



**California Public Utilities Commission
Collinsville 500/230 kV Substation Project
Final Environmental Impact Report, Volume I:
Responses to Comments on the
Draft Environmental Impact Report
State Clearinghouse No. 2025010149**

March 2026



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Volume III	Revised Draft EIR Appendices
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Attachment 2	Draft EIR Public Notices

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1 Introduction

1.1 Project Overview

On July 29, 2024, LS Power Grid California, LLC (LSPGC, Applicant) submitted Application A2407018 seeking a Certificate of Public Convenience and Necessity (CPCN) with the California Public Utilities Commission (CPUC, Lead Agency) to construct, operate, and maintain the Collinsville 500/230 Kilovolt (kV) Substation Project (project). The project is located in unincorporated areas of Solano, Sacramento, Alameda, and Contra Costa counties, and in the City of Pittsburg.

The project was identified as a needed upgrade to the California electrical grid in the California Independent System Operator (CAISO) 2021-2022 Transmission Plan. The need for the Proposed Project was reaffirmed in the CAISO 2024-2025 Transmission Plan. The Proposed Project, as identified in LSPGC's application, involves the construction of a new 500/230 kV Collinsville Substation; a 500 kV interconnection transmission line between Collinsville Substation and Pacific Gas and Electric Company's (PG&E) existing 500 kV Vaca Dixon–Tesla line (2.5 miles of new 500 kV transmission lines); and a new approximately 6-mile-long 230 kV transmission line connecting the Collinsville Substation to PG&E's existing Pittsburg Substation, with approximately 4.5 miles of submarine cables running beneath the Sacramento-San Joaquin River Delta waterways. Additional work associated with the Proposed Project includes extending an existing 12 kV distribution circuit to the new substation, installing redundant telecom links (a new PG&E microwave tower and dual fiber-optic cables), and making supporting modifications within the existing footprints of PG&E's Pittsburg, Vaca Dixon, and Tesla substations, along with select pole/transposition structure replacements at four locations along PG&E's existing 500 kV Vaca Dixon–Tesla line.

1.2 Purpose of this Document

On November 4, 2025, the CPUC published the Draft Environmental Impact Report (EIR) for the project. The Draft EIR was available for public review on CEQANet (State Clearinghouse No. 2025010149), at two public libraries located in the vicinity of the project,¹ and online on the CPUC's website. The Draft EIR includes the following:

- Description of the Proposed Project and the existing environmental conditions in the Proposed Project's vicinity;

¹ Pittsburg Library (80 Power Avenue, Pittsburg, CA 94565) and Rio Vista Library (44 S 2nd Street, Rio Vista, CA 94571)

1 INTRODUCTION

- Potentially feasible alternatives to the Proposed Project that would meet most of its basic objectives while avoiding or reducing its significant environmental effects, including a No Project Alternative, as required by the California Environmental Quality Act (CEQA);
- Identification and analysis of direct, indirect, and cumulative environmental impacts related to the construction, operation, and maintenance of the Proposed Project and six alternatives analyzed in detail in the EIR;
- Feasible mitigation measures to avoid, minimize, or compensate for the Proposed Project's significant environmental impacts;
- Identification of environmental impacts that would remain significant and unavoidable, even with the implementation of all feasible mitigation measures; and
- Comparison of alternatives and selection of an Environmentally Superior Alternative

CEQA and its implementing regulations (the "CEQA Guidelines") require a lead agency to prepare and certify a Final EIR before it may approve a project for which a Draft EIR has been prepared. This document and the November 2025 Draft EIR as modified in response to comments together constitute the Final EIR for the Collinsville 500/230 kV Substation Project. The Final EIR has been prepared pursuant to Public Resources Code (PRC) § 21000 et seq. and in accordance with CEQA Guidelines Section 15000 et seq., California Code of Regulations (CCR), Title 14.

This Final EIR will be used by the CPUC, in conjunction with other information developed in the CPUC's formal record, to make a decision on LSPGC's application for a CPCN. Under CEQA, the CPUC will determine the adequacy of this Final EIR and, if adequate, will certify the document as complying with CEQA. The CPCN approval process includes selecting project alternatives, adopting mitigation measures, and reviewing project costs.

1.3 Organization of the Final EIR

The Final EIR consists of the following elements consistent with CEQA Guidelines Section 15132:

- a. The Draft EIR or a revision of the draft;
- b. Comments and recommendations 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.

1 INTRODUCTION

The Final EIR for the Proposed Project contains responses to comments that were raised during the 45-day public comment period (November 4, 2025 through December 19, 2025). Responses were prepared for each comment received during the public comment period and are presented in Section 3: Comments and Responses of this Final EIR. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as required by CEQA Guidelines Section 15088(c).

This Final EIR is organized as follows:

- **Volume I: Comments and Responses to Comments on the Draft EIR**
 - **Section 1: Introduction.** Provides a project overview, purpose of this document, and, the organization of the Final EIR.
 - **Section 2: Public Review Process.** Describes the public review process, identifies Draft EIR commenters, and describes the organization of the comments that are addressed in this document.
 - **Section 3: Comments and Responses.** Contains copies of all the comment letters received on the Draft EIR. Comments are identified within the comment letter using an alphanumeric code. Following each comment letter are responses directed specifically to each comment.
 - **Section 4: Other Revisions to the Draft EIR.** Describes other changes made to the Revised Draft EIR.
- **Volume II: Revised Draft EIR**
- **Volume III: Revised Draft EIR Appendices**
- **Attachment 1: Mitigation Monitoring and Reporting Program**
- **Attachment 2: Draft EIR Public Notices**

2 Public Review Process

2.1 Introduction

This section includes a list of the public agencies, tribal governments, organizations, and individuals who provided written comments on the Draft EIR, as well as copies of and responses to those comments. As required by CEQA, the responses to comments first and foremost address significant environmental issues raised by commenters (PRC § 21091(d); CEQA Guidelines Sections 15088(a), 15132). In addition, the responses to comments include clarifications and corrections to information in the Draft EIR.

2.2 Opportunities for Public Comment on the Draft EIR

2.2.1 Notification

On November 4, 2025, the CPUC published and distributed the Notice of Availability (NOA) of a Draft EIR pursuant to 14 CCR §15087(c). The CPUC mailed copies of the NOA to residents and property owners within 300 feet of the Proposed Project and each alternative alignment, as well as to applicable agencies, organizations, and tribes. The CPUC also submitted copies of the NOA and a Notice of Completion to the State Clearinghouse for distribution, as well as copies of the NOA to four county clerk's offices including Solano, Sacramento, Alameda, and Contra Costa county. The NOA included:

- a description of the Proposed Project and its location;
- information on how to access the Draft EIR;
- information on how to submit comments on the Draft EIR during the 45-day public review period (November 4, 2025 through December 19, 2025);
- the date and time of the CPUC's public meeting on the Draft EIR.

The CPUC also published newspaper advertisements in the Daily Republic and East Bay Times on November 10 and November 11, 2025, respectively. The NOA and newspaper advertisement are provided in Attachment 1.

2.2.2 Virtual Public Meeting

The CPUC held a virtual meeting on November 18, 2025 to accept comments on the Draft EIR from agencies, organizations, and individuals. A presentation was given at the November 18, 2025, virtual public meeting that included an overview of the CPUC's decision-making process, including:

2 PUBLIC REVIEW PROCESS

- The environmental review process
- Project background
- Project description
- Summary of significant unavoidable impacts of the Proposed Project
- Project alternatives
- Public comment process

All attendees were encouraged to submit written comments on the Draft EIR.

2.3 Comments on the Draft EIR

The CPUC received 11 comment letters, including from five state and local agencies, two Native American tribes, LSPGC, PG&E, and private organization representing landowners and mineral lease holders. Table 2.4-1 lists the Draft EIR commentors. Comment letters are grouped in the following categories:

- Tribes (T)
- Agencies, State (AS)
- Agencies, Local (AL)
- PG&E (P)
- LSPGC (L)
- Individuals/Private Organizations (I)

Table 2.4-1 Commenters on the Draft EIR and Corresponding Comment and Response Numbers

Comment Letter Designation	Date of Letter	Commenter
T-1	November 3, 2025 ^a	Amah Mutsun Tribal Band of San Juan Batista
T-2	December 1, 2025	Yoca Dehe Wintun Nation
AS-1	December 17, 2025	California Department of Fish and Wildlife (CDFW)
AS-2	December 19, 2025	California State Lands Commission
AL-1	December 19, 2025	Solano County Department of Resource Management
AL-2	December 9, 2025	Sacramento Metropolitan Air Quality Management District (SMAQMD)
AL-3	December 18, 2025	Sacramento Municipal Utility District (SMUD)
P-1	December 19, 2025	PG&E
L-1	December 19, 2025	LSPGC
I-1	December 15, 2025	California Forever LP (CAF)
I-2	February 3, 2026 ^b	Martin Marietta Marine Operations, LLC, Lind Marine, Inc., and their joint venture Suisun Associates

Note:

2 PUBLIC REVIEW PROCESS

- ^a The CPUC notified certain agencies, tribes, and other contacts via email on November 3, 2026, regarding the availability of the Draft EIR and comment period. While the official review period for the Draft EIR began on November 4, 2025, the Amah Mutsun Tribal Band of San Juan Batista submitted their comment letter the day email notice was provided.
- ^b Martin Marietta Marine Operations, LLC, Lind Marine, Inc., and their joint venture Suisun Associates submitted a comment letter after the Draft EIR comment period closed. The CPUC decided to include the comments and responses for informational purposes.

Comments within each comment letter are numbered (e.g., T-1-1, T-1-2); these comment numbers are also provided in Table 2.4-1. Each comment letter is followed by the corresponding responses. Comment letters within each category are presented in the order received.

The comment letters and comment responses are included in Section 3, below. If revisions were made to the Final EIR based on the comments, the revisions are provided with the response to the specific comment and are indicated in the text of this Final EIR with ~~striketrough~~ for deletions of text and underline for additions of text.

3 Comments and Responses

3.1 Public Agencies and Tribal Governments Comments and Responses

This section contains responses to comments received from public agencies and tribal governments. Responses follow each comment letter.

3 COMMENTS AND RESPONSES

3.1.1 Letter T-1 Amah Mutsun Tribal Band of San Juan Batista

11/4/25, 8:22 AM

Panorama Environmental Mail - Notice of Availability/Notice of Public Comment Period for the Draft EIR for the Collinsville 500/230 ...



Notice of Availability/Notice of Public Comment Period for the Draft EIR for the Collinsville 500/230 kV Substation Project

Amah Mutsun Tribal [redacted]
> To: Aaron Lui [redacted]

Mon, Nov 3, 2025 at 8:44 PM

Hello Aaron,

Thank you for the information on the proposed project, and please see the attached documents with our recommendations. If you have any questions about the attached documents, or would like to set up a meeting to discuss consultation, please give us a call at [redacted] or email us at [redacted].

Thank you,

Lorelei Alli

[Quoted text hidden]

2 attachments

 **General Recommendations (1) (1).pdf**
36K

 **2025 Letter of Response for AMTB LLC.pdf**
525K

3 COMMENTS AND RESPONSES

Provisions to Address Discovery of a Tribal Cultural Resource During Construction

Tribal Cultural Resources Sensitivity Training. The project sponsor, in consultation with any Cultural Resources Team if one is available, shall retain the services of an Ohlone Native American representative and/or archeological consultant from the Qualified List of Archeological Consultants to provide cultural sensitivity and archeological awareness training to all work crews who will be involved in ground disturbing activities at the project site. The training shall inform all project contractors, subcontractors and work crew members to be on the alert for evidence of the presence of potential tribal cultural resource(s), of how to identify the evidence of such a resource(s), and of stop work, resource protection, and notification requirements in the event of suspected discovery of a tribal cultural resource by construction crew members.

T-1-1

Stop Work and Notification Upon Discovery. Should any indication of a tribal cultural resource be encountered during any soils-disturbing activity of the project, the project Head Foreperson and/or project sponsor shall immediately notify tribe and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the Cultural Monitor and a qualified archeological consultant from the Qualified Archeological Consultants List have assessed the find and the respective parties have determined whether and what additional measures should be undertaken.

T-1-2

Preservation in Place. In the event of the discovery of a tribal cultural resource, the cultural resource team (if one is present on job), the project sponsor, the archeological consultant, and the Ohlone representative shall consult to determine whether preservation in place would be feasible and effective in preserving the values represented by the resource. The archeological consultant, in consultation with the Ohlone representative, shall document the find to current professional standards. The tribe may also require that the project sponsor immediately implement a site security program if the resource is at risk from vandalism, looting, or other damaging actions.

T-1-3

If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, the archeological consultant shall prepare a Resource Preservation Plan (RPP) in consultation with the Ohlone representative, for review, which shall be implemented by the project sponsor during construction.

If it is determined that preservation in place would not be feasible or effective, then archeological assessment and treatment shall be implemented and in consultation with the Ohlone representative, as detailed below.

Archeological Treatment. If it is determined, in consultation with the Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option to preserve the values represented by the resource, then the archeological consultant, in consultation with the Ohlone representative, shall conduct archeological assessment to determine

T-1-4

3 COMMENTS AND RESPONSES

the significance of the find and determine whether it retains sufficient integrity to warrant additional treatment. If the tribal cultural resource is determined to be a significant archeological resource, the archeological consultant, in consultation with the Ohlone representative, shall recommend appropriate archeological treatment to preserve the data and values of the tribal cultural resource, which may include archeological data recovery. Data recovery shall be implemented in consultation with the Ohlone representative and shall include appropriate analyses and reporting. If an archeological interpretive, monitoring, and/or testing program is required, it shall be consistent with Standard guidelines for such programs and shall be implemented immediately.

T-1-4

Human Remains and Funerary Objects. The treatment of any human remains, and funerary objects discovered during any soils disturbing activity shall comply with applicable State laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. The project sponsor shall immediately notify the Medical Examiner of the County in which the job resides and the Tribe of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner will notify the California State Native American Heritage Commission (NAHC) within 24 hours and all provisions of Public Resources Code 5097.98 will be followed.

T-1-5

Interpretive Program. If it is determined, in consultation with Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resource is not a sufficient or feasible option, the project sponsor, in consultation with local Native American representatives, shall prepare a Cultural Resources Public Interpretation Plan (CRPIP) to guide the interpretive program. The CRPIP shall be submitted for review and approval prior to implementation of the program. The interpretive program may but is not limited to artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the sponsor, and Ohlone Native American representatives, and shall include an on-site acknowledgement that the project is built on traditional Ohlone land. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. Upon approval of the CRPIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The project sponsor shall work with the tribal representative to identify the scope of work by the tribal representative to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.

T-1-6

3 COMMENTS AND RESPONSES

The Amah Mutsun Tribal Band of San Juan Bautista & AMTB

Letter of Response

To whom it may concern:

It is our pride and privilege to be of service for any Native American Cultural Resource Monitoring, Consulting and/ or Sensitivity Training you may need or require. We take our Heritage and History seriously and are diligent about preserving as much of it as we can. Construction is a constant in the Bay Area and with that new discoveries are bound to happen. If you choose our services, we will gladly guide all personnel through proper procedures to safely protect and preserve: Culture, Heritage, and History.

It is highly recommended, if not previously done, to search through Sacred Lands Files (SLF) and California Historical Resource Information Systems (CHRIS) as well as reaching out to the Native American Heritage Commission (NAHC) In order to determine whether you are working in a Cultural and/ or Historic sensitivity.

If you have received any positive cultural or historic sensitivity within 1 mile of the project area here are A.M.T.B Inc's and Amah Mutsun Tribal Band of San Juan Bautista's recommendations:

- All Crews, Individuals and Personnel who will be moving any earth be Cultural Sensitivity Trained.
- A Qualified California Trained Archaeological Monitor is present during any earth movement.
- A Qualified Native American Monitor is present during any earth movement.

If further Consultation, Monitoring or Sensitivity Training is needed please feel free to contact A.M.T.B. Inc. or Myself Directly. A.M.T.B. Inc. [redacted]

Irenne Zwierein

Irenne Zwierein

2451 Tyrolean Way, Sacramento CA
95821
[redacted]
[redacted]

T-1-7

3 COMMENTS AND RESPONSES

Amah Mutsun Tribal Band of San Juan Bautista & AMTB

2451 Tyrolean Way, Sacramento CA 95821

Our rates for 2025 are

\$200.00 per hour.

4 hours minimum

Cancellations not 48 hours (about 2 days) prior will be charged as a 4-hour minimum. There is a round trip mileage charge if canceled after they have traveled to site.

Anything over 8 hours a day is charged as time and a half.

Weekends are charged at time and a half.

Holidays are charged at double the time.

For fiscal year (FY) 2025, standard per diem rate of \$425. (\$333. lodging, \$92 M&IE).

M&IE Breakdown FY 2025

M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
\$92.00	\$23.00	\$26.00	\$38.00	\$5.00	\$69.00

Beginning 2025, the standard mileage rates for the use of a car round trip (also vans, pickups or panel trucks) will be: \$.70 cents per mile driven for business use or what the current federal standard is at the time.

Our Payment terms are 5 days from date on invoice.

Our Monitors are Members of the Amah Mutsun Tribal Band of Mission San Juan Bautista.

If you have any questions, please feel free to contact the A.M.T.B. Inc. at the below contact information.

Sincerely,

Irenne Zwiierlein

Irenne Zwiierlein

2451 Tyrolean Way, Sacramento CA
95821

[redacted]

[redacted]

3 COMMENTS AND RESPONSES

Response to Letter T-1: Lorelei Alli and Irenne Zwierlein, Amah Mutsun Tribal Band of San Juan Batista

T-1-1 The Amah Mutsun Tribal Band of San Juan Batista (Amah Mutsun) provides recommended mitigation measure language for tribal cultural resource sensitivity training provided by an Ohlone representative and/or qualified archaeological consultant for all work crews who will be involved in ground disturbing activities.

APM CUL-1 and CM CUL-1 included in the Draft EIR define requirements to address worker training. While the APMs require worker training in cultural resource sensitivity, the APMs did not specifically require a Native American representative to present the training as requested in the comment. CM CUL-1 was modified to include Native Americans in developing the training materials as follows:

CM CUL-1: Worker Awareness Training. PG&E would provide environmental awareness training on archeological and tribal cultural resources protection and identification. This training may be administered by the PG&E cultural resources specialist (CRS) or a designee as a stand-alone training or included as part of the overall environmental awareness training as required by the ~~Proposed P~~project and would at minimum include: types of cultural resources, tribal cultural resources, or fossils that could occur at the ~~Proposed P~~project site; types of soils or lithologies in which the cultural resources or fossils could be preserved; procedures that should be followed in the event of a cultural resource or human remain discovery; and penalties for disturbing cultural resources and human remains. A tribal representative will also be invited to provide tribal cultural resources training at construction inception.

MM CUL-1 has been revised as follows to require that the worker training be developed in coordination with a Native American representative consistent with this request:

MM CUL-1: Subsurface Resource Testing, Worker Training, Monitoring, and Reporting

Pre-Construction Testing: Prior to initiating construction, LSPGC shall conduct coring within the location of the northern onshore portion of submarine segment, the riser structures, and the TSP structure north of the riser structures to investigate whether remains of a Native American village or habitation occur within the subsurface work areas. The coring shall include at least 10 cores to the depth of the proposed excavation at each core location. The exact locations of the cores shall be defined by a

3 COMMENTS AND RESPONSES

qualified geoarchaeologist with previous experience using this method in the San Francisco Bay Area to provide a representative sample of the subsurface area of potential impact (API) in consultation with the consulting Tribe(s). The coring shall be monitored by a qualified geoarchaeologist, and a tribal monitor shall be invited to participate in the monitoring. The results of the coring shall be reviewed by a qualified geoarchaeologist with previous experience using this method in the San Francisco Bay Area and the tribal monitor (Yocha Dehe Wintun Nation, or Confederated Villages of Lisjan Nation, or Amah Mutsun Tribal Band of Mission San Juan Bautista [Tribes]) to determine whether there are subsurface tribal cultural resources (e.g., village or other evidence of past human habitation) within the location of the overhead segment and onshore submarine segment. If any significant cultural or tribal cultural resources, as determined by a qualified archaeologist and/or a tribal monitor, are documented within the location of the overhead segment and onshore submarine segment API, the overhead and submarine segment cable alignment or riser and tubular steel pole structure locations shall be adjusted to avoid the buried resource through vertical or horizontal relocation to the extent feasible.

Worker Training: All consulting Tribes shall be invited to assist in developing the cultural sensitivity and archeological awareness training provided to all project workers involved in ground disturbing activities. The training shall inform workers to be on the alert for evidence of potential archaeological and tribal cultural resources, how to identify the evidence of such resources, and of stop work, resource protection, and notification requirements in the event of suspected discovery of resources.

Preservation in Place and Treatment: The preferred treatment strategy for any cultural or tribal cultural resource shall be avoidance. If historic resources that are not tribal cultural resources cannot be avoided additional treatment measures, such as curation at an accredited curation facility, will be employed to treat the resource. If tribal cultural resources cannot be avoided, treatment may include reburial in the project vicinity at a location agreed upon between the Tribe and the proponent/land owner, where the reburial would be accessible to Tribal members and would not be subject to further disturbance or transfer to the appropriate tribal organization, ~~transfer to the appropriate tribal organization or reburial of the resource outside of the API.~~ Treatment of tribal cultural resources will be conducted in consultation with the consulting tribes. Treatment of all tribal cultural resources, including ceremonial items and archeological items will reflect the religious beliefs, customs, and

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practices of the Tribe(s). LSPGC shall waive any and all claims to ownership of Tribal ceremonial and cultural items, including archeological items, which may be found on the project site in favor of the Tribe(s). If any intermediary is necessary (e.g., an archaeologist retained by LSPGC), the intermediary shall not possess Tribal ceremonial and cultural items for longer than is reasonably necessary.

Cultural Resource Archaeological and Tribal Monitoring:

Archaeological m-Monitoring will include monitoring shall be conducted by a qualified archaeologist and a tribal monitor during ~~initial~~ disturbance of native sediments (e.g., overland travel in known resource boundaries, grading, and excavation) until excavations reach their maximum depths in areas that have moderate and high sensitivity for buried ~~cultural resources~~ archaeological and tribal cultural resources. If a tribal monitor is unavailable to support the monitoring effort, LSPGC shall provide documentation to the CPUC on outreach efforts to ~~AB 52 consulting the t Tribes (Yocha Dehe Wintun Nation, Confederated Villages of Lisjan Nation)~~ regarding ~~cultural resource~~ tribal monitoring. Outreach shall include at least three attempts/requests for monitoring.

Reporting:

- After completion of the coring field work, LSPGC shall prepare and submit a confidential report documenting the results of the field work to the CPUC for review and approval. The report shall include maps, field notes, recordings, drawings or sketches, and analysis of any resources encountered, as appropriate.
- LSPGC shall submit ~~a confidential annual~~ monthly reports with the construction monitoring results to the CPUC. The reports shall include maps, field notes, recordings, photographs, and analysis of any resources encountered during construction. The documentation of any inadvertent discoveries per APM CUL-3 shall also be included in the annual reports.

Confidentiality: Unless otherwise required by law, the site of any reburial of tribal cultural resources or Native American human remains shall not be disclosed. The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribes may require that the location for reburial is recorded with the California Historic Resources Inventory System ("CHRIS") on a form that is acceptable to the CHRIS center.

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Dispute Resolution: In the case of disagreement between Tribes including, but not limited to, treatment of resources, monitoring, or recording of resources, the CPUC will make a determination and document the rationale for the determination.

T-1-2

The Amah Mutsun provides recommended language for a mitigation measure on stop work and notification procedures for unanticipated discovery of a tribal cultural resource during construction.

The requirement to halt work in the event of a discovery of cultural resources, including tribal cultural resources, is documented in APM CUL-3 and MM CUL-2. APM CUL-3 and MM CUL-2 require that all work within 100 of the discovery is halted and that if the resource is prehistoric or Native American in nature, Tribal representatives from all consulting Tribe(s) would also be invited to inspect the discovery and determine whether further investigation is required and any treatment measures are approved by the consulting Tribe(s). APM CUL-3 and MM CUL-2 are consistent with the requested procedures in the comment. Revisions to APM CUL-3 and MM CUL-2 based on comments and consultation with Native Americans are as follows:

APM CUL-3: Inadvertent Discoveries. In the event that previously unidentified cultural resources are uncovered during implementation of the ~~Proposed~~ Project, all work within 100 feet of the discovery would be halted and redirected to another location. A qualified archaeologist(s) would inspect the discovery and determine whether further investigation is required. The qualifications of the archaeologist(s) would be approved by the CPUC and U.S. Army Corps of Engineers (USACE). If the resource is potentially Native American, the consulting Tribe(s) would also be given the opportunity to inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts would occur, the resource would be documented on California Department of Parks and Recreation cultural resource records, and no further effort would be required. If the resource cannot be avoided and may be subject to further impact, the significance and NRHP and CRHR eligibility of the resource would be evaluated and, in consultation with the CPUC and USACE, appropriate treatment measures would be determined. If the resource is potentially Native American, the significance of the resource as a tribal cultural resource pursuant to CEQA would be determined by the CPUC, with input requested from the consulting Tribe(s), and appropriate treatment measures would be determined. All work would remain halted until a Secretary of the Interior-qualified archaeologist approves the treatment measures and, if the resource is a tribal cultural resource, until all consulting Tribe(s) are afforded an opportunity to review and comment

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on the treatment measures. Preservation in place would be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3), if it is demonstrated that resources cannot feasibly be avoided, and if the unearthened resource is prehistoric or Native American in nature, a Native American representative, in consultation with the CPUC and USACE, would develop additional treatment measures, such as data recovery consistent with CEQA Guidelines 15126.4(b)(3)(C-D). ~~Archaeological materials recovered during any investigation would be curated at an accredited curation facility or transferred to the appropriate tribal organization.~~ Archaeological materials recovered during any investigation that are tribal cultural resources shall be reburied outside areas impacted by the project and stored temporarily during construction until reburial is feasible or transferred to the appropriate tribal organization. Archaeological materials that are not tribal cultural resources will be curated at an accredited curation facility.

