoring Project (project). Deficiencies were identified using the CPUC PEA Checklist (November 2008) and the CPUC Information and Criteria List (July 2008). CPUC provided PG&E with Deficiency Report (DR) #1 on December 23, 2015. PG&E submitted written responses to deficiencies identified in DR #1 on January 22, 2016, and provided additional information to supplement the project Application and PEA on January 22, January 25, January 29, and February 6, 2016.

The CPUC has reviewed the information provided by PG&E in response to DR #1 and identified deficiencies that have not been adequately addressed, as well as additional deficiencies with the supplemental material provided. Table 1 identifies the portions of the application found to be deficient.

**Table 1 PG&E Fulton-Fitch Mountain Reconductoring Project Application Deficiencies**

ID	PEA Requirement References	Applicant References	Issue	Deficiencies
<b>Project Description (PD)</b>				
PD-01	<b>PEA Checklist:</b> 3.4 Proposed Project 3.5.2 Poles/Towers 3.7.1.1 Staging Areas 3.7.1.2 Work Areas 3.7.1.5 Vegetation Clearance 3.7.2.1 Pull and Tension Sites	<b>PEA:</b> 00c Index to CPUC PEA Requirements 2.7.1 Staging Areas 2.7.2 Work Areas 2.7.5 Erosion and Sediment Control and Pollution Prevention during Construction	<b>Construction work area boundaries</b> PG&E provided several GIS data layers in response to DR #1, including point data for temporary project work areas; however, the boundaries of proposed temporary work areas have not been identified. The boundaries of work areas are needed to determine the project’s area of potential effect, soil disturbance, and proximity to adjacent resources and sensitive receptors, which are necessary for an adequate CEQA analysis.	a. Provide polygon GIS data layers for the following project temporary work areas. The GIS data should identify the extent of all proposed work areas for the project, as well as alternative work areas, should the preferred work areas become unavailable for project use. <ul style="list-style-type: none"> <li>Staging areas, as well as any material laydown areas that may be located outside of staging areas</li> <li>Helicopter landing zones and touch down areas (also see PD-03 for</li> </ul>

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	<p>3.7.1.6 Erosion and Sediment Control and Pollution Prevention during Construction</p> <p><b>Information and Criteria List:</b> Section V(11)</p>	<p><b>Other:</b> Responses to DR#1 (PD-06, PD-11, PD-13, and PD-15)</p>	<p>The GIS point data provided by PG&amp;E identifies 6 undefined work areas (one north of Lavell Rd, one east of Fraught Rd, and 4 in the Shiloh Ranch Regional Park). These points were later labeled as "Preliminary Additional Work Areas" on maps submitted to CPUC on January 29, 2016. The work area points are located between approximately 10-300 feet from the project conductor. A detailed description of activities that would occur at these work areas is needed, including their boundaries and a description of any proposed vegetation clearing or grading.</p>	<p>additional details regarding helicopter touch down areas)</p> <ul style="list-style-type: none"> <li>• Pole access, installation, removal areas</li> <li>• Pull sites</li> <li>• Guard structures (i.e., space for temporary pole installation or positioning a boom truck)</li> <li>• Turnaround areas</li> </ul> <p>b. Provide a description of activities that would occur at the 6 undefined work areas identified in GIS data and maps provided by PG&amp;E.</p>
<p>PD-02</p>	<p><b>PEA Checklist:</b> 3.6 Right-of-Way Requirements</p>	<p><b>PEA:</b> 2.6 Right-of-Way Requirements</p> <p><b>Other:</b> Responses to DR#1 (PD-10)</p>	<p><b>Right-of-way (ROW) requirements</b></p> <p>The Project Description states that the existing PG&amp;E easement for the Fulton-Shiloh Segment varies in width from 42 to 82 feet, and no width is specified for the Shiloh-Fitch Segment easement.</p> <p>In response to DR #1 (PD-10), PG&amp;E stated "PG&amp;E's land rights along the existing line are being reviewed to determine if any additional rights will be obtained."</p> <p>PG&amp;E has not stated if the existing land rights are sufficient to construct, operate, and maintain the project, nor has PG&amp;E defined any changes in the ROW that may be necessary.</p> <p>CPUC understands that PG&amp;E would pursue any land right expansions following the decision by CPUC on the PTC application; however, at a minimum the CPUC requires a description of the width for the existing ROW for both segments of the project alignment, and any changes that would be needed to construct, operate, and maintain the</p>	<p>a. Provide the existing ROW width range for the Shiloh to Fitch Segment</p> <p>b. Describe, by segment, the additional ROW widths that may be needed and if it could encroach on any buildings or structures.</p>