MM CUL-2: Inadvertent Discoveries

In the event that previously unidentified cultural resources are uncovered during implementation of the ~~Proposed P~~project, all work within 100 feet of the discovery ~~shall~~ would be halted and redirected to another location. A ~~PG&E-appointed~~ qualified archaeologist(s) would inspect the discovery and determine whether further investigation is required. The qualifications of the archaeologist(s) would be approved by the CPUC and the U.S. Army Corps of Engineers (USACE). If the resource is potentially Native American, the consulting Tribe(s) would also be consulted regarding the discovery and to determine whether further investigation is required. If the discovery can be avoided and no further impacts would occur, the resource would be documented on California Department of Parks and Recreation cultural resource records, and no further effort would be required outside of providing documentation to CPUC, USACE, and PG&E. If the resource cannot be avoided and may be subject to further impact, the significance and NRHP and CRHR eligibility of the resource would be evaluated and, in consultation with the CPUC, USACE, and PG&E, appropriate treatment measures would be determined. If the resource is potentially Native American in origin, the significance of the resource as a tribal cultural resource pursuant to CEQA would be evaluated by consulting Tribe(s) and, in consultation with the CPUC and USACE. All work would remain halted until a Secretary of the Interior-qualified archaeologist approves the treatment measures and, if the resource is Native American, the treatment measures are determined in consultation with the consulting Tribe(s). Preservation

3 COMMENTS AND RESPONSES

in place would be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3), if it is demonstrated that resources cannot feasibly be avoided, and if the unearthened resource is prehistoric or Native American in nature, a Native American representative, in consultation with the CPUC and PG&E, would develop additional treatment measures, such as data recovery consistent with CEQA Guidelines 15126.4(b)(3)(C-D). ~~Archaeological materials recovered during any investigation would be curated at an accredited curation facility or transferred to the appropriate tribal organization.~~ Archaeological materials recovered during any investigation that are tribal cultural resources shall be stored temporarily during construction until reburial is feasible or transferred to the appropriate tribal organization with landowner approval. Any final disposition is subject to landowner and tribal agreement. Archaeological materials that are not tribal cultural resources will be curated at an accredited curation facility or reburied on site with landowner approval

T-1-3 The Amah Mutsun provides recommended language for a mitigation measure for preservation in place of a tribal cultural resource in the event of an unanticipated discovery.

APM CUL-3, MM CUL-1, and MM CUL-2 define preservation in place and avoidance as the preferred strategy for discovery of cultural or tribal cultural resources and these measures require documenting the resource to current professional standards. Given the nature of the project, preservation in place is anticipated in areas where avoidance is feasible. If avoidance is feasible, a preservation plan is not required and the measures to avoid the impacts in APM CUL-3, MM CUL-1, and MM CUL-2 would be adequate to ensure impacts would be less than significant. No further changes to the EIR are required.

T-1-4 The Amah Mutsun provides recommended language for a mitigation measure to address treatment of a tribal cultural resource if it is not feasible to preserve in place.

APM CUL-3 states, "If the resource cannot be avoided and may be subject to further impact, the significance and NRHP and CRHR eligibility of the resource would be evaluated and, in consultation with the CPUC, appropriate treatment measures would be determined. If the resource is potentially Native American, the significance of the resource as a tribal cultural resource pursuant to CEQA would be determined by the CPUC, with input requested from the consulting Tribe(s), and appropriate treatment measures would be determined. All work would remain halted until a Secretary of the Interior-qualified archaeologist approves the treatment measures and, if the resource is a tribal cultural resource, until all consulting Tribe(s) approve the treatment measures. Preservation in

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place would be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3), if it is demonstrated that resources cannot feasibly be avoided, and if the unearthed resource is prehistoric or Native American in nature, a Native American representative, in consultation with the CPUC, would develop additional treatment measures, such as data recovery consistent with CEQA Guidelines 15126.4(b)(3)(C-D).” Revisions to MM CUL-2 included similar language. The language in APM CUL-3 and MM CUL-2 is consistent with the request for archaeological assessment and consultation with a Native American representative for treatment of the resource. MM CUL-1 further clarifies “If tribal cultural resources cannot be avoided, treatment may include reburial in the project vicinity at a location agreed upon between the Tribe and the proponent/land owner, where the reburial would be accessible to Tribal members and would not be subject to further disturbance or transfer to the appropriate tribal organization ~~transfer to the appropriate tribe organization or reburial of the resource outside of the API.~~ Treatment of tribal cultural resources will be conducted in consultation with the consulting tribes.” The language in these measures is consistent with the requested language.

T-1-5 The Amah Mutsun provides recommended language for a mitigation measure for the discovery of any human remains or funerary objects during construction of the project.

The requested language is consistent with the requirements codified in State law including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. These requirements are discussed on page 4.5-36 of the Draft EIR. Please also see the response to T-1-2, discussing work stoppage requirements within 100 feet of a discovery of human remains. Because these requirements are codified in State law, additional mitigation measures are not required.

T-1-6 The Amah Mutsun provides recommended language for a mitigation measure regarding an interpretive program if it is infeasible to preserve tribal cultural resources in place.

While the Cultural Resource Public Interpretation Plan and interpretive program are a valuable option for addressing treatment of resources that cannot be avoided, the mitigation measures included in the EIR (MM CUL-1 and MM CUL-2) provide flexibility in defining the appropriate treatment in coordination with the Tribes. Representatives from the Tribes have suggested other treatment options in consultation with the CPUC. The language included in the MM CUL-1 and MM CUL-2 preserves flexibility for selecting the appropriate treatment method depending on the nature and location of the impact in consultation with the Tribes.

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T-1-7 The Amah Mutsun suggests searching through the Sacred Lands Files and California Resource Information Systems databases to determine the cultural/historical sensitivity of project areas. In addition, the comment provides recommendations for any cultural/historical sensitive areas within 1 mile of the project areas, including cultural sensitivity training, presence of a qualified, California trained archaeological monitor and a qualified Native American monitor during any earth movement.

A search of the Sacred Lands File and California Historical Resource Information System were conducted for the project as described on pages 4.5-2 and 4.18-5 of the Draft EIR. As discussed in response to the comment T-1-1, APM CUL-1 and CM CUL-1 require worker sensitivity training. In addition, MM CUL-1 requires monitoring by a qualified archaeologist and Native American monitor when work is conducted during initial disturbance of native sediments in areas that have moderate and high sensitivity for buried cultural resources and tribal cultural resources. The Draft EIR addresses this comment, and no change is needed in the EIR.

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3.1.2 Letter T-2: Yocha Dehe Wintun Nation

12/1/25, 1:21 PM

Panorama Environmental Mail - Comment Draft EIR - APP 2407018



Comment Draft EIR - APP 2407018

1 message

Rebekah Canavesio [redacted]

Mon, Dec 1, 2025 at 11:09 AM

To: Aaron Lui [redacted]

Cc: Eric Hernandez [redacted], Socorro Reyes-Gutierrez [redacted]

We have reviewed the draft EIR for application number 2407018.

We would like to have the following revised in the mitigation measures:

- Remove the reference to flagging sensitive areas. Please note in the measures we will have Tribal Monitors on site for any sensitive areas.
- Remove any reference to 50-foot buffer. All buffers should be revised to state 100-foot buffers.
- We have included our Burial Treatment Protocol, please include this in the EIR.

T-2-1

Please see attached Burial Treatment Protocol and Monitoring Agreement for any CST or Monitoring during project.

Call Socorro Reyes-Gutierrez if you have any questions.



Rebekah Canavesio



Cultural Resources Administrative Manager

Yocha Dehe Wintun Nation

PO Box 18 | Brooks, CA 95606

C [redacted] P [redacted] F [redacted]

[redacted]

yochadehe.gov |  

2 attachments

 **Burial Treatment Protocol.pdf**
230K

 **YDWN Standard Monitoring Agreement.docx**
44K

<https://mail.google.com/mail/u/0/?ik=8a5988265b&view=pt&search=all&permthid=thread-f:1850334182298013033&simpl=msg-f:1850334182298013033> 1/1

3 COMMENTS AND RESPONSES



YOCHA DEHE
CULTURAL RESOURCES

Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation

The purpose of this Protocol is to formalize procedures for the treatment of Native American human remains, grave goods, ceremonial items, and items of cultural patrimony, in the event that any are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity. This Protocol also formalizes procedures for Tribal monitoring during archaeological studies, grading, and ground-disturbing activities.

I. Cultural Affiliation

The Yocha Dehe Wintun Nation (“Tribe”) traditionally occupied lands in Yolo, Solano, Lake, Colusa and Napa Counties. The Tribe has designated its Cultural Resources Committee (“Committee”) to act on the Tribe’s behalf with respect to the provisions of this Protocol. Any human remains which are found in conjunction with Projects on lands culturally-affiliated with the Tribe shall be treated in accordance with Section III of this Protocol. Any other cultural resources shall be treated in accordance with Section IV of this Protocol.

T-2-2

II. Inadvertent Discovery of Native American Human Remains

Whenever Native American human remains are found during the course of a Project, the determination of Most Likely Descendant (“MLD”) under California Public Resources Code Section 5097.98 will be made by the Native American Heritage Commission (“NAHC”) upon notification to the NAHC of the discovery of said remains at a Project site. If the location of the site and the history and prehistory of the area is culturally-affiliated with the Tribe, the NAHC contacts the Tribe; a Tribal member will be designated by the Tribe to consult with the landowner and/or project proponents.

T-2-3

Should the NAHC determine that a member of an Indian tribe other than Yocha Dehe Wintun Nation is the MLD, and the Tribe is in agreement with this determination, the terms of this Protocol relating to the treatment of such Native American human remains shall not be applicable; however, that situation is very unlikely.

III. Treatment of Native American Remains

In the event that Native American human remains are found during development of a Project and the Tribe or a member of the Tribe is determined to be MLD pursuant to Section II of this Protocol, the following provisions shall apply. The Medical Examiner shall immediately be notified, ground disturbing activities in that location shall cease and the Tribe shall be allowed, pursuant to California Public Resources Code Section 5097.98(a), to (1) inspect the site

T-2-4

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of the discovery and (2) make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.

The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be disturbed in the future.

The Tribe may wish to rebury said human remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b).

T-2-4

The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes, soils and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.

IV. Non-Disclosure of Location of Reburials

Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 *et seq.* The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribe will require that the location for reburial is recorded with the California Historic Resources Inventory System ("CHRIS") on a form that is acceptable to the CHRIS center. The Tribe may also suggest that the landowner enter into an agreement regarding the confidentiality of site information that will run with title on the property.

T-2-5

V. Treatment of Cultural Resources

Treatment of all cultural items, including ceremonial items and archeological items will reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at a Project site should be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The Project Proponent should waive any and all claims to ownership of

T-2-6

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Tribal ceremonial and cultural items, including archeological items, which may be found on a Project site in favor of the Tribe. If any intermediary, (for example, an archaeologist retained by the Project Proponent) is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.

T-2-6

VI. Inadvertent Discoveries

If additional significant sites or sites not identified as significant in a Project environmental review process, but later determined to be significant, are located within a Project impact area, such sites will be subjected to further archeological and cultural significance evaluation by the Project Proponent, the Lead Agency, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with Federal Law.

T-2-7

VIII. Work Statement for Tribal Monitors

The description of work for Tribal monitors of the grading and ground disturbing operations at the development site is attached hereto as Addendum I and incorporated herein by reference.

T-2-8

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ADDENDUM I

Yocha Dehe Wintun Nation Tribal Monitors Description of Work and Treatment Protocol

I. Preferred Treatment

The preferred protocol upon the discovery of Native American human remains is to (1) secure the area, (2) cover any exposed human remains or other cultural items, and (3) avoid further disturbances in the area.

II. Compartment

All parties to the action are strongly advised to treat the remains with appropriate dignity, as provided in Public Resource Code Section 5097.98. We further recommend that all parties to the action treat tribal representatives and the event itself with appropriate respect. For example, jokes and antics pertaining to the remains or other inappropriate behavior are ill advised.

III. Excavation Methods

If, after the Yocha Dehe Tribal representative has been granted access to the site and it is determined that avoidance is not feasible, an examination of the human remains will be conducted to confirm they are human and to determine the position, posture, and orientation of the remains. At this point, we recommend the following procedures:

(A) Tools. All excavation in the vicinity of the human remains will be conducted using fine hand tools and fine brushes to sweep loose dirt free from the exposure.

(B) Extent of Exposure. In order to determine the nature and extent of the grave and its contents, controlled excavation should extend to a full buffer zone around the perimeter of the remains.

(C) Perimeter Balk. To initiate the exposure, a perimeter balk (especially, a shallow trench) should be excavated, representing a reasonable buffer a minimum of 10 cm around the maximum extent of the known skeletal remains, with attention to counter-intuitive discoveries or unanticipated finds relating to this or other remains. The dirt from the perimeter balk should be bucketed, distinctly labeled, and screened for cultural materials.

(D) Exposure Methods. Excavation should then proceed inward from the walls of the balk as well as downward from the surface of the exposure. Loose dirt should be scooped out and brushed off into a dustpan or other collective device. Considerable care should be

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given to ensure that human remains are not further impacted by the process of excavation.

(E) Provenience. Buckets, collection bags, notes, and tags should be fully labeled per provenience, and a distinction should be made between samples collected from: (1) **Perimeter Balk** (described above), (2) **Exposure** (dirt removed in exposing the exterior/burial plan and associations), and (3) **Matrix** (dirt from the interstices between bones or associations). Thus, each burial may have three bags, “Burial 1 Perimeter Balk,” “Burial 1 Exposure Balk,” “Burial 1 Matrix.”

Please note the provisions below with respect to handling and conveyance of records and samples.

(F) Records. The following records should be compiled in the field: (1) a detailed scale drawing of the burial, including the provenience of and full for all human remains, associated artifacts, and the configuration of all associated phenomena such as burial pits, evidence for preinterment grave pit burning, soil variability, and intrusive disturbance, (2) complete a formal burial record using the consultants proprietary form or other standard form providing information on site #, unit or other proveniences, level depth, depth and location of the burial from a fixed datum, workers, date(s), artifact list, skeletal inventory, and other pertinent observations, (3) crew chief and worker field notes that may supplement or supercede information contained in the burial recording form, and (4) photographs, including either or standard photography or high-quality (400-500 DPI or 10 MP recommended) digital imaging.

(G) Stipulations for Acquisition and Use of Imagery. Photographs and images may be used only for showing location or configuration of questionable formation or for the position of the skeleton. They are not to be duplicated for publication unless a written release is obtained from the Tribe.

(H) Association. Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative, and may be amended per laboratory findings. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.

(I) Samples. For each burial, all **Perimeter Balk** soil is to be 1/8”-screened. All **Exposure** soil is to be 1/8”-screened, and a minimum of one 5-gallon bucket of excavated but unscreened Exposure soil is to be collected, placed in a plastic garbage bag in the bucket. All **Matrix** soil is to be carefully excavated, screened as appropriate, and then collected in plastic bags placed in 5-gallon buckets.

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(J) Human remains are not to be cleaned in the field.

(K) Blessings. Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

IV. Lab Procedures

No laboratory studies are permitted without consultation with the tribe. Lab methods are determined on a project-specific basis in consultation with Yocha Dehe Wintun Nation representatives. The following procedures are recommended:

(A) Responsibility. The primary archaeological consultant will be responsible for insuring that all lab procedures follow stipulations made by the Tribe.

(B) Blessings. Prior to any laboratory activities related to the remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

(C) Physical Proximity of Associations. To the extent possible, all remains, associations, samples, and original records are to be kept together throughout the laboratory process. In particular, **Matrix** dirt is to be kept in buckets and will accompany the remains to the lab. The primary archaeological consultant will be responsible for copying all field records and images, and insuring that the original notes and records accompany the remains throughout the process.

(E) Additional Lab Finds. Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.

V. Re-internment without Further Disturbance

No laboratory studies are permitted on human remains and funerary objects. The preferred treatment preference for exhumed Native American human remains is reburial in an area not subject to further disturbance. Any objects associated with remains will be reinterred with the remains.

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VI. Curation of Recovered Materials

Should all, or a sample, of any archaeological materials collected during the data recovery activities – with the exception of Human Remains – need to be curated, an inventory and location information of the curation facility shall be given to tribe for our records.

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Standard Monitoring Agreement
Between
Yocha Dehe Wintun Nation
And
[REDACTED]

This MONITORING AGREEMENT ("Agreement") is made and entered into as of [REDACTED], [REDACTED], by and between the Yocha Dehe Wintun Nation, a federally recognized Indian tribe ("Yocha Dehe" or "Tribe") on the one hand, and [REDACTED] (hereinafter "Contractor") on the other hand. Yocha Dehe and Contractor are collectively referenced hereinafter as the "Parties".

I. RECITALS

A. **Subject Matter:** This Agreement concerns the use and/or development of real property located within the area of [REDACTED], and which is the subject of development by Contractor. The development is commonly known as [REDACTED] with Yocha Dehe Identification Number, YD-[REDACTED], hereinafter referenced as the "Project" and is described in Attachment I of this Agreement. As used herein, the Area of Potential Effect (or APE) includes [REDACTED].

B. **Purpose:** The purpose of this Agreement is to establish fee schedules and terms for the use of Yocha Dehe tribal monitors for the Project; establish protocols for the relationship between Yocha Dehe and the Contractor; formalize procedures for the treatment of Native American human remains, grave goods, ceremonial items and any cultural artifacts, in the event that any are found in conjunction with the Project's development, including archaeological studies, excavation, geotechnical investigations, grading and any ground disturbing activity. This Agreement is entered into as mitigation under the California Environmental Quality Act ("CEQA") and/or the National Environmental Policy Act ("NEPA") and Section 106 of the National Historic Preservation Act ("Section 106"), and any such mitigation may be a condition of approval for said Project.

C. **Cultural Affiliation:** The Tribe traditionally occupied, and can trace its historical ties to, land in the Project's Area of Potential Effect ("APE" or "Project Area"). The Project is within the boundaries of the Yocha Dehe Linguistic Territory. Thus, cultural resources identified in the APE are related to the history and tradition of the Yocha Dehe Wintun Nation and Patwin speaking peoples. Yocha Dehe has designated its Cultural Resources Department to act on its behalf with respect to the provisions of this Agreement. Any Native American human remains, grave goods, ceremonial items, and cultural items or artifacts that are found in conjunction with the development of this Project shall be treated in accordance with the Provisions of this Agreement.

II. TERMS

A. **Incorporation of Recitals:** All of the foregoing recitals are accurate and are incorporated in this Agreement by reference.

B. **Term:** This Agreement shall be effective as of the date of execution and it shall remain in effect until the Project's completion.

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C. **Scope of Services and Specifications:** Given the nature and sensitivity of archaeological sites and cultural resources that are or may be within the Project area (a map of which is shown and attached hereto as Attachment I). Yocha Dehe shall provide tribal monitoring and consultation for the Project during the archaeological investigations and all ground disturbing activities required for the Project. Yocha Dehe monitors will work in collaboration with the archaeologists, inspectors, project managers and other consultants hired/employed by the Contractor.

D. **Fee Schedule:**

The fee schedule for the use of Yocha Dehe Wintun Nation monitors and staff is as follows;

Native American Monitoring	\$82.50 hourly rate (per monitor)
Overtime (over 8 hrs in a day)	\$123.75 hourly rate (per monitor)
Weekend and Holiday Hours	\$123.75 hourly rate Saturday; and \$165.00 hourly rate Sunday and Holiday
Cultural Resources Manager (4 hour minimum)	\$192.50 (per hour)
Tribal Historic Preservation Officer/ Cultural Resources Director (4 hour minimum)	\$220.00 (per hour)
Tribal Executives (4 hour minimum)	\$220.00 (per hour)
Cultural Sensitivity Training	\$300.00
Tribal Records Search	\$150.00
Ground Penetrating Radar	\$1,000 (per day)
Administrative Fee	15% of Invoice

Yocha Dehe's monitors will bill for time spent traveling to and from any Project site. In addition, Yocha Dehe shall be reimbursed for all costs associated with travel to and from the Project. Eligible items for cost reimbursement shall include, but not be limited to, mileage or fuel purchases, at the submitter's election at the going annual IRS mileage rate.

Yocha Dehe shall submit an invoice to Contractor on the tenth business day of each month for services performed for the prior month. Each monthly invoice shall provide information regarding the time spent, the services performed, the rates charged, and the reimbursement sought. Contractor shall make payment within 30 days after receipt of the invoice. Late payments shall accrue interest from the due date at the lesser of (i) one per cent (1%) per month or (ii) the maximum rate allowed by law. Contractor will be responsible for any and all costs of collection, including reasonable attorneys' fees, for any breach of Contractor's obligations to pay amounts owed under or in connection this Agreement.

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E. **Coordination with County Coroner's Office.** In the event human remains are discovered on or near the Project site during its development, Contractor shall immediately contact the Coroner, the Yocha Dehe Director of Cultural Resources, Cultural Resources Manager, the Cultural Resources Committee Chairperson, and the Tribal Chairman. In order to facilitate this Agreement's implementation, the appropriate County Coroner's Office shall be provided a copy of this Agreement either before any earth disturbing activities or upon request of the Tribe. Yocha Dehe agrees to provide Contractor the needed contact information in order to comply with this provision. The Coroner shall be asked by the Contractor to determine if the remains are (1) human, (2) prehistoric, and further, the Contractor shall request the Coroner notify the State of California's Native American Heritage Commission in the event the remains are determined to be Native American. The Contractor will compensate the Coroner for reasonable fees and costs, if applicable and required by the County Coroner's office.

F. **Most Likely Descendant (MLD):** The Yocha Dehe Wintun Nation as the MLD for any Human Remains, Associated Funerary Objects and Artifacts found within the exterior boundaries of the Yocha Dehe Wintun Nation Linguistic Territory. Human Remains have been discovered within the Yocha Dehe Wintun Nation Linguistic Territory on occasion and in all of those cases, the Native American Heritage Commission ("NAHC") designated the Yocha Dehe Wintun Nation as the Most Likely Descendant ("MLD") under California Public Resources Code section 5097.98.

G. **Treatment and Disposition of Remains.** Where Native American human remains are discovered during the Project's development, and where Yocha Dehe has been designated the Most Likely Descendant (MLD), the following provisions shall apply to the Parties:

I. The Tribe shall be allowed, under California Public Resources Code sections 5097.98 (a) and 21083.2 and State CEQA Guidelines section 15064.5 (e), to: (1) inspect the site of the discovery; and (2) make recommendations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

II. The Tribe shall complete its inspection within twenty-four (24) hours of receiving notification from either the Contractor or the NAHC, as required by California Public Resources Code section 5097.98 (a). The Parties agree to discuss, in good faith, what constitutes "appropriate dignity" as that term is used in the applicable statutes.

III. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code sections 5097.98 (a) and (b) and 21083.2 and State CEQA Guidelines section 15064.5 (e).

IV. The Parties are aware that Yocha Dehe may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. Should Yocha Dehe recommend reburial of the human remains and associated ceremonial and cultural items (artifacts) on or near the site of their discovery, the Contractor shall make good faith efforts to accommodate the Tribe's request.

V. The term "human remains" encompasses more than human bones because Yocha Dehe's traditions periodically necessitated the ceremonial burning of human remains, and monitors shall make recommendations for removal of cremations. Grave goods are those artifacts associated with any human remains. These items and the soil, in

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an area encompassing up to two (2) feet in diameter around the burial, and other funerary remnants and their ashes, are to be treated in the same manner as human bone fragments or bones that remain intact

H. Treatment and Disposition of Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Tribe. Contractor agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the Project site to the MLD for appropriate treatment, unless Contractor is ordered to do otherwise by a court or agency of competent jurisdiction. In addition, the Tribe requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations on or adjacent to the Project site. Where appropriate (from the perspective of Yocha Dehe), and agreed upon in advance by Yocha Dehe, certain analyses of certain artifact types will be permitted, which may include, but which may not necessarily be limited to, shell, bone, ceramic, stone and/or other artifacts.

I. Ownership Relinquishment. Contractor waives any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. If examination of cultural artifacts by an entity or individual other than the MLD is necessary, that entity or individual shall return said artifacts to the MLD within thirty (30) days, or any other agreed upon time frame from the initial recovery of the items.

J. The Description of Work. Description of work for Yocha Dehe monitors for the grading and ground disturbing operations at the Project site is provided in **Attachment II** to this Agreement and incorporated herein by this reference. **Section I of Attachment II specifies the duties and responsibilities of the identified tribal monitoring crew and other specified parties. Section II of Attachment II identifies the geographical area over which the tribal monitoring crew shall oversee cultural resource mitigation and monitoring in accordance with California Public Resources Code section 21083.2 (c) and (k). Sections III and IV of Attachment II mandate compensation of the tribal monitoring crew by the Contractor.**

K. Confidentiality. Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The County Coroner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). Moreover, all records relative to consultation between the Parties shall be confidential and not subject to public disclosure as required by the California Public Records Act, Cal. Govt. Code § 6250 et seq.

Executed by:

Yocha Dehe Wintun Nation

(Company Name)

Signature: _____ Signature: _____

Print Name: _____ Print Name: _____

Title: Tribal Historic P_r eservation Officer Title: _____

Date: _____ Date: _____

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3 COMMENTS AND RESPONSES

ATTACHMENT I

[Insert Tract Map for Project Name]

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3 COMMENTS AND RESPONSES

Attachment II

NATIVE AMERICAN MONITORING OF GRADING AND GROUND DISTURBING ACTIVITIES

- I. **Specifications:** Given the nature and sensitivity of the archaeological sites and cultural resources that are in or may be within the Project area, the Yocha Dehe Wintun Nation, a federally recognized Indian tribe and the Most Likely Descendant as identified by the Native American Heritage Commission, shall provide the tribal monitoring, consultation and facilitation for this Project during the archeological investigations, and all ground disturbing activities for the Project. Yocha Dehe's monitors will work in concert with the archaeologists and Project engineers hired/ employed by Contractor. The tribal monitors or Project archaeologists will be empowered to halt all earthmoving equipment in the immediate area of discovery when cultural items or features are identified until further evaluation can be made in determining their significance. It is understood that all surface and subsurface artifacts of significance shall be collected and mapped during this operation following standard archaeological practices.

After discovery of cultural items or features' discussions between the tribal monitors and project archaeologist will occur to determine the significance of the situation and best course of action for avoidance, protection of resources, and/or data recovery, as applicable.

- II. **Project to be Monitored:** Monitoring shall encompass the area known as [REDACTED] and shall be known as the Project area. It is agreed that monitoring shall be allowed for all archaeological studies, excavations, and groundbreaking activities occurring in conjunction with the development of the Project.
- III. **Project Crew Size:** The Parties to this Agreement project the need for a tribal monitoring crew size to be determined by the Cultural Resource Manager, in accordance with Yocha Dehe Wintun Nation Cultural Law. If the scope of the work changes (*e.g.*, inadvertent discoveries of cultural resources or simultaneous grading of area that requires multiple tribal monitors), additional tribal monitors may be required. Developer agrees to directly compensate Yocha Dehe for all of the work performed by the tribal monitors. The compensation rate shall be made directly from Contractor to the Tribe in accordance with Section IV. If human remains are found, the coordination of the reburial of those remains and any associated cultural and ceremonial items shall be conducted in accordance with Sections III and IV of this Agreement.

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3 COMMENTS AND RESPONSES

- IV. **Insurance and Indemnity:** Yocha Dehe shall provide the tribal monitoring crew for the Project and shall be responsible for coordinating the tribal monitors' activities on the Project. The Tribe recognizes that dangerous conditions may exist on the work site, particularly during grading operations, and agrees to assume responsibility for the safety of the tribal monitoring crew while the crew remains on the Project site. The Tribe possesses the necessary insurance to cover any bodily injury or property damage that may be suffered by the tribal monitors and proof of such insurance shall be made available to Contractor upon request.

Insurance Certificate should be addressed as follows:

Agency Name: [REDACTED]
Attention to: [REDACTED]
Address: [REDACTED]
City, State Zip: [REDACTED]
Email Address: [REDACTED]

- V. **Compensation:** Yocha Dehe shall submit an invoice to Contractor on the tenth business day of each month for services performed for the prior month. Each monthly invoice shall provide information regarding the time spent, the services performed, the rates charged, and the reimbursement sought. Contractor shall make payment within 30 days after receipt of the invoice. Late payments shall accrue interest from the due date at the lesser of (i) one per cent (1%) per month or (ii) the maximum rate allowed by law. Contractor will be responsible for any and all costs of collection, including reasonable attorneys' fees, for any breach of Contractor's obligations to pay amounts owed under or in connection this Agreement.

A minimum half-day charge ("show up" time) shall be charged to Contractor for unannounced work stoppages of the tribal monitors that are not due to actions by Yocha Dehe.

Monitoring Invoices should be addressed as follows:

Agency Name: [REDACTED]
Attention to: [REDACTED]
Address: [REDACTED]
City, State Zip: [REDACTED]
Email Address: [REDACTED]

- VI. **Rights of Access/Stoppage/Consultation Upon Discovery:** Contractor shall provide Yocha Dehe tribal monitors with unencumbered access to the Project site as reasonably necessary for the monitors to effectively perform the services required by this Agreement. The tribal monitors and/or project archaeologist will be empowered to halt all earthmoving equipment in the immediate area of discovery when cultural items or features are identified until further evaluation can be made in determining their significance. It is understood that all surface and subsurface artifacts, Native American human remains, funerary objects, items of cultural patrimony, and any other cultural items shall be treated in accordance with an agreed upon artifact treatment and disposition plan.

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3 COMMENTS AND RESPONSES

After discovery of cultural items or features, discussions between the tribal monitors and project archaeologist will occur to determine its significance and the best course of action for avoidance, protection of resources, and/or data recovery, as applicable. While determinations will be mostly in the field, Yocha Dehe's tribal monitors may need to seek further guidance from the Most Likely Descendent, Yocha Dehe Tribal Council and/or the Cultural Resources Committee. If this rare occurrence should arise, Yocha Dehe reserves the right to request a 30-day stoppage of work.

Where circumstances warrant, the Contractor may be required, at its sole expense, to provide security personnel or remove unnecessary persons from the Project site. For example, where the safety of tribal monitors is at risk due to controversy or other circumstances surrounding a particular Project's development, security personnel would be provided at the Contractor's expense and members of the public excluded from the site. Likewise, where the protocol for the treatment of Native American human remains, funerary objects, artifacts, or items of cultural patrimony deems culturally required or appropriate, Contractor agrees unnecessary personnel will leave the site during the relevant time period.

3 COMMENTS AND RESPONSES

Response to Letter T-2: Rebekah Canavesio, Yocha Dehe Wintun Nation

T-2-1 The Yocha Dehe Wintun Nation (Yocha Dehe) requests revision to the mitigation measures to remove reference to flagging of sensitive areas and include monitors as well as remove reference to a 50-foot buffer.

The requirement to have tribal monitors on site for work in any sensitive areas is consistent with the requirements for monitoring in MM CUL-1. Flagging of sensitive areas is included in APM CUL-2 to avoid construction workers from inadvertently traveling into areas that are sensitive. Any flagging would be temporary and limited to that necessary to limit construction activities in areas that are sensitive. MM CUL-1 also includes the following requirements for confidentiality of resource information as provided in response to comment T-1-1.

A 100-foot avoidance buffer is used in both APM CUL-3 and MM CUL-2 as the standard buffer. A 50-foot buffer is not used in any measures in the Draft EIR. No change is needed in the EIR.

T-2-2 The Yocha Dehe provides information regarding the discovery of human remains on lands culturally-affiliated with the Yocha Dehe Wintun Nation.

See responses to comment T-2-4.

T-2-3 The Yocha Dehe provides mitigation measure language for inadvertent discovery of Native American human remains. The comment further provides circumstances in which the Yocha Dehe Wintun Nation's treatment protocol would be inapplicable.

The procedures for notification of the NAHC included in the recommended language are consistent with the requirements for notification codified in State law and documented in the Draft EIR. No change to the EIR is required to address this comment.

T-2-4 The Yocha Dehe provides recommended mitigation measure language for treatment of Native American human remains found during ground disturbing activities.

While the Draft EIR determines that impacts on human remains would be significant and unavoidable, based on this comment, the following mitigation measure is added to provide clarity on the treatment procedures that would be employed for Native American human remains. The additional measure does not change any EIR impact determination, meaning the impact would remain significant and unavoidable.

MM CUL-3: Halt Work/Coroner's Evaluation/Impact to Previously Undiscovered Human Remains

3 COMMENTS AND RESPONSES

If human remains are encountered during construction and/or other ground disturbing activities, all work within 100 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The preferred protocol upon the discovery of Native American human remains is to (1) secure the area, (2) cover any exposed human remains or other cultural items, and (3) avoid further disturbances in the area. The NAHC will identify a Native American Most Likely Descendent (MLD). The Tribe may be allowed, pursuant to California Public Resources Code Section 5097.98(a), to (1) inspect the site of the discovery and (2) make recommendations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity. The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site.

Associated Material: The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes, soils and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.

Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.

No laboratory studies are permitted on human remains without consultation with the tribe. Lab methods are only permitted in consultation with the Tribal representative.

Blessings: Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for ensuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

3 COMMENTS AND RESPONSES

Reporting: There shall be no pictures taken or testing done on the Native American human remains. The archeologist shall record information, as appropriate and in accordance with the recommendations of the MLD and/or Tribal representative. Upon completion of the Tribal representative and archeologist's assessment, a report should be prepared documenting methods and results, as well as recommendations regarding the treatment of the human remains and any associated archeological materials. The report should be submitted to the CPUC, the project proponent, the NWIC and the consulting Tribe.

Re-internment without Further Disturbance: The preferred treatment method for exhumed Native American human remains is reburial in an area not subject to further disturbance. Tribal representatives will rebury the Native American human remains and associated funerary objects with the appropriate dignity, either; in accordance with the recommendations of the MLD if available or in the project vicinity at a location agreed upon between the Tribe, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery and reburial are to be kept confidential and secure to prevent any further disturbance.

Dispute Resolution: In the case of disagreement between Tribes about treatment of human remains, the CPUC will make a determination and document the rationale for the determination.

T-2-5 The Yocha Dehe provides recommended mitigation measure language regarding non-disclosure of reburial locations.

The request to maintain confidentiality of reburial of human remains and any other tribal cultural resource is incorporated into MM CUL-1 as shown in response to T-1-1, and into MM CUL-3 as shown in response to T-2-4.

T-2-6 The Yocha Dehe provides recommended mitigation measure language for the treatment of cultural items that are encountered.

The language regarding treatment of tribal cultural resources is incorporated into MM CUL-1 as shown in response to T-1-1 to reflect the intention that tribal cultural resources are resources that belong to the Tribes.

T-2-7 The Yocha Dehe provides recommended mitigation measure language for inadvertent discoveries.

The approach to address inadvertent discoveries included in APM CUL-2 and MM CUL-2 is consistent with the requested language in the comment. No project

3 COMMENTS AND RESPONSES

activities would occur on federal or tribal lands. No changes to the EIR are needed.

T-2-8 The Yocha Dehe provides a description of work for Tribal monitors of grading and ground disturbing operations at the development site.

Language from the treatment protocol has been incorporated into MM CUL-3 as provided in T-2-4 above.

T-2-9 The comment requests that Yocha Dehe be provided the location of any curated materials if curation is required.

Based on consultation with Native Americans and coordination with LSPGC other methods of treatment have been defined and curation is not proposed for any tribal cultural resources.

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3.1.3 Letter AS-1: California Department of Fish and Wildlife

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



December 17, 2025

Connie Chen, Public Utilities Regulatory Analyst
California Public Utilities Commission, Energy Division
505 Van Ness Avenue
San Francisco, CA 94102
[redacted]

Subject: Collinsville 500/230Kv Substation Project, Draft Environmental Impact Report, SCH No. 2025010149

Dear Ms. Chen:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a draft Environmental Impact Report (draft EIR) from the California Public Utilities Commission (CPUC) for the Collinsville 500/230Kv Substation Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: California Public Utilities Commission (CPUC)

Objective: In their 2021-2022 Transmission Plan, the California Independent System Operator (CAISO) identified a needed upgrade to the California electric grid to address transmission constraints in the Contra Costa region, support increased energy demand in the greater Bay Area, and meet policy-driven objectives for renewable energy integration. As a result, LS Power Grid California, LLC (LSPGC) is proposing the following project:

- Construction of the LSPGC Collinsville 500/230 kV Substation (Collinsville Substation).
- Installation of approximately six miles of LSPGC Collinsville-Pittsburg 230 kV transmission line between the Collinsville Substation and Pacific Gas and Electric Company's (PG&E) existing Pittsburg Substation (comprising an overhead segment in Solano County, submarine segment in the Sacramento River, and an underground segment in Contra Costa County).
- Installation of underground telecommunication interconnection lines for approximately 1.2 miles and connection with telecommunication lines collocated with the proposed 230 kV transmission line.
- Construction of two approximately 1.2-mile-long PG&E 500 kV interconnection lines to connect PG&E's existing Vaca Dixon-Tesla 500 kV transmission line to the proposed Collinsville Substation.
- Installation, modification, or replacement of PG&E 500 kV structures at four transposition sites.
- Installation of an approximately 0.9-mile-long overhead PG&E 12 kV distribution line to connect an existing PG&E distribution line to the Collinsville Substation.
- Construction of an approximately 0.3-acre PG&E telecommunication yard immediately east of the proposed LSPGC Collinsville Substation where a PG&E-owned microwave tower and communications equipment enclosures will be installed for the 500 kV line paths.

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- Modification of PG&E substations (Pittsburg Substation, Vaca-Dixon Substation, and Tesla Substation).

Location: The Project site extends through the Greater North Bay and East Bay in Sacramento, Solano, Contra Costa, and Alameda Counties. The proposed 500/230 kV substation will be located near Collinsville, an unincorporated community in Solano County. Submarine cables will extend under the Sacramento-San Joaquin Delta (hereafter the Delta) and transition to overhead cables in Collinsville and to underground cables in Pittsburg. Overhead cables in the Greater North Bay will extend through the Collinsville-Montezuma Hills Wind Resource Area in Solano County and connect to PG&E's existing Vaca-Dixon Substation. They will also connect from the proposed Collinsville substation to a PG&E distribution line. Underground cables in the East Bay will transition to submarine cables. The four transposition sites are located in 1) unincorporated Solano County east of Box R Ranch Road, 2) unincorporated Solano County north and south of Mauds Lane, 3) unincorporated Solano County north of Montezuma Hills Road and south of Birds Landing Road, and 4) Byron in Contra Costa County north and south of Kellogg Creek Road. Pittsburg Substation is located on the south shore in Contra Costa County, Vaca-Dixon Substation is located in Solano County north of the proposed Collinsville substation, and Tesla Substation is located in Alameda County.

Timeframe: Project construction is expected to occur between May 2026 and July 2028. It will take 27 months to complete. The Project is required to be energized by June 1, 2028.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist CPUC in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

REGULATORY REQUIREMENTS

Raptors and Other Nesting Birds

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include § 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), § 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and § 3513 (regarding unlawful take of any migratory nongame bird).

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California Fully Protected Species

Several Fully Protected Species (Fish & G. Code § 3511 and 4700) have the potential to occur within or adjacent to the Project area, including: salt marsh harvest mouse (*Reithrodontomys raviventris*; SMHM), California black rail (*Laterallus jamaicensis coturniculus*), California least tern (*Sternula antillarum browni*), white-tailed kite (*Elanus leucurus*), and golden eagle (*Aquila chrysaetos*).

Project activities described in the draft EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research,
- Efforts to recover a fully protected, endangered, or threatened species, live capture and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

CDFW also recommends the draft EIR analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species. Project proponents should consult with CDFW early in the project planning process.

California Endangered Species Act and Native Plant Protection Act

For special-status species that may occur in the area, a CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in "take" of plants or animals listed under CESA or the Native Plant Protection Act (NPPA), either during construction or over the life of the Project. Under CESA, "take" means "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (Fish & G. Code, § 86). CDFW's issuance of an ITP is subject to CEQA, and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA- or NPPA- listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

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CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065). In addition, pursuant to CEQA, the Lead Agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the Lead Agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, do not eliminate the Project proponent's obligation to comply with the Fish and Game Code.

AS-1-2

Lake and Streambed Alteration Agreement

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting river, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, intermittent streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through horizontal directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the EIR and complied with its responsibilities as a responsible agency under CEQA.

AS-1-3

I. Project Description and Related Impact Shortcoming

COMMENT 1: Permanent impacts to sensitive aquatic resources

Issue: The draft EIR does not address all permanent impacts to biological resources resulting from long-term operational activities.

Specific impact: The LSPGC 230 kV submarine cables are proposed to be buried 6 to 15 feet under the sediment surface. The proposed Project design situates a segment of the LSPGC 230 kV submarine cables within an active sand and gravel mining area of the Delta. On page 2-51 of the draft EIR, Volume 1, it is stated that LSPGC "would obtain a lease agreement and a lease encumbrance permit/agreement from the California State Lands Commission (CSLC) for encumbering on the existing mining lease." The minimization of impacts to the underground cables relies on the lease agreement and lease encumbrance permit/agreement and at this time, no agreement has been secured. The assessment does not address the potential permanent impacts associated with all

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substrate-disturbing activities that could expose the cables if an agreement is not obtained.

Why impact would occur: Sediment erosion caused by tidal action by currents, dredging, mining operations, and other substrate-disturbing components may increase the rate of sediment transport and erosion/dispersal, which may inadvertently expose cables over time. Currently, there is no long-term maintenance proposed for the cables and their exposure may result in cumulative effects on sensitive aquatic resources by requiring additional in-water work for maintenance activities.

Evidence impact would be significant: The Delta supports a diverse assemblage of native benthic and pelagic fish. It is a critical migratory corridor for numerous anadromous species including three populations of Chinook salmon (*Oncorhynchus tshawytscha*; Central Valley fall/late fall run Evolutionarily Significant Unit (ESU), Central Valley spring-run ESU, and Sacramento River winter-run ESU), steelhead - Central Valley Distinct Population Segment (DPS) (*Oncorhynchus mykiss irideus*), and two species of lamprey (*Entosphenus tridentatus* and *Lampetra ayresi*). It is a known spawning and rearing area for North American green sturgeon – southern DPS (*Acipenser medirostris*). The estuarine and open water habitats of the Project area are also designated critical incubation and nursery habitat for Delta smelt (*Hypomesus transpacificus*) and longfin smelt – San Francisco Bay-Delta DPS (*Spirinchus thaleichthys* pop. 2). These species are listed as California State Species of Special Concern (SSC) or state- and federally- listed as threatened and endangered species. Therefore, they are considered threatened or endangered pursuant to CEQA Guidelines § 15380. Permanent impacts resulting from Project activities may disrupt reproduction or migratory activities, which constitutes a *mandatory finding of significance* pursuant to CEQA Guidelines § 15065(a)(1).

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Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

To reduce impacts to less-than-significant: CDFW recommends relocation of the cables away from sand and gravel mining areas, outside of channel deepening dredge activities, and burial at a minimum of 15 feet below the sediment surface to avoid potential exposure.

Reinforcement, such as concrete mattresses, may be considered to reduce impacts to less-than-significant. If concrete mattresses will be installed to protect the cables, the draft EIR should be revised to include a detailed narrative describing the consequent permanent impacts and compensatory mitigation to offset impacts.

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For all permanent impacts resulting from Project activities, the Lead Agency must propose compensatory mitigation at appropriate levels to offset impacts in the draft EIR.

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COMMENT 2: Project siting and potential impacts

Issue: The draft EIR states that the proposed Project would result in twelve significant and unavoidable impacts, including “having substantial adverse effects, either directly or indirectly through habitat modifications, on bird species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS” (Table ES-1; Volume 1, ES-5). The draft EIR evaluates alternatives including relocation of the Collinsville 230/500 kV Substation, redirection of a segment of the 230 kV submarine segment route, and replacement of lattice steel towers (LSTs) with tubular steel poles (TSPs) that would reduce these and other impacts to biological resources. These alternatives are described as being functionally equivalent to the proposed Project while still meeting feasibility criteria and most or all Project objectives yet were not selected as part of the final Project design.

Specific impact: The location of the Collinsville Substation, 12kV PG&E distribution poles, LSPGC 230kV TSPs, pulling sites, temporary access roads, and temporary staging sites depicted in Vegetation Community Maps 2-5 in Appendix F1: Proposed Project Biological Resources Map Series, are immediately adjacent to suitable SMHM habitat. While typically associated with tidal salt marshes dense in pickleweed (*Salicornia* spp.), SMHM are also commonly found in brackish and managed wetlands dominated by Chairmaker’s bulrush (*Schoenoplectus americanus*; Sustaita et al. 2011, Smith et al. 2020) and interspersed with alkali heath (*Frankenia salina*; Aylward et al. 2022). Both of these are predominant vegetation types in the CDFW-designated sensitive natural communities *Schoenoplectus americanus* Herbaceous Alliance (State Rarity Ranking S3) and *Frankenia salina* Herbaceous Alliance (S3), which are present within the Project site and are likely to be impacted by Project activities. Recent occurrences of SMHM have been documented within and near the Project site by the San Francisco Estuary Institute and extant occurrences exist in the California Natural Diversity Database (CNDDB).

AS-1-5

In addition to being located near suitable SMHM habitat, the proposed Collinsville Substation location falls within critical upland habitat as designated in the Delta Plan and Suisun Marsh Protection Plan, which serves as an important refuge for overwintering waterfowl of the Pacific Flyway. Additionally, it is located within the Sacramento Municipal Utility District (SMUD) Collinsville-Montezuma Hills Wind Resource Area, an area primarily used for wind farming and agriculture. At this location, installation of overhead wires and LSTs to connect the proposed Collinsville

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Substation to existing PG&E infrastructure poses significant risks to birds. For instance, SMUD recorded 208 avian mortalities between 2020 and 2024 due to wind turbine strikes, including several special-status species such as Swainson's hawk (*Buteo swainsoni*), northern harrier (*Circus hudsonius*), and golden eagle (SMUD 2021; 2022; 2023; 2024; 2025).

Why impact would occur: Vegetation removal, grading, and installation of electrical poles and substations, as well as vehicular traffic and movement of workers required to complete Project activities, may destroy or degrade SMHM habitat. Direct injury or mortality of SMHM may also result from Project activities occurring in and within the vicinity of SMHM habitat, which has the potential to substantially reduce the species' population or restrict its range.

Birds use power lines and LSTs for perching and nesting (Eccleston & Harness 2018), which may lead to power outages and electrocution. Constructing these structures in close proximity to an existing wind farm may also increase the risk of wind turbine collision and consequent injury or mortality.

Evidence impact would be significant: Take or possession of Fully Protected Species is prohibited pursuant to Fish and Game Code, §§ 3511 & 4700. Take of nesting birds, birds in the orders Falconiformes or Strigiformes, and migratory nongame bird as designated in the federal MBTA is also a violation of Fish and Game Code §§§ 3503, 3503.5, and 3513.

AS-1-5

To Reduce Impacts to a Less-Than-Significant Level: Alternative siting of project infrastructure would substantially reduce impacts to biological resources. CDFW recommends the following adaptations be incorporated into the Project design:

Installation of Tubular Steel Poles. To reduce impacts to nesting and migratory birds, CDFW recommends installation of TSPs in place of LSTs for all 500 kV interconnection lines. TSPs may be monopole or multipole as required to provide adequate support. However, multipole TSPs may require additional foundational work and therefore may have greater impact. The existing and proposed tower and pole locations are located in upland habitat that may support CESA-listed species and California Species of Special Concern. Surveys will have to be done to assess the presence or absence of species,

Relocation of the Collinsville 230/500 kV Substation. To reduce impacts to nesting and migratory birds and fully protected species such as SMHM, CDFW recommends the Collinsville 230/500 kV Substation be relocated north of Talbert Lane away from the existing wind farm and areas containing suitable SMHM habitat. CDFW further recommends implementation of soil erosion best

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management practices to reduce impacts of ground disturbing activities such as grading to less-than-significant.

AS-1-5

COMMENT 3: Insufficient impact assessments for special-status species

Issue: Focused protocol-level surveys have not been conducted to demonstrate the absence of special-status species across the entire Project area. Species-specific surveys were completed for the Delta and transition sites; however, none were conducted near the proposed TSP sites where special-status species have a likelihood to occur. Determining species presence is essential for evaluating project impacts and developing effective avoidance, minimization, and mitigation measures.

Specific impact: Habitat assessments were conducted by Insignia biologists during daylight hours on February 20 and 21, 2025. During these surveys, incidental observations of special-status plants and wildlife were made. Supplemental desktop surveys identified 41 special-status plants and 46 special-status wildlife species that have the potential to occur in the Tower areas, including: Baker's navarretia (*Navarretia leucocephala* ssp. *bakeri*); bearded popcornflower (*Plagiobothrys hystriculus*); Keck's checkerbloom (*Sidalcea keckii*); hispid salty bird's beak (*Chloropyron molle* ssp. *hispidum*), a California State Endangered plant; California red-legged frog (*Rana draytonii*); California tiger salamander – central California DPS (*Amybystoma californiense* pop. 1, CTS); and western burrowing owl (*Athene cunicularia*), a CESA Candidate Species. Golden eagle, a California State Fully Protected Species, was also incidentally observed during habitat assessments.

AS-1-6

Habitat assessments are not adequate substitutes for species-specific surveys, which should be planned and conducted during the appropriate time of year and day to ensure species are detectable. For instance, surveys conducted during the month of February may not be sufficient to identify special-status plants as vegetation is still senesced and may not be within their bloom period. Likewise, daytime surveys may not be sufficient to detect nocturnal, secretive, or seasonally absent species. Consequently, reliance solely on habitat assessments and desktop surveys may underestimate the presence of sensitive species within the Project area.

Why impact would occur: Without appropriate surveys to inform as to the presence or absence of special-status species, project activities including ground disturbance, operation of heavy machinery, and movement of workers may unknowingly trample or uproot special-status plants. Special-status wildlife may inadvertently be injured or killed during Project construction if not detected during surveys. Project activities may degrade or destroy habitat that supports special-status species.

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Evidence impact would be significant: Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. CDFW considers plant communities, alliances, and associations with a statewide ranking of S1, S2, S3, and S4 as sensitive and declining at the local and regional level (Sawyer 2009). Plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380).

The NPPA (Fish & G. Code §1900 *et seq.*) prohibits the take or possession of state-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW. Take of state-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW.

California State Species of Special Concern qualify as rare, threatened, or endangered species under CEQA (CEQA Guidelines, § 15380). Additionally, CESA-listed and CESA candidate species are afforded the same protection as rare, threatened, or endangered species under CEQA (CEQA Guidelines, § 15380). Due to the Project potential to substantially impact habitat used by various rare and/or endangered species, this constitutes a mandatory finding of significance pursuant to CEQA Guidelines § 15065(a)(1).

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

AS-1-6

To reduce impacts to less-than-significant: The draft EIR should include an evaluation of all temporary and permanent impacts to special-status species including, but not limited to, species considered rare, threatened, or endangered pursuant to CEQA Guidelines, § 15380. CDFW also recommends incorporation of the following measures into the draft EIR:

Special-Status Plant Surveys. A Qualified Biologist shall conduct fully floristic botanical surveys during the appropriate blooming period and conditions prior to the start of construction. Multiple annual surveys may be necessary to establish baseline conditions and capture floristic diversity. Surveys shall be conducted following CDFW's 2018 *Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and include visiting reference populations.

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If special-status plants are found during protocol-level surveys, the draft EIR should outline which species are present, how they will be impacted, and how the Project would be re-designed to avoid, minimize and/or mitigate impacts to those special-status plants. Mitigation measures should be revised to explicitly detail how impacts will be minimized and avoid deferral of mitigation. Results of the updated botanical surveys should be included in the draft EIR to ensure that all impacts to rare plants and/or rare vegetation communities are disclosed and can be mitigated to a level of less-than-significance. Any positive detections of special-status plant species found as a result of Project surveys should be submitted to the CNDDDB within 30 days of survey completion.

AS-1-6

Special-Status Wildlife Surveys. Species-specific surveys should be conducted following the protocols as outlined on the CDFW's Survey and Monitoring Protocols and Guidelines page, which can be accessed here: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280>.

COMMENT 4: Impacts to sensitive natural communities and deferral of mitigation

Issue: The draft EIR identifies sensitive natural communities within the Project footprint that may be temporarily or permanently impacted by Project activities. However, it does not specifically quantify Project impacts to these communities, nor does it disclose how these impacts would be quantified. Mitigation measures are proposed at both the entity level, addressing activities undertaken by each organization (i.e., LSPGC and PG&E), and at the Project level to address impacts across the broader Project area, but they unclear and inappropriately defer mitigation to a later date. Without a clear understanding of the extent of impacts and appropriate mitigation measures to protect sensitive natural communities, it cannot be concluded that Project activities have been mitigated to a level that is less-than-significant.