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			<p>project. This information is needed to determine if existing structures adjacent to the existing ROW would be impacted from building restrictions (e.g., land use impacts per CEQA).</p>	
<p><b>PD-03</b></p>	<p><b>PEA Checklist:</b> 3.7.1.4 Helicopter Access  <b>Information and Criteria List:</b> Section V(11)</p>	<p><b>PEA:</b> 2.7.1 Staging Areas 2.7.2.4 Helicopter Landing Zones  <b>Other:</b> Responses to DR#1 (PD-13 and TT-04)</p>	<p><b>Helicopter access and work areas</b></p> <p>In response to DR #1 (PD-13), PG&amp;E stated that helicopter touch down may occur in open and level spaces along the alignment and vegetation clearing or site development would not be needed. PG&amp;E also stated that helicopter touch down would occur within the study area and the disturbance footprint analyzed in the PEA; however, the boundaries of disturbance areas (i.e., work areas boundaries) are not identified in the PEA (see deficiency PD-01). The specific locations and boundaries of helicopter touch down areas are needed to determine the potential for impacts associated with helicopter activities, including but not limited to noise, air quality, hazards, nesting bird disturbance, and overland ground and vegetation disturbance.</p> <p>The PEA Project Description stated “PG&amp;E plans to use helicopters to replace the conductor on the Shiloh-Fitch segment.” In the PEA Noise section, PG&amp;E states that helicopter work could occur at any point along the lines, and as close as approximately 100 feet to any noise-sensitive area. PG&amp;E stated that helicopter use at any one location will be brief. The duration of work at each pole is described as 1 or 2 days; however, the duration of conductor removal and installation is not addressed nor</p>	<p>a. Provide polygon GIS data with the boundaries of helicopter touch down locations. If touch down areas would only be located entirely within other identified temporary work areas for the project (e.g., pull sits and structure installation or removal areas), provide a statement describing their use for helicopter activities.</p> <p>b. Provide a draft helicopter use plan for the project that addresses preliminary flight paths and estimated operating durations (e.g., days per week and hours per day). The difference in helicopter activities between each project segment should be addressed, and helicopter activities proposed in the Fulton-Shiloh Segment, where residential developments are located, should be described in detail, such as operations at the helicopter landing zone proposed north of US 101, and material transportation and reconductoring along the Fulton-Shiloh Segment. Any considerations regarding the timing of helicopter use and noise impacts should be addressed.</p>

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			<p>is the duration of helicopter use during construction each activity.</p> <p>In response to DR #1 (TT-04), PG&amp;E stated "Information on proposed flight paths is not yet available and will not be available until construction. In general, the path of the helicopter will follow existing utility line alignments to the extent possible and will avoid flying over residences." The CPUC understands that the location of flight paths is dependent on the location of helicopter landing zones and other temporary work areas that may be refined during final design and engineering; however, preliminary flight paths and areas where helicopter activities would be concentrated are required to determine potential noise impacts and aerial lift hazards that may require residences to temporarily vacate structures.</p> <p>The CPUC requires additional details on the use of helicopters. Without specific detail, a worst-case scenario may need to be established, which could result in significant and unavoidable impacts from temporary construction noise and aerial lift hazards.</p>	
PD-04	<p><b>PEA Checklist:</b></p> <p>3.7.5 Construction Workforce and Equipment</p>	<p><b>PEA:</b></p> <p>2.7.7.5 Construction Workforce and Equipment</p> <p><b>Other:</b></p> <p>Responses to DR#1 (PD-16)</p>	<p><b>Construction workforce and equipment</b></p> <p>In response to DR #1 (PD-16), PG&amp;E provided a revised version of Table 2.0-2 in the PEA Project Description with estimated durations of operation, daily vehicle trips, and the number of crews needed for several project activities; however, the following activities were not addressed as requested:</p> <ul style="list-style-type: none"> <li>• Control building replacement for the Fitch Mountain Substation</li> </ul>	<p>a. Provide a revised version of Table 2.0-2 submitted in response to DR #1 (PD-16) that addresses the following project construction activities:</p> <ul style="list-style-type: none"> <li>• Control building replacement for the Fitch Mountain Substation</li> <li>• Equipment maintenance and refueling</li> <li>• Helicopter support teams and refueling</li> </ul>