AS-1-7

Specific impact: CDFW-designated sensitive natural communities provide essential habitat and support special-status species and communities. Seven sensitive natural communities with State Rarity Ranks of S3 - Vulnerable have been documented within the Project area (Volume 1, pg. 4.4-4 – 4.4-10). Relative acreage and the proportion of the Project area that is composed of these natural communities is provided in Table 4.4-1, but the draft EIR does not disclose the acres that will be impacted by Project activities.

The draft EIR outlines various measures intended to reduce impacts to sensitive natural communities that may occur due to Project activities. These include delineation of sensitive habitat features and establishment of construction buffers to minimize disturbance. Buffers, where provided, would range in size from 5 to 25 feet; however, these would be inadequate to reduce direct and indirect impacts below

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significant levels. The draft EIR also proposes Construction Measure BIO-5, which states that special-status plants will be avoided “if feasible”, yet no compensatory mitigation is proposed in the event that avoidance cannot be achieved.

Mitigation Measure (MM) BIO-2, in conjunction with MM BIO-19, proposes implementation of a revegetation, restoration, and monitoring plan. This plan would entail restoration of temporarily impacted areas to near pre-construction conditions through removal of invasive weeds and supplemental planting. However, no plan has yet been prepared, and no compensatory mitigation has been proposed to offset permanent impacts to sensitive natural communities.

Why impact would occur: Project activities such as clearing, grading, dewatering, excavating, and other ground disturbing activities involved in the installation, operation, and maintenance of Project infrastructure may directly impact sensitive natural communities by removing or damaging vegetation. Habitat degradation resulting from erosion, leaching of pollutants, or incursion of invasive plant species may further disrupt ecological function of these communities.

Evidence impact would be significant: Communities with a State Rarity Ranking of S3 are “at moderate risk of extinction or collapse due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors” (CDFW Sensitive Natural Communities, <https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#natural%20communities%20lists>). Loss or degradation of these habitats that may threaten species considered rare, threatened, or endangered species under CEQA (CEQA Guidelines, § 15380).

AS-1-7

Deferral of mitigation to a future date is a violation of CEQA Guidelines, § 15126.4(b). The restoration plan, which has yet to be developed, would not be subject to public review under CEQA, thereby circumventing key purposes of CEQA including informing the public and governmental decision makers about the potential, significant environmental effects of a proposed project and identifying ways that environmental damage can be avoided or significantly reduced (CEQA Guidelines, § 15002). Without specific performance standards, impacts to sensitive natural communities, riparian habitat, and wetlands may still be *potentially significant*.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

To Reduce Impacts to a Less-Than-Significant Level: The draft EIR should include an evaluation of sensitive natural communities, including riparian and wetland habitats, that have the potential to be impacted by Project activities. For Project activities affecting perennial, ephemeral, or intermittent lakes or streams and

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associated floodplains and riparian habitat, CDFW recommends notification pursuant to Fish and Game Code § 1600 et seq. A buffer of 50 feet should be implemented to avoid impacts to riparian zones or other sensitive natural communities. If avoidance is not possible, impacted areas should be restored and planted with native trees, shrubs and grasses at a minimum 1:1 (for temporary impacts) or 3:1 (for permanent impacts) mitigation to impact ratio for acres of impacts. Alternatively, the Lead Agency may seek habitat compensation including permanent protection of habitat at the same ratio through a conservation easement and prepare and fund implementation of a long-term management plan.

AS-1-7

II. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT 5: Burrowing owl

Issue: MM BIO-8 is not sufficient to reduce potential impacts to burrowing owl to less-than-significant levels.

Specific impact: Burrowing owl was upgraded to a CESA Candidate Species in October 2024, which means they receive the same protections as they would if they were a CESA-listed species. The draft EIR proposes setback distances for Project activities based on time of year and intensity of activity and a 1,500-foot buffer for helicopter work is proposed. The proposed buffer distances are insufficient. Helicopters will be flying low to ground to install infrastructure which will be very noisy and may indirectly impact owls through nest abandonment or result in stress.

Why impact would occur: The Project may impact nesting, foraging, or wintering burrowing owls utilizing burrows on or within up to 500 meters (1,640 feet) of the Project site. The Project could result in burrowing owl nest abandonment, loss of young, reduced health and vigor of owlets, injury or mortality of adults, and permanent wintering (i.e., non-nesting) or nesting habitat loss.

AS-1-8

Evidence impact would be significant: Burrowing owl is a candidate species for CESA, listed as threatened because the species' population viability and survival are adversely affected by risk factors such as precipitous declines from habitat loss, fragmentation, and degradation; evictions from nesting sites without habitat mitigation; wind turbine mortality; human disturbance; and eradication of California ground squirrels resulting in a loss of suitable burrows required by burrowing owls for nesting, protection from predators, and shelter (Shuford & Gardali 2008, CDFW 2012). Preliminary analyses of regional patterns for breeding populations of burrowing owls have detected declines both locally in their central and southern coastal breeding areas, and statewide where the species has experienced breeding range retraction (CDFW 2012). Information indicates a decline in burrowing owl range over time, burrowing owl has experienced population declines in regions of

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California and threats to burrowing owl, coupled with long-term population declines, suggest a high degree and immediacy of threat to burrowing owl in California (CDFW 2024). Based on the foregoing, if burrowing owls are wintering, foraging, or nesting on or within 500 meters of the Project site, Project impacts to burrowing owl would be potentially significant.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

To Reduce Impacts to a Less-Than-Significant Level: The draft EIR should clarify several points of the proposed avoidance and minimization measures.

First, setback distances (work exclusion buffers) should be consistent with the *Staff Report on Burrowing Owl* (2012), and exclusion buffers should be in meters and not feet or converted from meters to feet to attain an acceptable exclusion buffer size.

Second, the draft EIR should specify that no passive relocation of burrowing owls shall be permitted during breeding season unless a qualified biologist verifies that an occupied burrow is not occupied by a mated pair and/or a *juvenile that is dependent on the parents*.

Third the draft EIR should specify how long monitoring will occur during activities near exclusion buffers to ensure the buffers are adequate, and how long replacement burrow sites will be monitored to ensure relocation was successful.

Fourth, the draft EIR should specify that if artificial burrows are used as a mitigation measure, the burrows will be monitored and maintained at least once a year in perpetuity.

Fifth, although avoidance measures are proposed to avoid and minimized impacts to burrowing owl, the draft EIR should include a proposal of compensatory mitigation for habitat replacement if the other methods of mitigation are not possible to offset take.

AS-1-8

COMMENT 6: Salt Marsh Harvest Mouse

Issue: MM BIO-15 is not sufficient to reduce potential impacts to SMHM to less-than-significant levels.

Specific impact: Project activities are proposed to occur within and immediately adjacent to tidal and brackish habitats that support SMHM. If SMHM are observed in the work area and do not leave on their own volition, the draft EIR proposes obtaining an ITP for relocation purposes.

AS-1-9

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Why impact would occur: The Project has the potential to result in potentially significant impacts to resources that support SMHM. If permanent impacts are proposed within SMHM habitat, it may not be feasible to incorporate conditions of approval that can reduce the impacts below a level of significance.

Evidence impact would be significant: Take or possession of Fully Protected species is prohibited pursuant to Fish & G. Code, §§ 3511 & 4700. Additionally, please be advised that Fully Protected species are not eligible for ITPs except under limited circumstances as outlined in the CEQA Guidelines § 2081.15.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

To Reduce Impacts to a Less-Than-Significant Level: CDFW recommends the Project avoid, to the greatest extent possible, habitats suitable for SMHM as identified by a Qualified Biologist. Where impacts cannot be avoided, CDFW recommends implementation of the following measure:

Salt Marsh Harvest Mouse Construction Monitoring. A Qualified Biologist shall be present on-site at all times when work is occurring in or within 500 feet of tidal, brackish, or pickleweed habitats that may support SMHM. If a mouse of any species is observed within the Project area, work within the vicinity should be halted immediately by the Qualified Biologist and the mouse should be allowed to leave the work area. SMHM may not be handled or captured at any time during site preparation or Project activities. If an injured or dead SMHM is discovered at the Project sites, consultation with CDFW is required immediately.

Salt Marsh Harvest Mouse Vegetation Removal. A CDFW approved Qualified Biologist familiar with SMHM shall walk through and inspect suitable habitat prior to Project-related vegetation removal and search for signs of harvest mice, such as nests, or other sensitive wildlife and plants. If no SMHM are found, personnel, under the supervision of the Qualified Biologist, shall remove vegetation with hand tools (e.g., weed-eater, hoe, rake, trowel, shovel, grazing) so that vegetation is no taller than two inches.

AS-1-9

EDITORIAL COMMENT

COMMENT 1: Clarification required in the Draft EIR for PG&E's Bay Area Operations and Maintenance (BA O&M) ITP

Project activities are proposed in areas that fall within the boundaries of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan and the PG&E Bay Area Operations and Maintenance Habitat Conservation Plan (BA O&M HCP). The Bay Area O&M HCP is a federal permit that does not

AS-1-10

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provide take authorization for CESA-listed species, unlike the BA O&M ITP. It is unclear if CPUC is seeking take coverage through the plan and permit. It is also unclear which entity (e.g., LSPGC or PG&E) would be covered for take authority.

AS-1-10

Recommendation: The draft EIR should include a reference/disclosure to the BA O&M ITP in tandem with the BA O&M HCP discussions. Indicate for which Project activities PG&E will be seeking coverage using the BA O&M HCP and BA O&M ITP, if applicable.

Second, the source of take authorization is unclear for PG&E activities. The draft EIR identifies that most of PG&E's activities will not be covered by the BA O&M HCP, on page 4.4-148, because construction of PG&E project components are not covered activities (e.g., operation and maintenance, minor new construction, or part of a pipeline safety program activity). The transposition site activities are an exception that are a covered activity under the BA O&M HCP. The transposition sites have potential for California tiger salamander and other CESA-listed species to occur according to the draft EIR. If seeking take coverage, please be advised that many of the proposed Project activities (e.g., the proposed LSPGC 230 kV underground segment and telecommunications lines) do not meet the requirements of the ECCC HCP/NCCP or the BA O&M ITP and are therefore not eligible for coverage.

AS-1-11

Recommendation: Clarify which activities will receive take coverage under PG&E's BA O&M ITP. CDFW recommends that PG&E is included in the CDFW permits as a co-signer that has equal and severable liability as party to the permit.

Third, it is unclear how the currently proposed mitigation measures in the draft EIR will interact with the Conditions of Approval in the BA O&M HCP and the BA O&M ITP. For example, MM BIO-2 requires that PG&E prepare and implement a Revegetation, Restoration, and Monitoring Plan that addresses temporary impact revegetation and restoration. The BA O&M ITP requires a vegetation plan as well; it is unclear how the mitigation measure would interact with the ITP Revegetation Plan that PG&E is currently implementing. Additionally, MM BIO-4 requires suitable upland habitat be investigated for presence of CTS and take coverage will be applied for if it is occupied. It is unclear if this measure is necessary in areas where PG&E is relying on the HCP and ITP for CTS take coverage.

AS-1-12

Recommendation: Mitigation measures should explicitly reference existing take coverage and indicate that consultation between the Lead Agency, CDFW, U.S. Fish and Wildlife Service, LSPGC, and PG&E may be required to ensure all permit and CEQA requirements are adequately met. The draft EIR should clarify which entity is responsible for which project activities and the permit source under which each entity has take authority.

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ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

AS-1-13

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist CPUC in identifying and mitigating Project impacts on biological resources. CDFW recommends the draft EIR should be revised to analyze the feasible alternatives that substantially reduce the environmental impacts of the project as identified above and recirculated for public review.

AS-1-14

Questions regarding this letter or further coordination should be directed to Andrea Boertien, Environmental Scientist, at [redacted] or [redacted]; and Sara Kern, Senior Environmental Scientist (Supervisory) at [redacted].

Sincerely,

DocuSigned by:
Erin Chappell
Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse, Sacramento

Douglas Mulvey, LS Power Grid California, LLC – [redacted]

Aaron Lui, Panorama Environmental, Inc. – [redacted]

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Response to Letter AS-1: Erin Chappell, California Department of Fish and Wildlife

AS-1-1

The California Department of Fish and Wildlife's (CDFW) comment addresses active bird nest sites, unauthorized take of birds, and analysis of potential impacts to fully protected species. CDFW points out that there are five fully protected species with potential to occur within or adjacent to the project area - salt marsh harvest mouse (*Reithrodontomys raviventris*; SMHM), California black rail (*Laterallus jamaicensis coturniculus*), California least tern (*Sternula antillarum browni*), white-tailed kite (*Elanus leucurus*), and golden eagle (*Aquila chrysaetos*) – and requests that the EIR analyze potential adverse impacts to these species and include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to these species. CDFW also states that project activities described in the EIR should be designed to completely avoid impacts to these species.

Direct and indirect impacts to these species are analyzed for the Proposed Project in Section 4.4.5 of the EIR under Impact BIO-1D (beginning on page 4.4-94) for the avian species and Impact BIO-1F (beginning on page 4.4-109) for salt marsh harvest mouse. The EIR includes mitigation measures to avoid take of fully protected species. MM BIO-7 would protect nesting birds from construction disturbance during nesting season. MM BIO-7 contains additional, specific measures to avoid impacts to California black rail, i.e., a 1,000-foot no-disturbance buffer. MM BIO-11 contains measures to avoid impacts to any golden eagles nesting within the site during construction, including implementation of nest surveys and appropriate avoidance buffers if construction is to occur during nesting season. There is no nesting habitat for California least tern or white-tailed kite within the initial survey area; therefore, there is no need for additional mitigation measures to protect these species. MM BIO-12 also requires transmission lines to be designed in accordance with APLIC guidelines, which provide design features that minimize or avoid avian interaction and conflict with transmission infrastructure.

Impacts to salt marsh harvest mouse would be avoided with implementation of MM BIO-17, which requires pre-construction surveys, exclusion fencing, and vegetation clearing prior to work. While MM BIO-17 defines procedures to avoid take of salt marsh harvest mouse, the measure incorrectly included language about an incidental take permit. The text of MM BIO-17 is revised as follows in response to CDFW requests and to remove reference to an incidental take permit or the option to relocate salt marsh harvest mouse:

MM BIO-~~15~~17: Salt Marsh Harvest Mouse Avoidance

A CPUC-approved biologist, with knowledge and experience with salt marsh harvest mouse habitat requirements, shall conduct pre-activity surveys for salt marsh harvest mouse and identify and mark suitable salt marsh harvest mouse marsh habitat prior to project initiation. The

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biologist will search suitable habitat for signs of harvest mice, such as nests.

Ground disturbance in occupied salt marsh harvest mouse habitat (including, but not limited to pickleweed, and emergent salt marsh vegetation) shall be avoided to the extent feasible. Where salt marsh harvest mouse habitat cannot be avoided, if no salt marsh harvest mice are found, vegetation will be removed from the ground disturbance work area plus a 10-foot buffer around the area, as well as any access routes within salt marsh harvest mouse habitat, utilizing mechanized hand tools or by another method approved by the USFWS and CDFW. Vegetation height shall be maintained at or below 52 inches above ground. Vegetation removal in salt marsh harvest mouse habitat will be conducted under the supervision of the CPUC-approved biologist.

Salt marsh harvest mouse marsh habitat that must be accessed to complete project construction will be protected through use of low ground pressure (LGP) equipment, wooden or PVC marsh mats, or other method approved by USFWS and CDFW following vegetation removal (as described above).

All construction equipment and materials shall be staged away from salt marsh harvest mouse habitats when not in use.

A CPUC-approved biologist with previous salt marsh harvest mouse monitoring and/or surveying experience for salt marsh harvest mouse will be on site during construction activities occurring in or within 500 feet of suitable salt marsh harvest mouse habitat. The approved biologist has the authority to stop project activities if any of the requirements associated with the measure are not being fulfilled. If a mouse of any species is observed within the project area, work within the vicinity shall be halted immediately by the Qualified Biologist and the mouse shall be allowed to leave the work area before work resumes. If salt marsh harvest mouse is observed in the work area, construction activities will cease within 200 feet of the salt marsh harvest mouse. The individual shall be allowed to leave the area before work is resumed. If the individual does not move on its own volition, the approved biologist shall contact USFWS (and CDFW if appropriate) for further guidance on how to proceed. Salt marsh harvest mouse may not be handled or captured. An incidental take permit shall be required prior to any relocation of salt marsh harvest mouse.

If an injured or dead salt marsh harvest mouse is discovered onsite, CDFW will be notified immediately.

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AS-1-2

CDFW's comment addresses take permits required for any activities that would include take of special status species. CDFW states that CESA- or NPPA-listed species with potential for take from the project activities require an Incidental Take Permit (ITP) issued by CDFW and that any project modifications or mitigation measures must be incorporated into the EIR analysis, discussion, and mitigation monitoring and reporting program. CDFW also recommends early consultation with CDFW in the event an ITP is needed.

The EIR analyzes potential impacts from the project on special-status species, which include CESA- and NPPA-listed species. The definition for special-status species considered in the Draft EIR is on page 4.4-2. It specifically states that CESA-listed species are included in the analysis and also states that plants considered to be rare, threatened, or endangered in California according to the California Native Plant Society's California Rare Plant Rank (CRPR) with a CRPR of 1A, 1B, 2A, and 2B, as well as certain rank 3 or 4 species with local significance. These CRPR ranks are encompassing of plants on the NPPA list. The current list of NPPA-listed plants is available on the CDFW website (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109390&inline>) and the current list of CRPR-listed plants can be obtained by running a search for all CRPR ranks through the California Native Plant Society Rare Plant Inventory (<https://rareplants.cnps.org/Search/result?frm=T&crpr=1A:1B:2A:2B:3:4>). A comparison of these lists reveals that all NPPA-listed plants also have a CRPR rank. Therefore, the EIR analyzes the species of concern in the comment, and the analysis includes mitigation measures to reduce impacts on these species.

The CPUC acknowledges that the applicant will need to obtain permits in the event of unavoidable take of any CESA-listed species. CDFW's regulatory authority and actions that would require an ITP under CESA or require CDFW approval under NPPA are described on pages 4.4-57 and 4.4-58 of the Draft EIR. The need for acquisition of an ITP for CESA- and NPPA-listed plant species prior to salvage or relocation is also defined in MM BIO-1. MM BIO-1 states the following: "If the special-status plant species cannot be avoided, LSPGC/PG&E shall notify CPUC in writing, and LSPGC/PG&E shall submit a Salvage and Replanting Plan to CPUC and CDFW for approval as described below. No State or federally listed plant species shall be salvaged or relocated without obtaining permit authorization from CDFW and/or USFWS, as required. LSPGC/PG&E shall provide the CPUC with any permits and authorizations obtained from USFWS and CDFW." Therefore, for the EIR correctly defines requirements to address CESA- and NPPA-listed plants. It also defines the CDFW notification procedures.

The need for acquisition of ITPs for CESA-listed animal species analyzed by the EIR is similarly addressed by the discussion of CESA on page 4.4-57 and further included in the text of MM BIO-4, MM BIO-9, MM BIO-14, MM BIO-16, and MM

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BIO-18. MM BIO-4 states, “In the event that there is a burrow within the work area that is occupied by California tiger salamander or California red-legged frog, no activity shall be allowed to commence within 250 feet of the occupied burrow until an incidental take permit has been obtained in compliance with the California Endangered Species Act or federal Endangered Species Act, as applicable.” MM BIO-8 states, “In any cases where active burrows could not be adequately avoided..., LSPGC/PG&E would obtain an incidental take permit in order to passively relocate the owls, as described below and per the conditions of any required CESA incidental take permit.” MM BIO-13 states, “LSPGC may relocate Crotch’s bumble bees out of the work area only if a CESA incidental take permit has been obtained and any relocation follows the terms of the incidental take permit.” MM BIO-14 states PG&E shall obtain an incidental take permit. MM BIO-16 states, “Prior to sealing an active San Joaquin kit fox den, an incidental take permit for San Joaquin kit fox must first be obtained from USFWS and CDFW.” MM BIO-18 states, “PG&E shall obtain any required permits prior to implementing any [San Joaquin kit fox] den exclusions.”

As described in the Draft EIR, the CPUC recognizes CDFW’s authorities under CESA and NPPA and the mitigation measures were defined in consideration of that regulatory authority. Therefore, no changes are required in the EIR to address the comment.

AS-1-3 CDFW’s comment addresses requirements for activities that may affect riparian habitat. CDFW states that an LSA Notification is required to be submitted to CDFW for certain listed impacts to water bodies, such as lakes, streams, and rivers, as well as floodplains and riparian habitat.

The CPUC recognizes CDFW’s authority under Fish and Game Code section 1600 et. Seq. Refer to page 4.4-59 of the Draft EIR.

The CPUC recognizes that CDFW would be a responsible agency for any LSA Agreement required for the project.

AS-1-4 CDFW’s comment addresses the analysis of permanent impacts to biological resources from long-term operations and specifically addresses impacts on sand and gravel mining leases and the potential need for concrete mattresses.

The impact on gravel mining leases is addressed in the EIR in Section 4.12 Minerals. As discussed in Section 4.12, the Proposed Project would reduce the area of access to gravel and sand mining due to potential for such activities to damage a cable if they occurred in the area of the proposed cable. The CPUC developed an alternative (Alternative 5) that would relocate a segment of the cable to reduce impacts on the areas available for gravel mining. As analyzed in the EIR, Alternative 5 would result in greater impacts on biological resources as it would require site preparation a year prior to cable installation and would

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therefore increase the duration of preparation and cable installation activities in the channel to two years. Because the submarine cables cross in a perpendicular orientation to the gravel mining area, it is infeasible to completely relocate the cables outside of the gravel mining area. While Alternative 5 would reduce the area of overlap with gravel mining, it would not avoid the loss of access to gravel mining areas.

Pages 4.4-120 through 4.4-124 of the Draft EIR discuss direct impacts to sensitive fish species and their habitat, including benthic habitat, from Proposed Project activities, including hydroplow use and laying cables. The Project Description and analysis of impacts in the EIR, specifically on Page 4-121 provides an analysis of the maximum potential for concrete mattresses to be installed as part of the project. The analysis states, “The installation of up to 27 concrete mattresses would result in up to 4,320 square feet (less than 0.1 acre) of permanent impact to the river bottom, through introduction of permanent concrete fill materials. That permanent impact on habitat for special-status fish species would be significant. MM BIO-20 requires LSPGC to provide compensatory mitigation for permanent disturbance to special-status fish habitat, following a Benthic Habitat Mitigation and Monitoring Plan (refer to Section 4.4.14 for the complete text of this MM). With implementation of MM BIO-20, permanent impact on habitat from special-status fish would be less than significant.” MM BIO-20 specifically requires LSPGC to follow a Benthic Habitat Mitigation and Monitoring Plan, which would require compensatory mitigation at a ratio of 1:1 or greater for permanent disturbance, as well as long-term management (minimum five years or until success criteria are met) and monitoring commitments in mitigation areas.

Because impacts to sensitive fish species and their habitats have been analyzed in the EIR and MM BIO-20 would address compensatory mitigation at the appropriate levels to offset impacts, should concrete mattresses be used, no further mitigation measures are required.

AS-1-5

CDFW highlights the location of the project as it relates to salt marsh harvest mouse habitat and the location of the substation specifically in the Delta Plan and Suisun Marsh Protection Plan upland habitat areas. CDFW recommends relocation of the substation north of Talbert Lane (Alternative 1 analyzed in the EIR) to reduce impacts.

The EIR acknowledges the impacts related to the design of the Proposed Project and identifies Alternative 1 as the environmentally superior alternative consistent with the analysis and recommendation in this comment. Refer to Chapter 6.6, page 6-32 of the Draft EIR. Alternative 1 relocates the Collinsville Substation north of Talbert Lane outside of the identified upland habitat area and avoids the use of LSTs in the wind farm, thus avoiding the impacts described by

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the comment. The analysis in the EIR is consistent with the suggestions in the comment. No changes are needed in the EIR to address this comment.

AS-1-6

CDFW suggests that habitat surveys completed for the project are insufficient for analyzing the impact on special-status species. CDFW states that protocol-level surveys have not been conducted across the entire project site to demonstrate the presence/absence of special status species and, therefore, project impacts cannot be adequately assessed and effective avoidance, minimization, and mitigation measures cannot be developed. CDFW recommends the following measures be implemented to reduce impacts: (1) fully floristic botanical surveys should be conducted prior to construction and the results of the surveys included in the EIR along with appropriate avoidance, minimization, and mitigation measures, (2) species-specific wildlife surveys should be conducted following CDFW protocols.

Fully floristic botanical surveys were in fact conducted for the Proposed Project. The floristic surveys were conducted during the appropriate blooming season for each species and document presence or absence of special-status plants (refer to Appendix F.2 for the Biological Resources Technical Report, within which the botanical survey reports are attached as Attachments C and D).

Protocol-level wildlife surveys are not required for all special-status wildlife species with potential to occur in the project site because the EIR analysis conservatively considered special-status wildlife species to be potentially present wherever suitable habitat is present. This approach addresses the fact that species can relocate from year to year. The EIR analysis includes mitigation measures that reduce impacts during construction to less than significant for any special-status wildlife species with potential to occur onsite, regardless of whether this species was observed onsite. These measures include: MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-6, MM BIO-7, MM BIO-8, MM BIO-9, MM BIO-10, MM BIO-11, MM BIO-12, MM BIO-13, MM BIO-14, MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18, MM BIO-18, and MM BIO-20. Two of these measures contain provisions to avoid impacting special-status wildlife habitat to the extent possible: MM BIO-4 (vernal pool/amphibian habitat) and MM BIO-17 (salt marsh harvest mouse habitat). LSPGC submitted a spring burrowing owl survey to the CPUC after publication of the Draft EIR. That survey report determined burrowing owls were absent from the Proposed Project area (refer to Appendix F.10 for the Breeding Season Burrowing Owl Survey Report). While that survey provides more detailed information, the assumptions about potential for future presence in the area and mitigation of the species remain.

No changes are required in the EIR to address the comment.

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AS-1-7

CDFW suggests that the impacts of the project to sensitive natural communities have not been clearly quantified within the Draft EIR. CDFW makes the following four claims about the Draft EIR and states that, because of these claims, there is no clear understanding of the extent of project impacts on and appropriate mitigation measures to protect sensitive natural communities (including riparian and wetland habitats) and, therefore, it cannot be concluded that project activities have been mitigated to a level that is less-than-significant.

1. The EIR does not specifically quantify project impacts (in acres) to sensitive natural communities or disclose how these impacts would be quantified.
2. The mitigation measures for sensitive natural communities are unclear.
3. No compensatory mitigation is proposed in the event that avoidance of sensitive natural communities cannot be achieved.
4. The EIR defers mitigation for sensitive natural communities because a revegetation, restoration, and monitoring plan has not yet been prepared, and no compensatory mitigation has been proposed to offset permanent impacts to sensitive natural communities.

Additionally, the comment states that the proposed buffer size of 5 to 25 feet for avoidance of impacts to sensitive natural communities is inadequate to reduce direct and indirect impacts below significant levels.

CDFW makes the following recommendations to reduce impacts to a less than significant level: (1) the Draft EIR should include an evaluation of sensitive natural communities, (2) an LSA notification should be provided to CDFW for project activities affecting perennial, ephemeral, or intermittent lakes or streams and associated floodplains and riparian habitat, (3) a buffer of 50 feet should be implemented to avoid impacts to riparian zones or other sensitive natural communities, and (4) if avoidance is not possible, impacted areas should be restored or compensated for at a minimum 1:1 (for temporary impacts) or 3:1 (for permanent impacts) mitigation to impact ratio for acres of impacts.

The claims made by CDFW about the Draft EIR are inaccurate. The following points address each of the claims, with each number corresponding to the claim number above:

1. The Draft EIR specifies the acres of impacts to sensitive natural communities in Table 4.4-9 on pages 4.4-75 and 4.4-76. The table quantifies the impacts by Proposed Project component and by type of disturbance (temporary or permanent).

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2-4. The mitigation measure for sensitive natural communities, MM BIO-21, clearly defines the procedure for determining the amount of sensitive natural communities impacted by the project, that avoidance of sensitive natural communities will be prioritized, and if avoidance is unavailable, the amount and type of mitigation that would be provided, as follows:

“Prior to construction, a qualified biologist shall survey all final work areas and identify the extent of sensitive natural plant communities, as described in MM BIO-2 in the Pre-Construction Report. If sensitive natural plant communities are found in work areas and overland access routes, work areas and overland access routes shall be repositioned where possible to avoid adverse impacts to the sensitive natural plant communities.

“If sensitive natural plant communities cannot be avoided within permanent impact areas, LSPGC/PG&E shall provide compensation lands containing the sensitive natural community at a 1:1 ratio (acres of restoration per acres of disturbance) for the amount of land containing the sensitive natural community affected by the project. Occupied habitat will be calculated on the project site and on the compensation lands as including each sensitive natural community. If compensation is required as a means of mitigating sensitive natural community impacts, it may be accomplished by purchasing credit in an established mitigation bank, acquiring conservation easements, or direct purchase and preservation of compensation lands.”

Furthermore, MM BIO-2 (which is referred to in MM BIO-21) clearly specifies the performance standards for the Revegetation, Restoration, and Monitoring Plan that it requires. The following portions of the MM BIO-2 text illustrate this:

- “All temporarily disturbed areas shall be restored to near pre-construction conditions to ensure permanent impacts do not occur in areas of temporary impacts as a result of the project. Pre-construction conditions, including vegetation cover estimates and percentage of Cal-IPC list invasive weeds (plants rated as “High” and “Moderate”), shall be documented for each project work area as described below in the Pre-Construction Report. The goal of the restoration shall be that habitat functions and values and species composition of the restored vegetation are comparable to those of nearby comparable vegetation within 3 years.”

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- “The plan shall identify corrective actions to implement (e.g., removal of invasive weeds, supplemental planting, etc.) if the performance standards defined in this measure are not achieved. Work sites that have been proven to meet the performance standard defined in this measure shall not require further monitoring and reporting.”
- “Performance standards: Habitat restoration shall match the pre-impact vegetation community composition/cover of the affected sensitive vegetation communities with 10 percent variability. Non-native or other vegetation communities shall have at least 70 percent of the pre-impact total vegetative cover and shall be revegetated with vegetation community composition matching surrounding unaffected areas with an allowed variance of 10 percent. Invasive species cover shall not exceed pre-project coverage.”

A draft of the Revegetation, Restoration, and Monitoring Plan is not required to meet CEQA obligations at this time. MM BIO-21 and MM BIO-2 clearly lay out the mitigation and compensation requirements for sensitive natural communities, which meets CEQA requirements. Further, MM BIO-21 and MM BIO-2 include specific performance standards, restoration success criteria, and agency approval requirements, thereby avoiding improper deferral of mitigation under CEQA.

As shown above, the claims made by the comment about Draft EIR inadequacies concerning sensitive natural communities are inaccurate and no changes to the EIR are required to address these parts of the comment.

The following points respond to each of the comment’s recommendations to reduce impacts:

1. The Draft EIR contains an evaluation of sensitive natural communities beginning on page 4.4-126.
2. MM HYD-1 of the Draft EIR, which is now MM BIO-22 in the revised Draft EIR, defines avoidance, minimization, and mitigation of aquatic resources and requires LSA notification consistent with State law. MM BIO-22 states: “Where avoidance of the resource is not feasible, the responsible party (LSPGC or PG&E) shall obtain any permits required under State (Porter Cologne Water Quality Control Act and Fish and Game Code) and federal law (Clean Water Act) from the State Water Resources Control Board, California Department of Fish and Wildlife, and U.S. Army Corps of Engineers for discharge of dredged or fill materials within ~~the waters of the State or U.S. wetlands.~~” Refer to

3 COMMENTS AND RESPONSES

the response to comment L-1-61 for the full text of MM BIO-22 (which is modified from MM HYD-1).

3. It is unclear how CDFW came to the conclusion that a buffer of 2 to 25 feet was proposed for avoidance of impacts to sensitive natural communities as this was not stated in the Draft EIR. However, in response to CDFW's recommendation to require a buffer of a minimum of 50 feet to avoid impacts to sensitive natural communities, this is not a CEQA requirement as impacts on the habitat can be avoided so long as activities do not occur in the habitat. Avoidance of the habitat with monitoring as defined in the APMs and MMs included in the EIR would avoid impacts on sensitive habitats.
4. As stated previously, MM BIO-21 does define a compensation ratio for permanently impacted areas of 1:1 for acres of impact. This is lower than the 3:1 ratio recommended by CDFW, but it meets CEQA requirements for mitigation. CDFW may impose a higher mitigation ratio in any permit issued by CDFW. CDFW imposing a higher mitigation ratio would not be in conflict with MM BIO-21.

Because of the reasons described above, no changes to the EIR are required to address the comment.

AS-1-8

CDFW suggests that MM BIO-8 would not be sufficient to mitigate effects to burrowing owl impacted by the project and provides language for suggested mitigation to reduce impacts on burrowing owl. CDFW specifically states that MM BIO-8 is not sufficient to reduce potential impacts to burrowing owl to less-than-significant levels because the proposed 1,500-foot avoidance buffer for helicopter work is insufficient to avoid indirect impacts from helicopter noise and burrowing owls wintering, foraging, or nesting on or within 500 meters (1,640 feet) of the project site could be significantly impacted by the helicopter work. CDFW implies that the avoidance buffer for indirect impacts resulting from helicopter noise should be 500 meters (1,640 feet).

CDFW recommends the following to reduce impacts on burrowing owl to a less than significant level:

1. Define setback (avoidance buffer) distances consistently with the CDFW Staff Report on Burrowing Owl (2012), including defining distances in meters,
2. Clarify in the EIR that no passive relocation of burrowing owls will be permitted during breeding season unless a qualified biologist verifies that an occupied burrow is not occupied by a mated pair and/or a juvenile that is dependent on the parents,

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3. Specify in the EIR how long monitoring of exclusion buffers and replacement burrow sites will occur,
4. Specify in the EIR that if artificial burrows are used as a mitigation measure, the burrows will be monitored and maintained at least once a year in perpetuity, and
5. Include in the EIR a proposal of compensatory mitigation for habitat replacement if the other methods of mitigation are not possible.

To address the comment, the text of MM BIO-8 is revised as follows to avoid, minimize, and mitigate impacts on burrowing owl:

1. Avoidance buffers are now defined in both feet and meters (pages 4.4-211 and 4.4-212) and the avoidance buffer distances have been brought in line with the CDFW Staff Report on Burrowing Owl guidance, including changing the distance for helicopter work to 1,640 feet (500 meters) on the same pages. These changes are shown in the modified text of MM BIO-8 below.
2. The sentence on page 4.4-212 has been edited to add text about no passive relocation of burrowing owls unless a qualified biologist verifies that an occupied burrow is not occupied by a juvenile that is dependent on the parents. This change is shown in the modified text of MM BIO-8 below.
3. The sentence on page 4.4-212 has been edited to add text about the duration of monitoring of active burrow buffers. This change is shown in the modified text of MM BIO-8 below.
4. It is infeasible to monitor artificial burrows in perpetuity as the equipment will be remotely operated and the project area will not be subject to ongoing disturbance, but the measure has been modified on page 4.4-213 to say that monitoring will persist throughout construction. This change is shown in the modified text of MM BIO-8 below. MM BIO-8 also requires monitoring to occur for the duration necessary to ensure the effectiveness of avoidance buffers and relocation measures.
5. An additional paragraph has been added to the end of the measure on page 4.4-213 to require compensatory mitigation for habitat replacement if the other methods of mitigation are not possible. This change is shown in the modified text of MM BIO-8 below.

The complete revised version of MM BIO-8 is included below.

MM BIO-8: Burrowing Owl

Burrowing Owl Habitat Assessment and Surveys: A qualified biologist shall conduct a habitat assessment and surveys, if warranted based on the

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habitat assessment, following the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>) and prepare a report documenting the survey results. The qualified biologist shall have a minimum of two years of experience implementing the above methodology resulting in burrowing owl detections. Based on the habitat assessment, if suitable burrows or burrow surrogates are present, surveys for nesting burrowing owl shall be conducted if project construction starts during the nesting season (February 1 to August 31), and surveys for wintering burrowing owl shall be conducted if the construction starts during the wintering season (September 1 to January 31).

If construction begins prior to June 16 (the earliest date that breeding season surveys could be completed), complete breeding season surveys in accordance with the CDFW survey protocol may not be conducted as following the survey timing requirements in the protocol would not be possible during that time period. Instead, an abbreviated protocol may be followed (i.e., fewer survey visits) at the discretion and in the best judgement of the qualified biologist. If construction begins after June 16, the full breeding season survey will be conducted in accordance with the survey protocol. Similarly, if construction is to begin during the non-breeding season (between September 1 and January 31), an abbreviated protocol (i.e., fewer survey visits) may be followed at the discretion and in the best judgement of the qualified biologist.

The habitat assessment and surveys shall encompass the project site and a sufficient buffer zone to detect owls nearby that may be impacted, which is up to 500 meters (1,640 feet) around the project site pursuant to the above methodology, unless otherwise approved in writing by CDFW. Habitat assessments and surveys shall occur each year of project construction, as conditions may change annually and suitable refugia for burrowing owl, such as small mammal burrows, can be created within a few hours or days.

If the habitat assessment does not identify burrows and additional surveys are not conducted, an additional habitat assessment shall be conducted within 14 days prior to construction. If new burrows are present, surveys shall be conducted as described above.

Burrowing owl avoidance. The buffer for active burrowing owl nesting sites shall be in accordance with CDFW guidelines (CDFG 2012) and shall be as follows:

- From April 1-August 15, buffers shall be 200 meters (656 ~~300~~ feet) for low levels of disturbance (i.e., vehicles, worker

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presence), and 500 meters (1,640 500 feet) for moderate to high levels of disturbance (i.e., demolition, grading, tree felling, helicopter use)

- From August 16-October 15, buffers shall be 200 meters (656 600 feet) for low and moderate levels of disturbance (i.e., vehicles, worker presence, tree felling, grading), and 500 meters (1,500 1,640 feet) for high levels of disturbance (i.e., helicopter use)
- From October 16-March 31, buffers shall be 50 meters (164 150 feet) for low levels of disturbance (i.e., vehicles, worker presence), 100 meters (328 300 feet) for moderate levels of disturbance (i.e., grading, tree felling), and 500 meters (1,500 1,640 feet) for high levels of disturbance (i.e., helicopter use)

If active burrowing owl burrows are located within project work areas, they shall be avoided to the greatest extent possible through work exclusion buffers as described above. Monitoring of active burrowing owl nests shall occur in all buffer areas as defined above throughout the period in which the buffer is needed to avoid impacts, and other methods to reduce disturbance (such as visual or sound barriers) shall be employed depending on the type and level of work being conducted to prevent the need for relocation. Other measures shall include eliminating actions that reduce burrowing surrogates (e.g., ground squirrels).

In any cases where active burrows could not be adequately avoided through exclusion buffers, as determined by a qualified biologist, and project activities could result in substantial indirect disturbance, direct physical disturbance, or destruction of burrows that are located within certain project work areas (e.g., facility footprints, areas that require grading), LSPGC/PG&E would obtain an incidental take permit in order to passively relocate the owls, as described below and per the conditions of any required CESA incidental take permit. Passive relocation shall only be considered if work cannot take place due to an active nest, such as grading over burrows. No passive relocation of burrowing owls shall be permitted during breeding season unless a qualified biologist verifies through noninvasive methods that an occupied burrow is not occupied by a mated pair and/or a juvenile that is dependent on the parents, and only upon authorization by CDFW. Any passive burrowing owl relocation shall address:

- **Replacement burrows:** For each burrowing owl that will be passively relocated, if fewer than two suitable unoccupied burrows are available within 600 feet of the affected project work site, then LSPGC/PG&E shall construct at least two

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replacement burrows within 600 feet of the affected project work site, or in suitable locations within 0.25 mile when suitable locations within 600 feet are not available. Burrow replacement sites shall be in areas of suitable habitat for burrowing owl nesting, and subject to minimal human disturbance and access. The Burrowing Owl Exclusion Plan shall be prepared that would describe measures to ensure that burrow installation or improvements will not affect sensitive species habitat or any burrowing owls already present in the relocation area. The Burrowing Owl Exclusion Plan shall provide guidelines for creation or enhancement of at least two natural or artificial burrows for each active burrow within the project disturbance area, including a discussion of timing of burrow improvements, specific location of burrow installation, and burrow design. Design of the artificial burrows shall be consistent with CDFW guidelines (CDFG, 2012; or more current guidance as it becomes available) and the Burrowing Owl Exclusion Plan shall be approved by the CPUC and CDFW.

- **Methods:** An occupied burrow may not be disturbed during the nesting season (generally, but not limited to, February 1 to August 31), unless a qualified biologist determines, by non-invasive methods, that it is not occupied by a mated pair. Passive relocation will include installation of one-way doors on burrow entrances that will let owls out of the burrow but will not let them back in. Once owls have been passively relocated, burrows will be carefully excavated by hand and collapsed by, or under the direct supervision, of a qualified biologist.
- **Monitoring and reporting:** LSPGC/PG&E shall monitor the replacement burrow site(s) and provide monitoring reports consistent with CDFW guidance (CDFG 2012). The objective shall be to manage the relocation area for the benefit of burrowing owls, with the specific goal of maintaining the functionality of the burrows for a minimum of two years. Monitoring will be conducted after the burrowing owl passive relocation process is complete, up until the onset of ground disturbance due to construction to ensure that owls do not re-establish themselves. The artificial burrows or enhanced replacement burrows will be monitored ~~for a period that will be defined in the site-specific relocation plan to determine if they are being used by owls throughout~~

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construction. Monitoring reports shall be available to the CPUC.

Cap Pipes and Hoses: To prevent burrowing owl from sheltering or nesting in exposed material; all construction pipes, culverts, hoses or similar materials greater than two inches in diameter stored at the project site shall be capped or covered before the end of each work day and shall be inspected thoroughly for wildlife before the pipe or similar structure is buried, capped, used, or moved.

Obtain ITP if Take Avoidance is Not Feasible: If other methods of mitigation avoidance of burrowing owl take is not feasible are not possible to offset take, then then LSPGC shall obtain an ITP in compliance with CESA The CDFW may also require compensatory mitigation through on-site habitat restoration or purchase of credits at an appropriate mitigation bank.

AS-1-9 CDFW suggests that MM BIO-17 would not be sufficient to mitigate effects to salt marsh harvest mouse impacted by the project and provides recommended language to reduce impacts on salt marsh harvest mouse. Modifications have been made to MM BIO-17 to incorporate the recommended language for monitoring within 500 feet of salt marsh harvest mouse in this comment. The text regarding vegetation removal was clarified as recommended by CDFW to explain that it only applies where salt marsh harvest mouse habitat cannot be avoided. The full text of the revised measure may be viewed in the response to comment AS-1-1.

AS-1-10 CDFW requests clarification on which PG&E project activities would be covered under the Bay Area Operations and Maintenance Incidental Take Permit. CDFW also requests that the EIR include discussion of PG&E's Bay Area Operations and Maintenance Incidental Take Permit (Bay Area ITP) to indicate which project activities are covered by the Bay Area O&M ITP, if applicable.

The following description of the Bay Area ITP is added to Section 4.4.2 on page 4.4-54 of the revised Draft EIR in response to this comment:

CDFW Incidental Take Permit

PG&E Bay Area Operations and Maintenance Incidental Take Permit

The PG&E Bay Area Operations and Maintenance Incidental Take Permit (Bay Area ITP) authorizes take of and provides measures to avoid and mitigate impacts on covered species during operations and maintenance of PG&E gas and electrical transmission and distribution facilities within the Bay Area ITP plan area (CDFW 2022). The Bay Area ITP also covers minor new construction activities, which include gas pressure limiting station construction, minor substation expansion, and underground line

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construction. Although the Proposed Project area is located within the boundaries of the Bay Area ITP, construction of the 500 kV interconnection lines, 12 kV distribution line, and communication yard within the Collinsville Substation are not covered activities because they do not fit the scope of minor new construction activities as defined in the ITP.

The discussion of Avoidance and Minimization Measures in Section 4.4.4, Approach to Impact Analysis (revised Draft EIR page 4.4-74), has been edited to incorporate the Bay Area ITP as follows:

PG&E HCP and ITP Avoidance and Minimization Measures

This EIR incorporates by reference the avoidance and minimization measures (AMMs) in Chapter 5.5.1.2 of PG&Es Bay Area HCP (ICF 2017) and the Mitigation Monitoring and Reporting Program incorporated into PG&E's Bay Area ITP (CDFW 2022). These AMMs include specific plant and wildlife species impact avoidance and minimization measures as well as general measures such as personnel training. The complete list of measures may be found in Table 5-1 of the Bay Area HCP and Attachment 2 of the Bay Area ITP. The HCP and ITP measures would apply to all PG&E operation and maintenance activities, ~~but and~~ the transposition structure installation activities ~~conducted under~~ would only be covered by the HCP.

The Impact Analysis in Section 4.4.5, has been edited in the following places to incorporate the Bay Area ITP and indicate when take coverage is applicable:

On revised Draft EIR page 4.4-88:

Operation and maintenance activities for the PG&E project components would be integrated into PG&E's existing operation and maintenance program for the existing transmission lines in the area. California tiger salamander and California red-legged frog are covered by PG&E's Bay Area HCP (ICF 2017). California tiger salamander is also covered by PG&E's Bay Area ITP (CDFW 2022). Although western spadefoot is not covered by the Bay Area HCP or Bay Area ITP, the HCP includes implementation of numerous AMMs that would reduce impacts on special-status amphibians, including AMM FP-10, which requires workers to minimize the activity footprint and amount of time spent at work stations to reduce the potential for take of species, and AMM Hot Zone-6, which limits activities to foot access only when working off of established roadways unless a biological monitor delineates off-road access routes that avoid sensitive biological resources; both measures

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would reduce the potential for wildlife mortality from vehicle strikes as well as impacts to amphibian habitat (ICF 2017).

On Revised Draft EIR page 4.4-93:

Additionally, Alameda whipsnake is covered by PG&E's Bay Area HCP (ICF 2017) and Bay Area ITP (CDFW 2022), which ensures any impact on Alameda whipsnake from operation and maintenance of the PG&E project components would be less than significant.

The references section has been updated on revised Draft EIR page 4.4-223 to add an entry for the Bay Area ITP, as follows:

California Department of Fish and Wildlife (CDFW). 2022. Pacific Gas and Electric Company Bay Area Operations and Maintenance Project Incidental Take Permit.

AS-1-11 CDFW requests clarification of which activities would require coverage under the Bay Area Operations and Maintenance Incidental Take Permit (Bay Area ITP) and recommends that PG&E is included in applicable CDFW permits as a co-signer.

The Bay Area ITP only covers operations and maintenance (O&M) activities and specified minor new construction activities. The minor new construction activities covered by the Bay Area ITP include: gas pressure limiting station construction, minor substation expansion, and underground line construction. The construction activities required to construct the PG&E transposition sites, 500 kV interconnection lines, and 12 kV distribution line do not fall under the scope of these covered minor new construction activities. Therefore, the Bay Area ITP does not cover construction of any PG&E project components.

Because the Bay Area ITP does not cover construction of the PG&E project components, the Bay Area ITP measures have not been included in the analysis of impacts for construction activities within the EIR (refer to subsections analyzing construction impacts within Section 4.4.5, Impact Analysis – Proposed Project, of the Draft EIR). Thus, the EIR is clear that take coverage of special-status species during construction is not being sought from the Bay Area ITP. Additionally, as described in the response to comment AS-1-10, additions have been provided to the text of the revised Draft EIR that clarify which species the Bay Area ITP does not cover during operations and maintenance of the project. PG&E is responsible for securing the appropriate take authorizations, as needed, and working with the appropriate agencies to secure take coverage during construction and during operations and maintenance for species that are not covered by the Bay Area ITP. The EIR also discusses the separate ITPs that will

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be obtained by PG&E. See also response to comment P-1-4 regarding PG&E ITPs for this project.

The Bay Area ITP does provide take coverage during operations and maintenance of the project for two special-status species considered in the EIR: California tiger salamander and Alameda whipsnake. This has been clarified through additions to the text of the revised Draft EIR as described in the response to comment AS-1-10.

AS-1-12 CDFW requests clarification on how the mitigation measures would be affected by the conditions of approval stated in the Bay Area ITP. CDFW also suggests that the EIR should clarify which entity is responsible for which project activities and the permit source under which each entity has take authority.

As described in the response to comment AS-1-11, the construction activities required to construct the PG&E transposition sites, 500 kV interconnection lines, and 12 kV distribution line are not covered by PG&E's Bay Area ITP. Because construction of the PG&E project components is not covered by the Bay Area ITP, the mitigation measures applied to PG&E for construction of the project remain applicable and do not conflict with the terms of the Bay Area ITP. The mitigation measures required under CEQA would be implemented in addition to any applicable ITP conditions.

One mitigation measure, MM BIO-12, which requires application of Avian Power Line Interaction Committee (APLIC) guidelines to the design of overhead transmission lines, is applied to PG&E for operations and maintenance of the project. This mitigation measure is necessary to reduce operations and maintenance impacts on avian species to less than significant because the Bay Area ITP does not require adherence to APLIC guidelines. This measure would not conflict with implementation of the Bay Area ITP.

As described in the responses to comments AS-1-10 and AS-1-11, the Draft EIR analysis has been updated to indicate which activities are covered by the Bay Area ITP. In addition, the Draft EIR was explicit in its analysis of impacts by entity. For each impact statement, the Draft EIR provides separate analysis of impacts that apply to LSPGC and PG&E with separate headings for each entity. The Draft EIR is clear on which permitting entity is responsible for which project activities. Each entity is responsible for obtaining their own permits to construct and operate their facilities in compliance with applicable laws.

AS-1-13 CDFW requests that field survey data be presented to the California Natural Diversity Database (CNDDDB). This comment is noted. The applicant conducted field surveys and is responsible for completing the CNDDDB field survey form in accordance with CDFW guidance.

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AS-1-14 CDFW requests that the Draft EIR be revised to analyze alternatives that reduce the environmental impacts of the project. CDFW also requests recirculation of the Draft EIR for public review.

As addressed in the response to comments above, the minor revisions to the EIR would not constitute “significant new information” that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. The responses above provide minor clarifications and identify where the requested information was contained within the Draft EIR. The minor modifications to the mitigation measures that are incorporated in the response to comments do not require recirculation because the modifications to the mitigation measures would not result in new significant impacts. No new information is presented in these comments and all species and habitats addressed in the comments were addressed in the Draft EIR. The Draft EIR analyzed six different alternatives to reduce environmental impacts, including biological impacts, and the analysis of alternatives was well documented in the Draft EIR.

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3.1.4 Letter AS-2: State Lands Commission



100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

STATE OF CALIFORNIA
GAVIN NEWSOM, Governor

MATTHEW DURLAO, PhD, Executive Officer
Reception: [redacted]
TTY: [redacted]

December 19, 2025

VIA ELECTRONIC MAIL ONLY (collinsville@panoramaenv.com)

File Ref.: A4865; SCH #2025010149

California Public Utilities Commission
Connie Chen
717 Market Street, #400
San Francisco, CA 94103

Subject: Draft Environmental Impact Report for Collinsville 500/230 Kilovolt Substation Project, Solano, Sacramento, Alameda, and Contra Costa Counties

Dear Connie Chen:

The California State Lands Commission (Commission) staff has reviewed the Draft Environmental Impact Report (EIR) for the Collinsville 500/230 Kilovolt Substation Project (Project), which is being prepared by the California Public Utilities Commission (CPUC). The CPUC is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect State sovereign lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on State sovereign land under the Commission's jurisdiction, the Commission will act as a responsible agency.

Commission Jurisdiction and Public Trust Lands

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its

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admission to the United States in 1850. The State holds these lands for the benefit of all people of the state for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court.

Part of the Project area will be located on State sovereign land in the Sacramento River (also known as Suisun Bay), which at this location is natural, navigable, tidal, and meandered on both banks. Therefore, this part of the Project area falls on land under the Commission's jurisdiction and is subject to leasing requirements, with the exception that a small portion of the Project area within the Sacramento River which falls on sovereign land granted by the legislature to the City of Pittsburg (City) pursuant to Chap. 422, Stats. 2011, minerals reserved (G 02-03). The City should be contacted to address any approvals that may be required by the City for the Project.