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			<ul style="list-style-type: none"> <li>• Equipment maintenance and refueling</li> <li>• Helicopter support teams and refueling</li> <li>• Work area stabilization (e.g., gravel installation and removal, and grading/blading)</li> </ul> <p>This information is needed to determine the workforce and equipment needed to construct the project, and to determine potential impacts for traffic, noise, air quality, and greenhouse gases. Also see AQ/GHG-01 for additional information on air quality emission calculations.</p>	<ul style="list-style-type: none"> <li>• Work area stabilization (e.g., gravel installation and removal, and grading/blading)</li> </ul>
<b>Biological Resources (BR)</b>				
BR-01	<p><b>PEA Checklist:</b> 5.4 Biological Resources</p> <p><b>Information and Criteria List:</b> Section V(14)</p>	<p><b>PEA:</b> 00c Index to CPUC PEA Requirements 3.4 Biological Resources</p> <p><b>Other:</b> Responses to DR#1 (BR-01)</p>	<p><b>Jurisdictional delineation and water feature crossings</b></p> <p>In response to DR #1 (BR-01), PG&amp;E provided a report titled Water Crossing Mapping (GANDA 2016). This report surveyed a total of 23 access road crossing locations that occur in the vicinity of wetland or riparian areas. Table 1 of the GANDA report identifies 4 crossings where permits (i.e., 404, 401, and 1602) "will" be required, and numerous other crossings where permits "may" be required. The report also surveyed a total of 23 work areas that occur in the vicinity of wetland or riparian areas. Nine work areas were identified that overlap with a wetland/riparian feature.</p> <p>In addition, PG&amp;E provided a Jurisdictional Delineation Report (TRC 2015). This report formally delineates two features (SW1 and SW3); the report states that PG&amp;E determined these were the only features that could not be avoided. The Biological Resources Technical Report (GANDA 2012)</p>	<p>a. Provide a formal delineation report for water features that could be impacted by the project, including but not limited to features that would be crossed during construction using fiberglass mats, steel plates, and/or temporary bridges, or "Arizona" low-water crossing, or that overlap a proposed work area boundary.</p> <p>b. Confirm the total number of water crossings for the project, and identify any missing water crossings that were not included with the GANDA 2016 report.</p>

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			<p>addresses jurisdictional habitats, but does not include a formal delineation of any jurisdictional areas. A total of 78 wetland/waters features were identified by the GANDA (2012) and TRC (2015) reports. According to the TRC (2015) report 76 of these features will be avoided, but this information conflicts with the findings of the more recent Water Crossing Mapping (GANDA 2016).</p> <p>A formal jurisdictional delineation has not been completed for all jurisdictional features that could be impacted by the project, such as those that would be crossed during construction using fiberglass mats, steel plates, and/or temporary bridges, or "Arizona" low-water crossing. The jurisdictional delineation report (TRC 2015) only formally delineates two features, while the most current information regarding impacts to jurisdictional habitats (GANDA 2016) indicates that numerous other jurisdictional features will or may be impacted. A jurisdictional delineation report should be prepared that addresses all jurisdictional features that will or may be impacted by the proposed project.</p> <p>The GANDA 2016 report identifies 23 crossings; however, Table 2 PD-04a provided with PG&amp;E's response to DR #1 (PD-04) included a list of 24 crossings. The report does not address crossing FFX24 identified in the table.</p>	
<b>Cultural/Paleontological Resources (C/PR)</b>				
<b>C/PR-01</b>	<b>PEA Checklist:</b> n/a	<b>PEA:</b>	<b>Evaluation of potentially eligible cultural resources</b>	a. Provide an eligibility evaluation for cultural resource P-49-1179 (CA-SON-1256) to

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	<p><b>Information and Criteria List:</b> Section V(12)</p>	<p>2.10 Applicant Proposed Measures 3.5 Cultural Resources <b>Other:</b> Responses to DR#1 (C/PR-01)</p>	<p>Applicant proposed measure (APM) CR-1 states that cultural resources P-49-001179 (CA-SON-1256) was never formally evaluated for listing on the California Register of Historic Resources (CRHR). After the court decision from <i>Madera Oversight Coalition v. County of Madera</i> (2011), the CPUC has required that all cultural resources that may be affected by a project be fully evaluated for CRHR eligibility.</p> <p>In addition, APM CR-1 states that the resource would be avoided through the development of a protective zone; however, two guard structure points have been identified within the boundary of the resource.</p>	<p>determine whether the resource is eligible for listing on the CRHR.</p> <p>b. Provide the eligibility testing report that contains a conclusion regarding the eligibility of cultural resource P-49-1179 (CA-SON-1256).</p> <p>c. Clarify the development of a protective zone that would achieve avoidance of the feature addressed in APM CR-1, and how the proposed guard structures would not conflict with the projective zone.</p>