AS-2-1

Shared Use of State-Owned Sovereign Lands

In its February 6, 2025, comment letter to the Project's Notice of Preparation and in subsequent meetings with LS Power Grid California, LLC (LSPGC), staff highlighted the Commission's practice of leasing sovereign lands under the principle of non-exclusivity. The proposed Project components underlying Suisun Bay would intersect with numerous uses that support commerce, navigation, ecology, and the Public Trust. The Sacramento River and Suisun Bay are vital and busy waterways that have various demands on its use in ways that serve and benefit the region. Section 4.12.4 of the Draft EIR recognizes significant and unavoidable impacts to mineral resources caused by the presence of the submarine cable crossing the boundary of sand mining lease 7781. The Commission appreciates the CPUC's inclusion of Mitigation Measure MM-MIN-1 to reduce conflict and improve coordination amongst authorized users of state Sovereign-Lands. The Commission encourages LSPGC to continue its coordination with Suisun Associates at all phases of the Project and keep the Commission staff updated on the status and progress of its coordination.

AS-2-2

If you have questions specific to jurisdiction, lease provisions, or the application process, please contact Public Land Management Specialist Joanne Holt (contact information below).

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Project Description

LSPGC filed an application for a Certificate of Public Convenience and Necessity with CPUC for the Project. The California Independent System Operator's 2021-2022 Transmission Plan identified the proposed Project as a needed upgrade to the California electric grid. The proposed Project is located in Solano, Sacramento, Alameda, and Contra Costa Counties within an existing regional transmission system that provides electricity to the northern Greater Bay Area.

From the Project Description, Commission staff understand that the Project would include the following components that have potential to affect State sovereign land.

Transmission Line: Construction of a new approximately 6-mile long, double-circuit 230 kV transmission line that would include approximately 4.5 miles of submarine cables (four cables) running beneath the banks and bed of the Sacramento River. The submarine cables would be buried to a depth of approximately 6 to 15 feet below the sediment surface, or as specified by engineering and permitting agency requirements, to protect them from mechanical damage. In the event that the required burial depth cannot be met using the proposed construction methods, then alternate cable protection measures would be implemented as necessary (e.g., placement of concrete mattresses on the riverbed). As stated in the Draft EIR, the cables would typically be spaced approximately 30 to 90 feet apart to allow for cable repair and abandonment in place. Timber mats may be required in wetlands near the north shore of the Sacramento River to establish construction access for landfall of the submarine segment.

Shoreline Trenching at the Mean High-Tide Line (MHTL): At the south shore work area along the Sacramento River, trenching would be required from land to the MHTL (approximately 70 to 80 feet) and may also be required up to approximately 30 feet waterward of the MHTL.

At the north shore work area of the Sacramento River, a trench would be excavated along each cable path from the shoreline to a point approximately 50 feet waterward of the MHTL.

Trenching at the shorelines will be conducted using a long-reach excavator positioned on land. With the trench open, the cabling will be laid in the trench and a hydroplow will be towed over the cable to complete the cable installation. Immediately following installation of the cables, the trenches would be backfilled to pre-construction contours.

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Submarine Cable Installation: The submarine cables would be installed by using a hydroplow that would be pulled along the riverbed behind a barge. As the hydroplow blade moves forward to fluidize and remove the sediment, the submarine cable would be fed from the barge down to the seabed through the blade and would exit at the foot of the blade to be laid directly into the river bottom sediments. The majority of the fluidized sediments behind the blade would fall back into the trench, effectively burying the cable.

Environmentally Superior Alternative: The Draft EIR identifies "Alternative 1 + Proposed Project in remaining areas" as the Environmentally Superior Alternative (ESA) that meets the basic project objectives. The ESA would avoid significant and unavoidable impacts on or from biological resources, greenhouse gases, land use, and noise. These reductions would occur due to the installation of much shorter 500 kV interconnection lines, relocation of the substation and associated infrastructure outside of the Suisun Marsh Priority Habitat Management Area, and relocation of the substation and associated construction noise away from sensitive receptors.

Environmental Review

Commission staff requests that CPUC consider the following comments on the Draft EIR, specifically related to the analysis of the 230kV submarine segment of the proposed transmission line, to ensure that impacts to State sovereign land are adequately analyzed for the Commission's use of the EIR when considering a future lease application for the Project.

General Comments

1. Project Description

- Lease Encumbrance: Page 2-51 of the Project Description includes the following statement, "LSPGC would obtain a lease agreement and a lease encumbrance permit/agreement from the California State Lands Commission (CSLC) for encumbering on the existing mining lease. *With these agreements in place, Suisun Associates' activities in the vicinity of the cables would be prohibited, protecting them from incidental impacts.*" (italics added). As stated above, the Commission's leasing practices operate under the principle of non-exclusivity. The Draft EIR identifies Significant and Unavoidable impacts MIN-1 and MIN-2 which would result in a loss of access to 52 acres of sand mining lease area. While the Draft EIR identifies that the Project and sand mining may, for practical purposes, be incompatible activities within a certain portion of Lease 7781, the application submitted by LSPGC to the Commission is for issuance of a Lease to construct and operate

AS-2-3

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the proposed Project on State sovereign lands. The Commission does not possess unilateral authority to alter or limit Suisun Associates' current entitlements, and Commission staff cannot predetermine the precise final terms and conditions upon which the Commission will approve a potential new lease to Suisun Associates or to LSPGC. As a result, Commission staff requests that the sentence emphasized above on page 2-51 (in italics), be deleted in the Final EIR. Commission staff believes the statement near the bottom of Draft EIR page 4.12-9 more accurately reflects the circumstances, "[a]dditionally, the CSLC has an existing lease for sand and gravel mining in the area, and CSLC requires LSPGC to coordinate with the entities who hold the sand and gravel mining lease to resolve conflicts prior to granting an easement to LSPGC within the existing sand and gravel mining lease."

AS-2-3

- Cable Installation: The Project Description very broadly describes the excavation and installation process for the submarine segment of the 230kv transmission line, which is composed of four separate cables, as one overall excavation area. The Project Description should be updated to explain that excavation and cable installation would occur separately for each cable, as noted in various resource areas in Section 3 of the Draft EIR. This updated information would provide a more accurate description of the movement and presence of work barges along the 4.5-mile route of in-water cable installation, which would better support the environmental analysis and impact determinations in Section 3.

AS-2-4

- Location of Home Port(s): The Project Description should identify the home port location for work barges and vessels and distance from the Project construction area. This information would inform potential impact considerations for the spread and introduction of aquatic invasive species, ensure that vessel emissions are accurately calculated as part of project generated emissions analyses, and potentially be incorporated into discussion of impacts to transportation resources.

AS-2-5

- Transmission Line Maintenance and Repair: The Project Description states that future repairs of the transmission line cables would result in abandonment in place of the damaged cable and installation of a new cable segment. Please be advised that abandonment in place of any sections of cable within the Commission's jurisdiction (as opposed to full removal) would require authorization by the Commission, considering numerous factors including feasibility and potential for impact. Discontinued use of the transmission cables may also require removal from the river bottom as a

AS-2-6

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condition of the lease for decommissioning of the cables. The Draft EIR should be updated to acknowledge that cable abandonment in place would only occur if authorized by agencies with discretionary authority over the disposition of the cables, otherwise, the discontinued cable segments would be removed from the river bottom. The Draft EIR should also be updated to explain that excavation and cable installation activities for cable replacement, including removal of discontinued cables, would be subject to additional environmental review, since the specific details for those activities are not known at this time or adequately addressed in the Draft EIR.

AS-2-6

2. Alternatives:

The Draft EIR analyzed and compared seven alternatives to the proposed Project, including a “no project” alternative. However, Appendix C, *Alternative Screening Report*, identifies and rejects two other alternative construction methods: 230 kV Submarine Segment – Full HDD Installation and 230 kV Submarine Segment – Partial HDD Installation. Full horizontal directional drilling (HDD) installation is rejected due to land workspace limitations and limitations on boring, with the Draft EIR stating that “HDD methods require a workspace the length of the entire boring/cable.” While significant workspace limitations can occur for natural gas or fuel pipelines that must be welded and hydrotested prior to HDD pullback, PVC conduit segments can be assembled and connected at or near the entry or exit pit, creating a reduced workspace/lay-down area. In addition, the Draft EIR has no information that explains the drilling technology limitations for boring. The Final EIR should include the supporting technical studies, memos, and/or figures that justify the CPUC’s determinations in Appendix C as they relate to both the boring and land workspace limitations for the Full HDD Installation alternative.

AS-2-7

Appendix C’s discussion of the Partial HDD Installation alternative notes that “The alternative would not avoid any significant impacts of the Proposed Project.” Please include sufficient detail in the Final EIR to support this determination. For example, Appendix C should include a discussion, including any relevant supporting technical studies, memos, and/or figures, on the affected resource areas and impacts that could have a reduced impact from the Partial HDD Installation alternative, and whether that reduction would change the impact determination(s) from Significant and Unavoidable to Less Than Significant with Mitigation (LTSM), or LTSM to Less Than Significant.

As a future CEQA responsible agency, the Commission must review and evaluate the supporting information and documentation in the alternatives

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analysis as part of lease application processing and would need to concur with the CPUC's determinations in order to fulfill its obligations under CEQA Guidelines section 15906 (g)(2).

AS-2-7

3. Recreation and Transportation

As explained in the Section 3 Recreation and Transportation subsections, LSPGC would implement APM REC-1 ("Access Restrictions in the Delta") for public noticing to inform the public and mariners of the in-water work schedule and construction activities. However, the measure does not actually restrict public access. The Draft EIR does not discuss whether the Project activities would require buffer areas around work vessels to protect public safety during in-water work activities. Such buffer areas would prohibit public navigation within the work areas using temporary buoys, spud piles, or other navigation markers. Page 4.17-52 of the Transportation section explains that the 6 month in-water construction period could have significant impacts on navigation, and proposes implementation of APM REC-1 to reduce impacts to a less than significant level. Please confirm whether the barge activities would require any buffer areas. If so, the Final EIR must provide a mitigation measure that explains how the in-water work area will be sectioned off from non-project navigation to ensure public safety.

AS-2-8

4. Environmental Justice

Commission staff provided comments on the Notice of Preparation for the Draft EIR that encouraged the CPUC to include a section describing the environmental justice community outreach and engagement for the proposed Project and the results of such outreach. Commission staff also recommended using the [CalEnviroScreen](#) mapping tool to search for census tracts near the Project area to identify any environmental burdens that disproportionately impact those communities. If the CPUC has conducted any environmental justice research or outreach with communities in the surrounding Project area, then Commission staff recommend this information be included in the EIR.

AS-2-9

The Commission adopted an updated [Environmental Justice Policy and Implementation Blueprint](#) in December 2018 to ensure that environmental justice is an essential consideration in the agency's processes, decisions, and programs. Please be advised that a lease application with the Commission will require research and consideration of Environmental Justice related Project impacts on surrounding communities, and if applicable, public outreach with affected communities.

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Thank you for the opportunity to comment on the Draft EIR for the proposed Project. As a responsible and trustee agency, the Commission will rely on the Final EIR for issuing a new lease. Staff requests that you consider these comments before certifying the EIR.

Please send electronic copies of the Final EIR, Mitigation Monitoring Program, Notice of Determination, approving resolution, CEQA Findings, and Statement of Overriding Considerations when they are final. Please note that federal and state laws require all government entities to improve accessibility of information technology and content by complying with established accessibility requirements. (29 U.S.C. § 794d; 36 C.F.R. § 1194.1 et seq.; Gov. Code, § 7405.) California State law prohibits State agencies from publishing on their websites content that does not comply with accessibility requirements. (Gov. Code, § 115467.) Therefore, any documents submitted to Commission staff during the processing of a lease or permit that will be posted online, including relevant CEQA documentation, must meet accessibility requirements for Commission staff to place the application on the Commission agenda.

Refer questions concerning environmental review to Jason Ramos, Senior Environmental Scientist, at [redacted] or [redacted]. For questions concerning Commission leasing requirements and jurisdiction, please contact Joanne Holt, Public Land Management Specialist, at [redacted] or [redacted].

Sincerely,



Nicole Dobroski, Chief
Division of Environmental Science,
Planning and Management

cc: Office of Land Use & Climate Innovation
J. Holt, Commission
J. Ramos, Commission
J. Fabel, Commission

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Response to Letter AS-2: California State Lands Commission

AS-2-1 The California State Lands Commission (CSLC) notes that the project area falls on land under their jurisdiction and is subject to leasing requirements, with the exception of lands granted to the City of Pittsburg. CSLC requests that the City of Pittsburg be contacted to address any approvals that may be required by the City.

This comment is addressed in Section 4.11, Land Use and Planning, under the subheading City of Pittsburg Granted Tidelands, Submerged Lands, and Beds of Navigable Lakes and Waterways. As discussed under impact LU-2, LSPGC would obtain a Land Lease Agreement from the City of Pittsburg to construct, operate, and maintain portions of the proposed submarine segment of the 230 kV transmission line that are within areas of the Delta that have been granted to the City of Pittsburg and LSPGC would be subject to the conditions of the Land Lease Agreement with the City, including any terms related to minimizing environmental impacts.

AS-2-2 CSLC recommends the ongoing coordination between LSPGC and Suisun Associates at all phases of the project and that LSPGC keep CSLC staff updated on the status of its coordination. The comment is noted.

AS-2-3 CSLC requests revisions to the text of the Draft EIR on page 2-51 to remove the following text: "...with these agreements in place, Suisun Associates' activities in the vicinity of the cables would be prohibited, protecting them from incidental impacts." CSLC requests this revision on the basis that CSLC does not possess unilateral authority to alter or limit Suisun Associates current entitlements." The comment notes that CSLC leasing practices operate under the principle of non-exclusivity and that CSLC does not have authority to alter or limit Suisun Associates' current entitlements.

The text of page 2-51 of the EIR is revised in response to this comment as follows:

LSPGC would obtain a lease agreement and a lease encumbrance permit/agreement from the *California State Lands Commission* (CSLC) for encumbering on the existing mining lease. ~~With these agreements in place, Suisun Associates' activities in the vicinity of the cables would be prohibited, protecting them from incidental impacts.~~

AS-2-4 CSLC requests that the Project Description clarify that the cable would be composed of four separate cables and the excavation for cable installation would occur separately for each cable.

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The Draft EIR Project Description describes the method for installation of each cable and shows the location of each separate cable. However, to provide additional clarify in response to this comment, the following revisions to the Draft EIR text are included on page 2-50.

The submarine cables would be installed by using a hydroplow that is pulled along the riverbed behind a barge. The hydroplow would consist of a water jet and a long blade mounted to either a sled- or track-mounted submerged vehicle. The blade would contain water nozzles on the leading edge that mobilize the sediment using high-pressure water. The Each submarine cable (four total) would be fed from the barge down to the seabed through the blade and would exit at the foot of the blade to be laid directly into the river bottom sediments. This process would be repeated a total of four times, once for each cable.

AS-2-5 CSLC requests that the home port location for project work barges and vessels be identified in the Project Description.

The following text has been added to page 2-51 of the revised Draft EIR Project Description, below the heading “Submarine Cable Installation.”

LSPGC anticipates that companies involved with submarine cable installation would have accessible assets situated in the San Francisco Bay Area, approximately 45 miles from the project site. The barges are expected to be stationed in Richmond, approximately 42 miles from the project site, while the tug and crew boats would be based in San Francisco, also approximately 45 miles from the project site.

AS-2-6 CSLC states that any future abandonment of transmission line cables would need to be approved by the CSLC. CSLC also requests that the EIR be revised to note that excavation and cable installation activities for cable replacement would be subject to additional environmental review.

The analysis in the Draft EIR provides CPUC CEQA review for future cable repair/replacement activities assuming that the cable replacement activities fall within the scope of the environmental impacts addressed for that activity in the Draft EIR. The Draft EIR is clear that any future cable repair and associated abandonment in place or removal of damaged cable segments would require separate authorization. The need for separate authorization for that activity is specifically discussed throughout the analysis of Biological Resources, for example, on pages 4.4-83 [“Cable replacement activities would require separate authorization.”], 4.4-87 [same], 4.4-92 [same], 4.4-99 [same], 4.4-106 [same], 4.4-113 [same], and 4.4-136 [same]. The need for separate authorization is addressed in Biological Resources as the separate authorizations are related to biological resources. If and when future authorization is needed, the agency responsible for

3 COMMENTS AND RESPONSES

such authorization would be required to evaluate the appropriate level of environmental review, if any, consistent with Public Resources Code section 21166 and CEQA Guidelines section 15162. No changes to the EIR are necessary.

AS-2-7

CSLC notes that the CPUC rejected conceptual alternatives, including installing the 230 kV submarine segment cables using either (a) full horizontal directional drilling (HDD) methods or (b) partial HDD methods, as described in Alternatives Screening Report (Appendix C of the Draft EIR). CSLC requests additional information to support the CPUC's determination that the full HDD installation alternative is infeasible and the partial HDD alternative would not avoid any significant impacts of the Proposed Project. CSLC also questions the rationale for rejecting the full HDD method related to workspace limitations and requests additional information regarding drilling technology limitations for boring.

The full length of the Delta crossing along the proposed 230 kV submarine segment route is approximately 4.5 miles. According to information provided by LSPGC in response to Data Request 16, the longest continuous horizontal directional drill (HDD) completed to date is approximately 5,200 meters (~17,000 feet) and involved installation of a 20-inch diameter steel pipeline for aviation fuel transport. That installation represents the current upper bound of demonstrated HDD capability for large-diameter steel pipelines under controlled conditions. The Collinsville project would require installation of high-voltage transmission cables through a PVC lined borehole. High-voltage cables are more sensitive to tensile stress, sidewall pressure, and minimum bend radius limitations during pullback than a steel pipeline. In addition, the referenced 5,200-meter HDD installation was buried at a depth of 100 meters to avoid frac-outs and maintain pore stability. Burial at such a depth would affect the cable performance and a shallower depth is required to dissipate heat. As there is no evidence of an HDD installation reaching 4.5 miles, and the high-voltage cable presents additional technical challenges for HDD installation, full HDD installation would not be feasible for the proposed submarine cables.

According to information provided by LSPGC in response to Data Request 16, a partial HDD installation would be technically feasible with limitations. Based on the information provided by LSPGC, the proposed submarine cables could be installed using HDD methods up to a maximum of approximately 1,500 feet from each shoreline for a total distance of approximately 3,000 feet. The distance of 1,500 feet was defined in consultation with an experienced trenchless construction contractor. A distance of 1,500 feet represents the maximum preferred and lowest-risk configuration distance to manage the annular pressures within the bore to reduce the likelihood of frac-outs and the contingency response in the event of a frac-out is managed. Extending the drilling distance would increase drilling fluid pressure, which would reduce the

3 COMMENTS AND RESPONSES

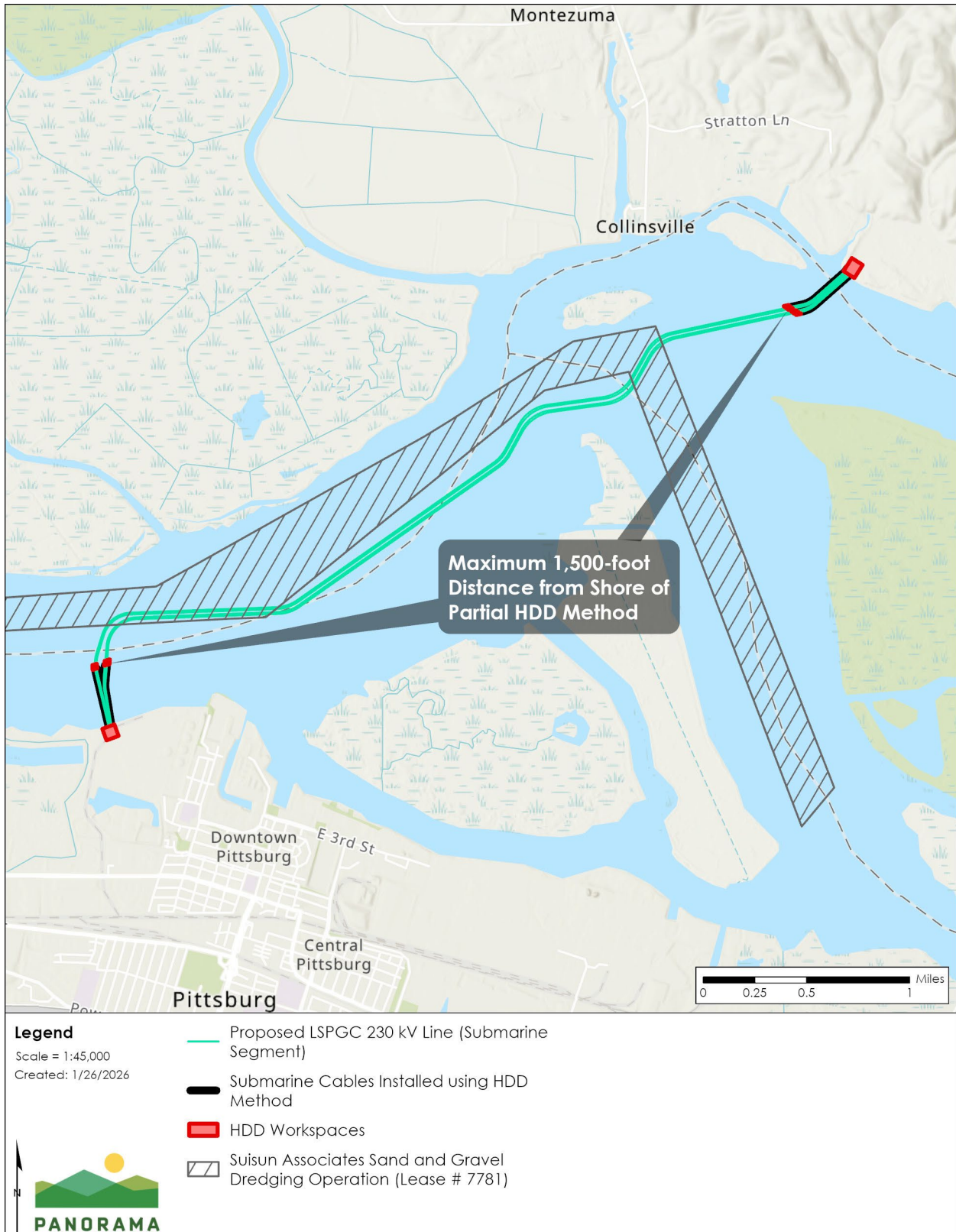
safe pressure window between bore collapse and hydraulic fracture. As shown in Figure 3-1 below, these distances only cover a portion of the 4.5-mile Delta crossing. The 1,500-foot distance limitation would not be sufficient to avoid the proposed trenching methods within the sand and gravel mining lease area (refer to Figure 3-1 in this response). HDD methods would require additional workspaces beyond those identified for the Proposed Project (refer to Figure 3-1) and the risk of a potential frac-out that could impact the environment. Further, according to LSPGC, the required depths of the HDD would introduce additional cables required in order to meet specified cable ratings resulting in additional impacts and time constraints.

This information provided above supports the CPUC's decision to reject the full HDD alternative on the basis of feasibility and the partial HDD alternative on the basis that it would not avoid significant impacts, such as the impacts identified to the sand and gravel mining lease area.

The Alternatives Screening Report in the revised Draft EIR (Appendix C) was updated to include Figure 3-1. In addition, the description of the two HDD alternatives and the rationale for rejecting them was updated for clarity.

3 COMMENTS AND RESPONSES

Figure 3-1 Estimated Maximum HDD Distance from Delta Shoreline



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AS-2-8

CSLC notes that APM REC-1: Access Restrictions in the Delta includes requirements for noticing and coordination but does not include requirements that restrict public access, despite the title of the measure. CSLC requests additional information regarding the buffer areas around work vessels to address public safety concerns associated with in-water work activities and suggests impacts on recreation and transportation associated with restricting access should be considered.

LSPGC anticipates that at fixed points, such as the open trenching locations at the shoreline, buoys or similar technology would be used to clearly define that work was occurring near the shoreline. This technology would be near the in-water silt fencing. These buoys would act as a delineation of a work area and direct vessels to avoid the area. For unfixed working locations, such as the hydroplow installation, this work would be treated as all vessel traffic would be treated. The barge would constantly be moving, and thus buoys or navigation markers would not necessarily be effective. Vessel traffic and buffers to vessels would be discussed and determined with USCG, Vessel Traffic Service, and the Harbor Master.

Page 4.16-15 of the Draft EIR includes the following statement discussing recreational access restrictions. This text has been revised in the Draft EIR as follows to include additional details discussed above:

“The proposed LSPGC 230 kV submarine segment cables would be installed from a barge moving along the cable route through the Delta and would take approximately 4 to 5 months to complete. The barge would not reduce or prevent access to the Delta as the barge would be similar to other vessels moving through the waterway. The final barge size would depend on equipment availability and would be determined at the time of construction; however, the barge size is estimated to be approximately 260 feet by 72 feet. In addition, a temporary in-water work area on the north shore of approximately 0.3 acres and on the south shore of approximately 0.4 acres would be required to bring the submarine cables onshore. The total approximately 0.7-acre work area would be unavailable to other recreational uses for the 4 to 5 months of construction. Public access would be restricted surrounding in-water construction when required to ensure public and worker safety, as necessary. For fixed work areas near the shoreline, buoys or similar technology would be used to clearly define the construction area that should be avoided by vessels. For unfixed work areas (e.g., submarine cable installation using the hydroplow), the barge would be moving and the use of buoys are not anticipated.”

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To reduce the potential impacts associated with access restrictions to the Delta, LSPGC would implement APM REC-1, which requires LSPGC to coordinate with the U.S. Coast Guard's (USCG's) San Francisco Waterways Branch, the San Francisco Vessel Traffic Center (VTC), and the City of Pittsburg's harbor master prior to any temporary access restrictions to ensure that Delta users are aware of upcoming restrictions. In addition, LSPGC has proposed APM REC-1 would require a Local Notice to Mariners 15 days prior to the start of each phase of in-water construction activities. Because the area of reduced access due to the barge and in-water work would be limited to approximately 0.7 acre of the entire Delta which spans 738,000 acres and LSPGC would implement APM REC-1 to avoid conflicts with recreational users, the impact on access to recreational access in the Delta would be less than significant."

On page 4.17-40 of the Draft EIR has been revised with similar information as follows:

Water Traffic

The 230 kV transmission line submarine segment, including the northern and southern transition approaches, would be installed over an approximately 6-month period with work occurring continuously 24 hours per day and 7 days per week. A barge, tugboat, and associated equipment watercraft for in-water work is anticipated to be in the Delta for approximately 3 months. Public access would be restricted surrounding in-water construction when required to ensure public and worker safety, as necessary. For fixed work areas near the shoreline, buoys or similar technology would be used to clearly define the construction area that should be avoided by vessels. For unfixed work areas (e.g., submarine cable installation using the hydroplow), the barge would be moving and the use of buoys are not anticipated.

LSPGC would implement APM REC-1 to ensure that vessel traffic necessary to install the 230 kV transmission line submarine segment would be coordinated with the appropriate agency staff and to ensure coordination between LSPGC construction crews and the USCG San Francisco Waterways Branch, the San Francisco VTC, and the City of Pittsburg's harbor master prior to any temporary in-water so Delta users are aware of access restrictions. In addition, a Local Notice to Mariners would be submitted to USCG District 11 at least 15 days prior to the start of each phase of in-water construction per regulatory requirements. Although the CCTA's 2017 Countywide Transportation Plan and the STA's Solano County Comprehensive Transportation do not include policies or ordinances regarding vessel traffic in the Delta, implementation of APM REC-1 would reduce the potential for conflicts

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with commercial and recreation vessel traffic that intersect with LSPGC in-water work period. In light of ~~these~~ APMs REC-1 and due to the short duration of work and coordination with regulatory agencies, the impact on vessel traffic would be less than significant. No mitigation required.

Page 4.17-53 of the Draft EIR was also revised as follows:

Vessel Traffic

USACE maintains two navigational channels crossed by the proposed 230 kV transmission line submarine segment—San Joaquin Ship Channel and the Sacramento Deep Water Ship Channel. These channels are maintained at a depth of 30 and 35 feet, respectively. The existing channel depth in these locations ranges between 35 and 90 feet. Because the cables would typically be buried ~~6 to 15 feet~~ below the existing sediment surface, the cables would be below any planned dredging within these channels.

The submarine segment, including the northern and southern transition approaches, would be installed over an approximately 6-month period with work occurring continuously 24 hours per day and 7 days per week. A barge, tugboat, and associated equipment watercraft for in-water work is anticipated to be in the Delta for approximately 3 months. Public access would be restricted surrounding in-water construction when required to ensure public and worker safety, as necessary. For fixed work areas near the shoreline, buoys or similar technology would be used to clearly define the construction area that should be avoided by vessels. For unfixed work areas (e.g., submarine cable installation using the hydroplow), the barge would be moving and the use of buoys are not anticipated. The continuous presence of the vessels in the Delta at different locations along the 4.5-mile alignment over 3 months could create hazardous conditions for other Delta users resulting in a significant impact.

LSPGC would implement APM REC-1 to ensure all vessel traffic necessary to install the 230 kV transmission line submarine segment would be coordinated with the appropriate agency staff and that coordination between LSPGC construction crews and the USCG's San Francisco Waterways Branch, the San Francisco VTC, and the City of Pittsburg's harbor master prior to any temporary in-water access restrictions to ensure that Delta users are aware of upcoming restrictions. In addition, a Local Notice to Mariners would be submitted to the USCG District 11 at least 15 days prior to the start of each phase of in-water construction per regulatory requirements and APM REC-1. Due to coordination of vessel traffic with the appropriate agencies, notification of in-water work with the appropriate agencies for dissemination to Delta

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users, and the limited duration of in-water work, the impact on the safety of vessel traffic would be less than significant.

APM REC-1 has been revised as follows to include these details and procedures for restricting public access within the Delta:

APM REC-1: Access Restrictions in the Delta. Construction crews would coordinate with the USCG’s San Francisco Waterways Branch, the San Francisco VTC, and the City of Pittsburg’s harbor master prior to any temporary in-water access restrictions to ensure that Delta users are aware of upcoming restrictions. In addition, a Local Notice to Mariners would be submitted to the USCG’s District 11 at least 15 days prior to the start of each phase of in-water construction.

Public access would be restricted surrounding in-water construction when required to ensure public and worker safety, as necessary. The distance and methods for restricting public access would be determined based on the specific work activity requirements, and determined in coordination with USCG, Vessel Traffic Service, the Harbor Master, and other applicable agencies, as required.

AS-2-9

CSLC recommends using CalEnviroScreen to identify any environmental burdens disproportionately affecting communities near the project, and if applicable, add this information to the EIR.

CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. The proposed Collinsville Substation is located in census tract 609523500, which has a CalEnviroScreen 4.0 Percentile of 78² (OEHHA, n.d.). The key pollution factors for that community are pesticides, groundwater threats, hazardous waste, impaired waters, and solid waste. The Proposed Project would not contribute to those pollution factors. While the Proposed Project would have a significant and unavoidable impact on ozone during submarine cable installation, there are no communities located in proximity to the channel where the submarine cable would be installed. The portion of the project in Pittsburg is located in census tract 601330900, which has a CalEnviroScreen 4.0 Percentile of 83 (OEHHA, n.d.). The key pollution factors for that community include cleanup sites, groundwater threats, hazardous waste, impaired waters, and solid waste. The Proposed Project would not contribute to

² “The overall CalEnviroScreen score is calculated by multiplying the Pollution Burden and Population Characteristics scores. The maximum CalEnviroScreen Score is 100. The census tracts are ordered from highest to lowest, based on their overall score. A percentile for the overall score is then calculated from the ordered values...a census tract’s overall CalEnviroScreen percentile equals the percentage of all ordered CalEnviroScreen scores that fall below the score for that area.”(August 2021)

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those pollution factors. As discussed on pages 4.3-46 through 4.3-49 of the revised Draft EIR, the Proposed Project would not generate air quality pollutants that would exceed any health hazard index. No additional analysis is required in the EIR.

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3.1.5 Letter AL-1: Solano County

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December 19, 2025

Connie Chen
Project Manager
California Public Utilities Commission
505 Van Ness Avenue
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Re: Comments on Draft Environmental Impact Report Collinsville 500/230 kV Substation Project
Application No. A.24-07-018 SCH

Dear Ms. Chen,

The Solano County Department of Resource Management, Planning Services Division (County), submits these comments on the Draft Environmental Impact Report (Draft EIR) for the proposed Collinsville 500/230 kV Substation Project. As the local land use authority with responsibility for balanced planning that supports both environmental protection and economic prosperity for Solano County residents, the County appreciates the opportunity to provide input on this important transmission infrastructure project.

After careful review of the Draft EIR and consultation with the project applicant, LS Power Grid California (LSPGC), regarding the technical and siting considerations of the various alternatives analyzed in the Draft EIR, Solano County respectfully supports approval of the initially proposed project site and does not support Alternative 1 (Collinsville Substation North of Talbert Lane). This letter explains the County's position and requests specific revisions to the Final EIR to ensure a complete analysis of alternatives.

1. Summary of County's Position

The County's support for the initially proposed project site over Alternative 1 is based on two principal considerations. First, the initially proposed site provides superior long-term economic development potential and infrastructure flexibility for Solano County and the region. This advantage stems from the site's physical characteristics including flat topography, adequate surrounding space, and fewer constraints from wind turbine setbacks that would otherwise limit future grid interconnections, co-located battery energy storage systems, and potential industrial development requiring substantial electrical capacity. Alternative 1, while adequate for the project's primary transmission purpose, suffers from substantial constraints related to surrounding wind turbine infrastructure and hillier

AL-1-1

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terrain that significantly limit its utility for future expansion and economic development applications. These technical limitations mean that Alternative 1 cannot readily support future uses that would maximize the economic value of this generational infrastructure investment over its 50-plus year operational life.

Second, the initially proposed site consists of nearly 50 years of local and regional planning that has designated the Collinsville area for potential infrastructure and water-dependent industrial development under the Suisun Marsh Protection Plan and the Solano County General Plan. This location represents appropriate concentration of development in areas specifically planned for such uses rather than dispersal to other locations. Alternative 1 is not located within an area designated for water-dependent industrial development or supporting infrastructure in regional planning documents. The County recognizes that the California Public Utilities Commission has exclusive jurisdiction over utility siting and design under Public Utilities Code Section 1001 and General Order 131-D. However, the County respectfully submits that economic development potential, infrastructure optimization, and consistency with long-standing local and regional planning frameworks are legitimate considerations under the California Environmental Quality Act that should inform the Commission's alternatives analysis and site selection decision.

AL-1-1

2. *Suisun Marsh Regulatory Framework*

For informational purposes, the County notes that the initially proposed LSPGC Collinsville Substation site is located within the Secondary Management Area of the Suisun Marsh as defined by the Suisun Marsh Preservation Act of 1977 (Public Resources Code Section 29000 et seq.). The Act established state policy to preserve, protect, restore, and enhance the Suisun Marsh as one of California's major fish and wildlife habitats. The Act designates two management areas: the Primary Management Area consisting of tidal marshes, seasonal marshes, managed wetlands, and lowland grasslands, and the Secondary Management Area consisting of upland grasslands and cultivated lands that serve as significant buffers to the Marsh.

If the initially proposed site is selected, the project would require a Marsh Development Permit from Solano County pursuant to Solano County Code Section 28.104 and the Suisun Marsh Act. The Commission would determine whether the project is approved, where it is sited, and how it is designed under its exclusive jurisdiction. The County would determine, through the Marsh Development Permit process, whether the project is consistent with Suisun Marsh protection policies established under state law and implemented through Chapter 12 of the Solano County General Plan (Suisun Marsh Local Protection Program Policies).

AL-1-2

Solano County Code Section 28.104.H requires that a Marsh Development Permit shall not be approved unless all of the following general findings are made: (1) that the application process complies with the California Environmental Quality Act of 1970, as amended; (2) that the establishment, maintenance, or operation of the use is in conformity with the County General Plan with regard to traffic circulation, population densities and distributions, and all other pertinent

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aspects; (3) that adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided; (4) that the applicant has exhibited proof that such use will not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County, or be detrimental to adjacent property or improvements to the neighborhood; and (5) that the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program. Additionally, the project must be consistent with all policies in Chapter 12 of the Solano County General Plan.

The County has conducted a preliminary review of the initially proposed site's consistency with Chapter 12 policies and finds that the project could be made consistent with Suisun Marsh Local Protection Program policies. General Plan Policy SM.P-25(b) specifically provides that urban utilities and public services should be allowed to extend into the Suisun Marsh and the adjacent upland area necessary to protect the Marsh only to serve existing uses and other uses consistent with protection of the Marsh, such as agriculture, but that utilities in the Secondary Management Area necessary for the operation of water-related industry within the area designated for such use in the Suisun Marsh Protection Plan at Collinsville would be permissible. The initially proposed substation site is within the Collinsville area specifically identified in the Suisun Marsh Protection Plan for potential water-related industrial uses, and electrical infrastructure to serve this area is explicitly contemplated by this policy framework.

AL-1-2

General Plan Policies SM.P-50 through SM.P-55 address water-dependent industrial uses and specifically acknowledge that the upland portion of the Collinsville site presents no significant physical constraints for development and should be reserved for water-related industry use. These policies recognize that the Collinsville area has unique characteristics including proximity to deep-water access, existing transportation infrastructure, and location within a designated buffer zone for the Suisun Marsh. The project can be conditioned through the Marsh Development Permit process to ensure consistency with additional Chapter 12 policies addressing erosion control and water quality (SM.P-13), industrial facilities water quality protection (SM.P-14), riparian vegetation preservation (SM.P-15), diking, filling, and dredging standards (SM.P-33), and scenic resource protection (SM.P-44 through SM.P-49).

For the Commission's information, Alternative 1 is located outside the Suisun Marsh Management Area boundaries and therefore would not require a Marsh Development Permit.

3. *Consideration of Economic Development Potential in Alternatives Analysis*

The Draft EIR's Section 5.2 (Growth Inducing Effects) concludes that the proposed project would not serve new users or expand service areas and would not indirectly induce population growth, and that the proposed project would provide electrical transmission to meet existing and planned growth in the Greater Bay Area and would not induce additional population growth beyond that which is planned for in the region. While this analysis is accurate at a regional level, it fails to differentiate between the site-specific development potential and economic implications of the initially proposed site versus

AL-1-3

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Alternative 1. The growth-inducing effects analysis treats all substation locations as functionally equivalent, which is not the case.

Growth inducement under California Environmental Quality Act Guidelines Section 15126.2(e) refers to whether a project directly causes population growth beyond that considered in local and regional plans, removes obstacles to population growth such as extending urban services to undeveloped areas, or sets precedent for future development pressure. The initially proposed site does not induce unplanned population growth, which is consistent with the Draft EIR's finding. However, the sites differ substantially in their ability to enable planned economic development consistent with County planning objectives and to optimize the long-term utility of generational infrastructure investments.

The initially proposed site and Alternative 1 may both serve the same regional transmission function of relieving Bay Area grid constraints, but they have fundamentally different capacities to support local economic development through future interconnections and co-located infrastructure. The initially proposed site has superior physical characteristics, including flat topography, adequate space, and fewer surrounding constraints, that allow for future expansion of substation facilities, additional transformers, breakers, and interconnection points without major reconstruction. Battery energy storage systems are increasingly important for grid reliability and renewable energy integration, and large-scale battery storage facilities (100 megawatts or greater) require direct high-voltage interconnections. The initially proposed site can accommodate future battery storage co-location, while Alternative 1's spatial and wind turbine constraints significantly limit this potential. While the substation is designed primarily for transmission reliability, substations with adequate capacity can also serve large industrial loads consistent with General Plan designations. The initially proposed site is better positioned to support future water-dependent industrial development in the Collinsville area through direct or nearby interconnection, consistent with Suisun Marsh Protection Plan policies.

AL-1-3

Access to on-grid electrical capacity is the essential foundation for large-scale economic development projects that provide substantial employment and tax revenue. This is particularly true for emerging industries that require enormous electrical loads, including data centers (typically 20 to 100 or more megawatts per facility), advanced manufacturing such as electric vehicle batteries and semiconductors (50 to 200 or more megawatts), green hydrogen production (100 or more megawatts per electrolyzer plant), and large-scale battery energy storage systems. Without available grid capacity, these industries cannot locate in a jurisdiction regardless of other favorable conditions. Conversely, demonstrated grid capacity and available interconnection points serve as powerful attractors for these high-value industries.

County planning staff met with representatives from LS Power Grid California to discuss the technical characteristics and constraints of the proposed substation site and the various alternatives analyzed in the Draft EIR. Through these discussions, County staff gained important insights into the long-term functionality and development potential differences between the initially proposed site and Alternative 1 that are not fully captured in the Draft EIR's environmental analysis. Specifically, LSPGC provided information indicating that Alternative 1 has serious physical and regulatory

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restrictions that would significantly limit the substation's utilization to its full capacity for future interconnections and grid expansion. These constraints are technical in nature and relate to the site's topography, surrounding wind energy infrastructure, and spatial limitations for future electrical equipment and connections.

AL-1-3

4. *Technical Constraints of Alternative 1*

Based on information provided by LSPGC during County consultation, Alternative 1 suffers from significant technical and spatial constraints that substantially limit its long-term utility and economic development potential. Alternative 1 is in an area densely populated with wind turbines from the Montezuma Hills Wind Resource Area. Federal regulations require that development maintain a minimum setback from operating wind turbines equal to a radius of 1.1 times the turbine height (measured from ground to blade tip) around each turbine base.

The wind turbine setback zones significantly constrain where new electrical equipment, transmission lines, or interconnection facilities can be in proximity to the Alternative 1 substation site. This creates a condition where future expansion or connection points are severely limited. Battery energy storage facilities require substantial land area (typically one to three acres per 10 to 20 megawatts of capacity), and large-scale battery storage projects (100 megawatts or greater) need five to fifteen acres plus buffer zones. The wind turbine setback restrictions surrounding the Alternative 1 location make it effectively infeasible to co-locate utility-scale battery storage facilities.

The Draft EIR notes in Section 4.20.6 that Alternative 1 substation components are not located within a turbine hazard throw zone. However, while the substation footprint itself may not be in a throw zone, the surrounding area available for future electrical infrastructure development is severely constrained by multiple overlapping throw zones. This creates operational risks and liability concerns for future facilities. The California Independent System Operator's long-term grid planning process (20-year horizon) considers where future transmission upgrades and interconnections may be needed. A substation site that cannot readily accommodate future connections or expansions creates future grid planning inefficiencies and may necessitate redundant infrastructure investments elsewhere. The initially proposed site, located near the Montezuma Hills Wind Resource Area, is positioned in a location where wind turbine density is lower and setback constraints do not create the same degree of surrounding limitation on future development and interconnections. This provides significantly greater long-term flexibility for grid expansion and co-located infrastructure.

AL-1-4

Alternative 1 is described in the Draft EIR Section 4.20.6 as being in moderately hilly terrain, while the initially proposed site is on gently sloping to flat terrain. The initially proposed site is already substantially level and would require minimal grading to achieve the level building pad required for substation equipment. Alternative 1's varied topography would require extensive cut-and-fill operations, increasing construction costs and creating larger areas of ground disturbance. Large

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substation equipment (transformers, circuit breakers, high-voltage bus work) requires level installation and precise alignment. Sites with significant grade changes require more complex foundation design, more extensive retaining structures, and careful drainage management. A substation on hilly terrain has limited options for future expansion. Adding equipment requires finding or creating additional level areas through grading. The initially proposed site's flatter topography allows for more straightforward future expansion in multiple directions.

AL-1-4

The combination of wind turbine setbacks, topographic limitations, and existing infrastructure creates a condition at Alternative 1 where the substation itself can be built and will function for its primary transmission purpose, but the site cannot readily support future uses that would maximize its economic value. This is the critical distinction the County wishes to emphasize. Alternative 1 is adequate for the project's stated narrow purpose, but the initially proposed site is optimal for supporting long-term economic development and grid flexibility that serves broader public interests.

5. *Consistency with Regional Planning Framework*

The Suisun Marsh Protection Plan (adopted 1976, most recently updated 2012) and Solano County General Plan (adopted 2008) have consistently identified the Collinsville area as appropriate for water-dependent industrial development and necessary infrastructure. This represents nearly 50 years of planning recognition.

General Plan Policy SM.P-50 states that the upland portion of the Collinsville site, above the 10-foot contour line, presents no significant physical constraints for development and should be reserved for water-related industry use. Policy SM.P-51 addresses the low-lying portion of the Collinsville site and states that the portion that fronts deep water should be reserved for water-related industry use. Policy SM.P-25(b) specifically contemplates that utilities in the Secondary Management Area necessary for the operation of water-related industry within the area designated for such use in the Suisun Marsh Protection Plan at Collinsville would be permissible.

AL-1-5

The Collinsville area's designation for water-dependent industrial use reflects recognition of specific locational characteristics including proximity to deep-water port access on the Sacramento-San Joaquin River Delta, existing transportation infrastructure (Interstate 80 corridor, Union Pacific rail service, and maritime shipping channels), strategic regional location between the Bay Area and Sacramento region, and presence of extensive wind energy generation infrastructure in the Montezuma Hills area. The initially proposed substation site is located within this specifically designated area.

Alternative 1 is not located within an area designated for water-dependent industrial development or infrastructure in either the Suisun Marsh Protection Plan or the Solano County General Plan.

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6. Requested Revisions to Final Environmental Impact Report

To support informed decision-making, Solano County respectfully requests that the Final EIR include the following additions and clarifications.

The County requests that Section 5.2 (Growth Inducing Effects) be revised to acknowledge site-specific differences in economic development potential between the initially proposed site and Alternative 1. The analysis should address future interconnection capacity and discuss the physical and regulatory constraints at Alternative 1 related to wind turbine setbacks and how these constraints limit future grid interconnection opportunities compared to the initially proposed site. The analysis should address battery energy storage system co-location potential and analyze the differing potential for utility-scale battery energy storage system co-location at each site, given land availability, wind turbine setbacks, and site topography. The analysis should address infrastructure optimization and recognize that 500 kV substations are generational infrastructure investments (50-year or longer operational life) and that site selection should consider not just near-term transmission functions but long-term infrastructure flexibility.

AL-1-6

The County suggests the following language be added to Section 5.2: "While both the initially proposed site and Alternative 1 would provide the same regional transmission reliability benefits, the sites differ in their long-term capacity to support future grid expansion and economic development, and in their relationship to local land use planning frameworks. The initially proposed site is located within the Suisun Marsh Secondary Management Area and the Collinsville Special Study Area. The Suisun Marsh Protection Plan, adopted in 1976 and incorporated into the Solano County General Plan Chapter 12, specifically designates the Collinsville area as appropriate for water-dependent industrial development and acknowledges that utilities necessary to serve such development are permissible (General Plan Policy SM.P-25(b), SM.P-50 through SM.P-55). This nearly 50-year planning framework recognizes the Collinsville area's unique characteristics including proximity to deep-water access, existing transportation infrastructure, and location within a designated buffer zone for the Suisun Marsh.

AL-1-7

Alternative 1 is surrounded by wind turbine infrastructure that creates federal setback requirements restricting future development and interconnections within a 1.1 times blade-tip-height radius of each turbine. These setback zones significantly constrain future co-located development such as battery energy storage systems and limit the site's long-term utility for additional grid interconnections. The initially proposed site, while also located within the Montezuma Hills Wind Resource Area, has fewer proximate wind turbines and greater spatial flexibility for future infrastructure expansion. Alternative 1's variable topography would require more extensive grading for future equipment installation and expansion compared to the initially proposed site's flatter terrain. These differences in long-term infrastructure flexibility, development potential, and consistency with local planning frameworks are relevant considerations in alternatives evaluation.

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The County requests that the Final EIR include a new subsection in Section 4.11 (Land Use and Planning) specifically addressing Suisun Marsh Preservation Act requirements and local planning framework consistency. This subsection should include a description of the Act's regulatory framework, Primary and Secondary Management Areas, and Local Protection Program requirements. It should explain that projects in the Secondary Management Area require a Marsh Development Permit from Solano County and that Alternative 1 is located outside Suisun Marsh boundaries. It should discuss how the initially proposed site is consistent with Suisun Marsh Protection Plan policies that specifically identify the Collinsville area for potential water-dependent industrial use and necessary utilities (SM.P-25(b), SM.P-50 through SM.P-55), and that Alternative 1 is not located in an area designated for such uses.

AL-1-8

The County requests that the Final EIR clarify in multiple locations (Executive Summary, Section 4.2, Alternatives Comparison) that no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be converted by any of the alternatives, including the initially proposed project. The Draft EIR correctly states this in Section 4.2.4, but casual readers may be confused by references to agricultural land conversion. The County suggests the following clarification for the Executive Summary: "The Proposed Project and alternatives would result in permanent conversion of approximately 13 acres of Grazing Land (not Prime Farmland) to utility use. All alternatives have similar agricultural impacts, with conversion offset through agricultural mitigation easements (MM AG-1). No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected."

AL-1-9

The County requests that Section 6 (Comparison of Alternatives) include a discussion of economic development potential and planning framework consistency as factors in the alternative's comparison. The County suggests adding a comparison criterion addressing long-term infrastructure flexibility and land use policy consistency with an assessment noting that the initially proposed site has superior flexibility due to flat topography, adequate space for future expansion, and fewer constraints on future interconnections and co-located infrastructure and is in an area designated for water-dependent industrial development since 1976. The assessment for Alternative 1 should note that it is constrained by surrounding wind turbine infrastructure and varied topography, is adequate for primary transmission function but limited in long-term infrastructure flexibility and is not located in an area designated for water-dependent industrial development.

AL-1-10

7. Conclusion

Solano County appreciates the California Public Utilities Commission's consideration of stakeholder input in this important infrastructure siting decision. The County recognizes that the Commission has exclusive jurisdiction and that state-level transmission planning objectives must take priority. However, the County hopes this comment letter provides valuable local perspective on the long-term implications of site selection.

3 COMMENTS AND RESPONSES

Collinsville Substation DEIR
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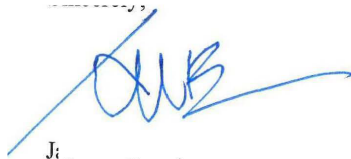
Solano County respectfully requests that the California Public Utilities Commission approve the initially proposed project configuration rather than Alternative 1. The County requests that the Commission include expanded discussion of economic development potential differences between sites in Final EIR Section 5.2, Suisun Marsh regulatory framework and planning framework consistency in Final EIR Section 4.11, and long-term infrastructure flexibility considerations in Final EIR Section 6. The County requests clarification that no Prime Farmland exists at any site.

AL-1-11

The County requests that the Commission coordinate with County staff during project implementation, particularly regarding the Marsh Development Permit application process and timing, Chapter 12 policy consistency demonstration, agricultural mitigation easement selection and monitoring, and future interconnection inquiries and economic development coordination.

Solano County commits to working collaboratively with LS Power Grid California, Pacific Gas and Electric Company, the California Public Utilities Commission, and other stakeholders to ensure successful project implementation if the initially proposed site is approved. If the project proceeds at the initially proposed site, the County will process the required Marsh Development Permit, coordinate with LSPGC on project design and mitigation measures, work with the applicant on Chapter 12 policy compliance documentation, coordinate on agricultural mitigation easement site selection, participate in biological and cultural resources monitoring as appropriate, and serve as a resource for future developers seeking to interconnect to the substation for economic development projects consistent with County planning processes.

The County appreciates this opportunity to provide input and stands ready to answer any questions or provide additional information that would be helpful to the Commission's decision-making process.



J:
S James Bezek,
Solano County Director of Resource Management

Cc: Ian Goldberg, CAO
Debbie Vaughn, Assistant CAO

3 COMMENTS AND RESPONSES

Response to Letter AL-1: James Bezek, Solano County Department of Resource Management

AL-1-1 Solano County states the County's support of the Proposed Project over Alternative 1 due to economic development potential and infrastructure flexibility associated with the flatter Proposed Project substation site. The comment also discusses that the Proposed Project substation location aligns with regional and local planning efforts, including the designation of the area for infrastructure and water-dependent industrial development.

The consideration of alternatives to the Proposed Project was conducted by the CPUC in compliance with CEQA, which requires that, *"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."* The alternatives evaluation in the EIR reflects the basic project objectives, which were defined to meet the California Independent System Operator (CAISO) functional specifications and need for the project as defined in its Transmission Plans. The alternatives evaluated in the Draft EIR meet the CAISO functional specifications and basic project objectives. Substation support for economic development in Solano County is speculative and not directly related to the basic project objectives of meeting CAISO functional specifications. The comment asserts the site is designated as Water Dependent Industrial land (referring to the 2008 Solano County General Plan); however, no areas designated as Water Dependent Industrial Use occur within the Proposed Project areas shown in Figure 4.11-1. The Proposed Project substation, Alternative 1 substation, and Alternative 2 substation are all located in areas designated for agricultural use. There is no difference in land use designations between the Proposed Project or alternative substation sites within the County General Plan.

AL-1-2 Solano County discusses that if the Proposed Project substation location were selected, a Marsh Development would be required from the County. The comment evaluates the consistency of the Proposed Project with the Suisun Marsh Local Protection Program policies for informational purposes. The comment also notes that Alternative 1 is located outside of the Suisun Marsh Management Area.

Section 4.11 of the Draft EIR acknowledges that development of the Collinsville substation at the Proposed Project site would require a Marsh Development Permit from Solano County. The County's consistency analysis is noted. The County's comment that Alternative 1 is not located within the Suisun Marsh Management Area is consistent with the analysis in Section 4.11 of the Draft EIR. No change to the EIR is required.

3 COMMENTS AND RESPONSES

- AL-1-3 Solano County states that the economic implications of the Proposed Project and Alternative 1 are not clearly differentiated and analyzed.
- CEQA requires a lead agency to define and evaluate the physical effects of a project on the environment and does not require evaluation of economic impacts. CEQA Guidelines Section 15131(a) states, "Economic or social effects of a project shall not be treated as significant effects on the environment."
- The analysis of growth inducing effects in Section 5.2 of the Draft EIR is consistent with CEQA Guidelines Section 15126(e), which states an EIR must "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment....that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively."
- Solano County requests consideration for enabling future interconnections and co-located infrastructure. There are no current proposals for future interconnections other than the Humboldt 500 kV Substation, with 500/115 kV Transformer, and a 500 kV line to Collinsville, which is considered as a cumulative project and addressed in the cumulative impact analysis in the EIR. Future development of other energy projects is speculative and is not a project objective. Indeed, Solano County's letter suggests it prefers the original proposed site because it believes that site will induce more growth. Although there is substantial evidence in the record that the original location will not induce growth, inducement of unplanned growth would be an impact rather than evidence the location is environmentally superior to other locations. Both the Proposed Project and Alternative 1 were analyzed in detail in Chapter 4 of the Draft EIR. Chapter 6 of the Draft EIR includes a comparison of alternatives based on environmental impacts consistent with CEQA criteria.
- AL-1-4 Solano County raises the topic of future development potential of the area surrounding Alternative 1 as compared to the Proposed Project and expresses a desire that the selection of alternatives consider economic development for the County, including the siting of separate future battery energy storage projects around the substation.
- Refer to response to comment AL-1-3. Economic effects of a project are not physical effects on the environment and are outside of the context of CEQA. No change to the EIR is required.
- AL-1-5 Solano County discusses Suisun Marsh Protection Plan policies and states that the area of the Proposed Project substation should be reserved for water-related

3 COMMENTS AND RESPONSES

industry use and Alternative 1 is not located in an area designated for water-dependent industrial use.

The comment is noted. Also see response to comment AL-1-1.

AL-1-6 Solano County requests that the EIR growth inducing impact section address differences in economic development potential between the Proposed Project and Alternative 1.

The analysis in Section 5.2 of the Draft EIR is appropriate under CEQA. Refer to response to comment AL-1-3. No change to the EIR is required.

AL-1-7 Solano County suggests edits to Section 5.2 of the EIR to address the difference between Alternative 1's ability to support future electrical grid expansion and economic development.

While the differences between the two substation sites are noted, the analysis in Section 5.2 of the Draft EIR is appropriate under CEQA. Refer to responses to comments AL-1-1 and AL-1-3. No revisions to the EIR are needed.

AL-1-8 Solano County requests the addition of a subsection within the Land Use and Planning section addressing the Suisun Marsh Preservation Act requirements and consistency with local planning frameworks.

Policy SM.P.25(B) is already addressed in Section 4.11.2, Land Use and Planning on page 4.11-37, and pages 4.11-55 through 4.11-58, of the Draft EIR. The Draft EIR includes discussion of the Suisun Marsh Preservation Act of 1974 and 1977, including the creation of the Suisun Marsh Protection Plan as part of these acts and discussion of the Primary and Secondary Management Areas requirements. Policies SM.P.50 through SM.P.55 are specific to the Water Dependent Industrial Land Use designation and therefore are not included in the Draft EIR analysis as this is not applicable to the Proposed Project. Conflicts with the Suisun Marsh Protection Plan policies and the requirements for a Marsh Development Permit included in the Draft EIR, please refer to response AL-1-2.

AL-1-9 Solano County requests further clarification of the absence of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within any the Proposed Project area or any of the alternative substation sites.

The Draft EIR states that there is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within areas that would be developed by the Proposed Project on page 4.2-17. Table ES-2 in the Executive Summary also states there is no impact on these resources. Section 4.2 also addresses the absence of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance for each of the alternatives. No change to the EIR is required.

3 COMMENTS AND RESPONSES

AL-1-10 Solano County requests that Chapter 6 include a discussion of the economic development potential and planning framework consistency for the alternatives.

Economic impacts are not a physical impact on the environment, and it would be speculative to assume what physical changes might arise from economic changes that could result from either the Proposed Project or the alternatives. It is therefore not appropriate to address economic development within the comparison of alternatives. The comparison of alternatives addresses environmental impacts consistent with CEQA Guidelines.

AL-1-11 Solano County requests that the CPUC approves the Proposed Project, instead of Alternative 1. The comment also requests CPUC coordination with the County during project implementation.

The County's preference for the Proposed Project will be shared with the CPUC's decisionmakers for their consideration, as will the request for coordination with the County.

3 COMMENTS AND RESPONSES

3.1.6 Letter AL-2: SMAQMD



December 9, 2025

California Public Utilities Commission
505 Van Ness Ave
San Francisco, CA 94102

**Subject: Collinsville 500/230 Kilovolt Substation Project
Draft Environmental Impact Report SCH# 2025010149**

To Whom It May Concern:

Thank you for providing the Sacramento Metropolitan Air Quality Management District (Sac Metro Air District) with the opportunity to review the Draft Environmental Impact Report (DEIR) for the Collinsville 500/230 Kilovolt Substation Project (Project). The proposed Project involves constructing the new Collinsville Substation, two 500 kV interconnection lines connecting Collinsville Substation to PG&E's existing Vaca Dixon-Tesla 500 kV Transmission Line, and a 230 kV transmission line connecting Collinsville Substation to PG&E's existing Pittsburg Substation, as well as constructing other ancillary infrastructure and modifying PG&E's existing facilities associated with interconnection.

A portion of the Project resides within the Sac Metro Air District's jurisdiction. As such, we offer the following comments to benefit air quality and public health and reduce greenhouse gas emissions.

Construction Emissions

The DEIR demonstrates that constructing the Project will result in significant Oxides of Nitrogen (NO_x) emissions within the Sac Metro Air District's jurisdiction, which is within the Sacramento Federal Nonattainment Area (SFNA)¹. The DEIR estimates that this would result in approximately 556.4 lbs/day of NO_x, which exceeds our threshold of 85 lbs/day.

To reduce the emissions, the DEIR includes construction measure **AIR-1**, which requires all construction equipment with a rating between 100 and 750 horsepower (hp) to use engines compliant with EPA Tier 4 non-road engine standards and **MM AQ-2**, which requires marine vessels to use Tier 3 engines at a minimum and Tier 4 engines contingent on availability.

- To ensure consistent and enforceable emission reductions across all equipment types, we request that **AIR-1** be formally incorporated as a mitigation measure—parallel to **MM AQ-2**—so that its Tier 4 engine requirements function as mandatory mitigation rather than an optional construction measure. Currently, section 4.3.14 *Mitigation Measures* does not show this mitigation measure.
- Please consider revising the language in **AIR-1** to include construction equipment with a rating between 50 and 750 hp. Revising the lower part of the range to 50 hp would allow more

AL-2-1

¹ Table 4.3-26 of the DEIR. Proposed Project Construction Emissions within SMAQMD

3 COMMENTS AND RESPONSES

equipment to be covered under the measure and would align with Sac Metro Air District recommendations, which can be found here:

<https://www.airquality.org/LandUseTransportation/Documents/Ch3On-SiteEnhancedExhaustMitigationFinal4-2019.pdf>

AL-2-1

However, even after implementation of this mitigation, the estimated construction emissions are still over the threshold, at 260.8 lbs/day of NOx. The DEIR states that the resulting impact would be significant and unavoidable.

Projects can participate in an offsite mitigation fee program to further ensure that construction air quality impacts are reduced to less-than-significant levels. Incorporating a mitigation fee not only strengthens the enforceability of the mitigation framework but also enhances the legal defensibility of the DEIR by demonstrating that all feasible measures have been adopted to reduce impacts. With this, Sac Metro Air District recommends the following:

- Any emissions remaining above the threshold should be mitigated through the payment of an offsite mitigation fee. Fees shall be paid based upon the Sac Metro Air District NOx reduction fee rate in place at the time of payment. For more information, see <https://www.airquality.org/residents/ceqa-land-use-planning/mitigation>. For language that can be incorporated into the document, please see <https://www.airquality.org/LandUseTransportation/Documents/Ch3Off-SiteMitigationFeesFinal4-2019.pdf>. If you have additional construction mitigation questions, please reach out to Sac Metro Air District staff at CMPlan@airquality.org.
- Sac Metro Air District also recommends that the Project implement our [Enhanced On-Site Exhaust Controls](#), which calls for the Project applicant, or its designee, to provide a plan for approval by the Sac Metro Air District that demonstrates the heavy-duty off-road vehicles (50 horsepower or more) to be used 8 hours or more during the construction project will achieve a project wide fleet-average 10% NOX reduction² compared to the most recent California Air Resources Board (CARB) fleet average. This would include utilizing the [Construction Mitigation Tool](#) and the [Harborcraft Tool](#) prior to and during construction activities.

AL-2-2

Operations and Maintenance

The DEIR notes that the cables associated with the proposed LSPGC 230 kV submarine segment would not require regular maintenance; however, in the event of a defective cable, the cable segment would need to be replaced³. As part of this replacement, the DEIR estimates that emissions would be similar to that of the proposed Project construction.

Sac Metro Air District appreciates that the DEIR includes discussion of this hypothetical scenario, which provides helpful context regarding potential emissions associated with a cable replacement event. Should replacement become necessary in the future, Sac Metro Air District staff is available to help address any associated air quality considerations. If you have any questions, please reach out to us at ProjectReview@airquality.org.

² Acceptable options for reducing emissions may include use of cleaner engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

³ Page 4.3-45 of the DEIR

3 COMMENTS AND RESPONSES

Collinsville 500/230 Kilovolt Substation Project
Draft Environmental Impact Report SCH# 2025010149
Page 3

Conclusion

Thank you for your attention to our comments. If you have questions about them, please contact Roberto Ramirez at rramirez@airquality.org or 916-704-4552.

Sincerely,

Roberto

Roberto Ramirez
Air Quality Planner / Analyst

c: Rich Muzzy, Program Supervisor, Sac Metro Air District

3 COMMENTS AND RESPONSES

Response to Letter AL-2: Roberto Ramirez, Sacramento Metropolitan Air Quality Management District

AL-2-1 This Sacramento Metropolitan Air Quality Management District (SMAQMD) discusses APM AIR-1 and requests that it be adopted as a mitigation measure.

As discussed in the Project Description on page 2-90, “APMs that are not superseded will be incorporated into the Mitigation Monitoring and Reporting Plan (MMRP) and will become conditions of project approval.” APM AIR-1 is thus a required component of the Project and is fully enforceable by the CPUC in the same manner that mitigation measures are enforced during construction. Its requirement that all construction equipment rated between 100 and 750 horsepower (hp) use Tier 4 engines is not optional. Creating a parallel mitigation measure would be redundant and is not necessary to ensure implementation.

SMAQMD also recommends revising the language in APM AIR-1 to apply to equipment rated at 50 hp to 750 hp rather than 100 hp to 750 hp. However, all off-road construction equipment proposed for use within SMAQMD's jurisdiction is rated above 100 hp, with the exception of a single 50-horsepower dive compressor. This compressor would operate approximately 2 hours per day over a 22-day period. Superseding APM AIR-1 with a formal mitigation measure to address one piece of equipment with limited use would not result in a meaningful emissions benefit and is therefore not warranted.

AL-2-2 SMAQMD discusses a mitigation fee program for emissions above the established threshold.

The analysis in Section 4.3, Air Quality, of the Draft EIR identified that construction-generated emissions of nitrogen oxide (NO_x) would exceed SMAQMD's threshold of significance if marine vessels equipped with Tier 4 engines cannot be secured for project construction activities within the Delta. MM AQ-2 is revised as follows in the Draft EIR to address the comment:

MM AQ-2: Watercraft Emission Reduction

LSPGC shall use marine vessels (e.g., tug boards and support vessels) that meet U.S. Environmental Protection Agency (EPA) Tier 4 engine standards to the extent commercially and regionally available and operating in the Bay Area during construction. If marine vessels with EPA Tier 4 engines are not available, LSPGC shall submit to the CPUC evidence documenting good faith effort to obtain local watercraft with EPA Tier 4 engines. Where watercraft with Tier 4 engines are not commercially and regionally available, LSPGC shall ensure that all marine vessels used during in-water construction activities are powered by engines that meet EPA Tier 3 emission standards for marine compression-ignition engines, as defined in Title 40 of the Code of

3 COMMENTS AND RESPONSES

Federal Regulations (CFR) Part 1042. Additionally, LSPGC shall pay a mitigation fee and an administrative fee to SMAQMD to address NOx emissions in exceedance of the SMAQMD threshold. The mitigation fee shall be calculated based on the SMAQMD off-site mitigation fee schedule at the time of fee payment in accordance with the SMAQMD “Construction Off-site Mitigation Fees” program. The mitigation and administrative fees shall be paid in full at least 30 days prior to installation of the submarine cable in SMAQMD jurisdiction. Evidence of the mitigation fee payment and supporting calculations shall be submitted to the CPUC prior to submarine cable installation.

3 COMMENTS AND RESPONSES

3.1.7 Letter AL-3: SMUD



Comments provided via email:

[redacted]

[redacted]

December 18, 2025

Subject: LS Power Collinsville 500/230 KV Substation Project (CPCN A.24-07-018)

The Sacramento Municipal Utility District (SMUD) appreciates the opportunity to provide comments on the LS Power Grid California, LLC (LSPGC) Collinsville 500/230 kV Substation Project (Proposed Project). SMUD is the primary energy provider for Sacramento County and operates the Solano Wind Project in the Montezuma Hills Wind Resource Area which borders the Proposed Project. SMUD has been cooperating with LSPGC's request for information regarding locating the Proposed Project near SMUD's wind turbines and collection system. We appreciate the collaboration effort from LSPGC.

SMUD operates facilities that generate and transmit renewable energy, which is critical for addressing climate change, reducing regional air quality impacts, and providing reliable energy to residential and commercial users. To that end, SMUD wants to ensure that the Proposed Project minimizes effects on SMUD facilities, employees, and contractors; as well as more general environmental impacts, such as protected species and traffic impacts.

SMUD appreciates the inclusion of requested project changes in the Draft EIR such as eliminating lattice steel towers in favor of tubular steel poles, locating transmission towers and lines outside of turbine blade throw areas, and commitment to protect SMUD buried infrastructure from construction loads and permanent structures.

SMUD requests the following changes be included in the Final EIR:

- Microwave Tower Installation – SMUD requests that the microwave tower be constructed using tubular tower instead of lattice tower. SMUD currently monitors avian impact related to the wind turbines. SMUD has been continuously working to improve manmade structures to reduce avian nesting and perch habitat. Lattice structures provide habitat that leads to increases in avian activity in the area. Increases in avian strikes because of new lattice structures would cause an avoidable environmental impact and should be mitigated through design.

AL-3-1

3 COMMENTS AND RESPONSES

- Underground Utilities – SMUD requests that throughout the design process, LS Power confirms that there will be no conflicts with, or impacts to, SMUD’s existing underground 34.5 kV collection system, as referenced in the Draft EIR Mitigation Measure UT-1: Protect SMUD Buried Infrastructure from Construction Loads. Regarding SMUD underground collection line easements and right of way, please view the following link for more information regarding encroachment: <https://www.smud.org/Corporate/Do-Business-with-SMUD/Land-Use/Transmission-Right-of-Way>
- Access Roads – If the Project plans to use the existing Solano Wind Project access roads, SMUD requests that the roads be restored to pre-project conditions at the end of project work.

AL-3-2

AL-3-3

SMUD would like to be involved with discussing the above areas of interest as well as discussing any other potential issues. We aim to be partners in the efficient and sustainable delivery of the Proposed Project. Please ensure that the information included in this response is conveyed to the Project planners and the appropriate Project proponents.

Sincerely,



Blake Heinlein
Project Development Manager – SMUD Power Generation
Sacramento Municipal Utility District
6201 S Street, Mail Stop B306
Sacramento, CA 95817
[redacted]
[redacted]

3 COMMENTS AND RESPONSES

Response to Letter AL-3: Blake Heinlein, Sacramento Municipal Utility District

AL-3-1

Sacramento Municipal Utility District (SMUD) requests that the proposed PG&E microwave tower be constructed using a tubular tower instead of a lattice tower. SMUD states they monitor avian impacts related to the operation of their wind turbines in the project area and has been working to improve manmade structures to reduce avian nesting and perching habitat. SMUD states lattice structures provide habitat that leads to increases in avian activity in the area; increases in avian strikes because of new lattice structures would cause an avoidable environmental impact and should be mitigated through design.

The CPUC understands “tubular tower” in the context of SMUD’s comment to be synonymous with monopole. The Draft EIR Biological Resources section (page 4.4-103) analyzes impacts on avian species associated with an increase nesting and perching on new lattice steel towers (LSTs) within the existing windfarm, but the discussion generally focuses on the proposed 500 kV interconnection. The CPUC coordinated with PG&E and requested information on the feasibility of using a monopole structure for the microwave tower instead of a lattice tower as proposed or alternatively using nesting and perching deterrents. According to PG&E response to Data Request #14, using monopoles for microwave tower structures over 100 feet tall is not recommended as they have greater sway in wind conditions resulting in increased outages and have lower loading capacity. The microwave tower is expected to be at least 150 feet tall and up to 199 feet tall if necessary. A monopole structure of this height would require the installation of multiple guy wires to stabilize the structure, and the presence of guy wires poses a risk of bird strikes resulting in injury or mortality. For these reasons, the CPUC determined that it would not be feasible to construct the microwave tower using a monopole. However, PG&E identified feasible methods to minimize nesting and perching opportunities on the microwave tower through design features or by installing nesting and perching deterrents as provided in response to CPUC’s data request #14.

MM BIO-7 has been revised to incorporate additional nesting and perching deterrent requirements that specifically apply to the PG&E microwave tower. The revisions to MM BIO-7 are incorporated with other revisions shown in response to comment L-1-72.

In addition, the text on page 4.4-103 of the Draft EIR has been revised as follows:

PG&E Project Components

PG&E’s proposed 500 kV interconnection line and microwave tower lattice steel towers (LSTs) would be located within the SMUD Solano wind farm. LSTs have cross bars and framing that raptors and birds have been observed using for perching and nesting (Steenhof et al. 1993). Introduction of structures, like LSTs, that support raptor and avian

3 COMMENTS AND RESPONSES

perching and nesting in proximity to the existing wind turbines could result in increased avian collisions with the surrounding wind turbines, including potential special-status avian species mortality. The wind farm itself is already a significant source of avian mortality. Annual avian monitoring reports from the wind farm from the 5-year period between 2020 and 2024 reported a total of 208 avian mortalities and 1 injured bird, with an average annual mortality rate of 42 birds (SMUD 2021, 2022, 2023, 2024, 2025). Notably, there were 44 red-tailed hawk mortalities (with an average of 9 per year), 18 American kestrel mortalities (average of 5 per year), and 11 golden eagle mortalities (average of 4 per year). Other sensitive bird mortalities included Swainson's hawk (5 mortalities), and northern harrier (5 mortalities) (SMUD 2021, 2022, 2023, 2024, 2025). Increased avian perching and nesting within the wind farm due to the perching and nesting opportunities afforded by the LSTs would increase the risk of avian injury and mortality from the wind farm, which would be a significant impact. It is for this reason that the USFWS *Land-Based Wind Energy Guidelines* (USFWS 2012) has a mitigation measure stating that "tubular towers or best available technology to reduce ability of birds to perch and to reduce risk of collision [will be used when practical]."

PG&E would implement MM BIO-7 to minimize the potential for avian nesting and perching opportunities on the PG&E microwave tower by working with the tower manufacturer to design the structures with round member diagonals and horizontal bracing to minimize "flat areas" that could be utilized for nest building and perching. If such design features are not feasible, PG&E would be required to install permanent nesting and perching deterrents (e.g., installing reflectors, spikes, mesh, wire; sealing holes; etc.) consistent with the current guidance from the Avian Power Line Interaction Committee (APLIC) and the USFWS. The impact associated with the microwave tower LST would be less than significant with implementation of MM BIO-7.

It would not be feasible to implement the same design modifications or deterrents described in MM BIO-7 for the microwave tower to adequately minimize nesting and perching opportunities on the proposed 500 kV interconnection LSTs due to transmission line design limitations. Because the impact on special-status birds is due to the nature/design of the proposed transmission structures within the wind farm, no mitigation is feasible to avoid special-status avian perching or nesting on the proposed 500 kV interconnection LSTs. Therefore, the impact from potential increased special-status avian interactions with the wind turbines from the use of 500 kV interconnection LSTs within the windfarm would remain significant and unavoidable.

3 COMMENTS AND RESPONSES

AL-3-2 SMUD requests ongoing coordination throughout the Project's design process to ensure that no impacts to the existing SMUD 34.5 kV collection system would occur.

The comment is noted and the requirement to coordinate with SMUD is included in MM UT-1 consistent with this request.

AL-3-3 SMUD requests that Solano Wind Project access roads be restored following completion of use, if the Project utilizes the access roads. MM TRA-3 requires restoration of roads to pre-project conditions. The language in MM TRA-3 has been updated to reflect this comment as follows:

MM TRA-3: Post-Construction Road Repair

Prior to construction, LSPGC/PG&E shall conduct a pre-construction road condition assessment along, but not limited to, Collinsville Road, Birds Landing Road, Montezuma Hill Road, Stratton Lane, Talbert Lane, Halsey Court, Halsey Lane, Herb White Way, Solano Wind Project Access Roads, and Marina Boulevard, and entrances and exits to all work areas/staging areas. LSPGC/PG&E shall submit the pre-construction road condition assessment to the CPUC and the local jurisdiction (e.g., City of Pittsburg, Solano County) prior to construction. If damage to roads occurs because of project construction or construction vehicle traffic, LSPGC/PG&E shall restore damaged roadways to match pre-construction conditions within 10 days of the reported damage to ensure continued safety for roadway users during the construction period and within 60 days after the completion of construction at their own expense under the direction of and to the construction standard of the affected local jurisdiction to ensure that impacted roads are adequately repaired.

The following text on page 4.17-54 of the Draft EIR has been revised to address the comment:

Although construction activities are expected to have a low probability of generating hazardous conditions for motorists, bicyclists, and pedestrians, the potential for significant impacts remains during peak construction activities when higher volumes of construction truck traffic would be accessing work areas/staging areas and when large equipment would be transported to site. To address this, PG&E would implement CM TRA-1, which mandates preparation and execution of a project-specific traffic control plan prior to initiation of any encroachment or lane closure activities. PG&E would obtain all applicable encroachment and transportation permits, including those required for oversized vehicle movement, from the appropriate regulatory agencies prior to commencement of construction (Caltrans 2023a, 2023b). These permits

3 COMMENTS AND RESPONSES

require implementation of agency-approved traffic control measures that adhere to the CA MUTCD (Caltrans 2014) to reduce potential transportation-related hazards and protect the safety of the traveling public, and that result in the restoration of any disturbed right-of-way to pre-construction conditions or to the satisfaction of the permitting agency. Implementation of CM TRA-1 would ensure that PG&E remains in compliance with permit conditions, incorporates traffic control best management practices, and mitigates potential conflicts between construction activities and existing roadway users. Furthermore, PG&E would be required to comply with applicable local and state roadway design standards when restoring work areas, thereby minimizing the potential for increased hazards associated with design deficiencies or incompatible uses. Construction activities associated with the PG&E project components near the community of Collinsville would not result in a substantial increase in transportation-related hazards due to project design features or use incompatibility. ~~Due to the low level of vehicle traffic generated on roads for PG&E construction, the impact would be less than significant. However, damage to roadways from heavy construction equipment could create a road hazard should the damaged area not be repaired during construction, which would be a significant impact. To reduce this impact, MM TRA-3 requires PG&E to document pre- and post-construction conditions of roads on pre-designated routes and work areas such as Stratton Lane Talbert Lane, and Solano Wind Project Access Roads, and to repair damaged facilities to pre-construction conditions or better within 10 days and to their original condition following project construction within 60 days. With implementation of MM TRA-3, construction of the PG&E project components would not increase hazards on existing roadway facilities or introduce incompatible uses and would ensure that any disturbed transportation facilities would be returned to pre-construction conditions or better. Impacts would be less than significant with mitigation.~~

The following heading on page 4.17-85 of the revised Draft EIR has been added to clarify that MM TRA-3 applies to PG&E.

PG&E Project Components

MM TRA-2 Helicopter Safety (see above)

MM TRA-3: Post-Construction Road Repair (see above)

3 COMMENTS AND RESPONSES

3.2 Organizations and Private Companies

This section includes comments received from community groups, private companies, and private organizations in letters and emails. Comments are delineated with responses to each comment.

3.2.1 Letter P-1: Pacific Gas & Electric



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December 19, 2025

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Collinsville 500/230 Kilovolt Substation Project
c/o Panorama Environmental, Inc.
717 Market Street, #400, San Francisco, CA 94103

RE: LSPGC's Collinsville 500/230 Kilovolt (kV) Substation Project – PG&E Draft EIR
Comments

Dear Ms. Chen,

Pacific Gas and Electric Company (PG&E) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for LS Power Grid California's (LSPGC's) Collinsville 500/230 kV Substation Project (proposed project).

PG&E is not a party to this proceeding, nor is it an applicant in the California Environmental Quality Act (CEQA) process. However, because it must interconnect the LS Project to the CAISO-controlled grid, PG&E's interconnection facilities are part of the "project" reviewed under CEQA, and PG&E has worked to support the environmental review effort as requested by the CPUC and LSPGC.

As explained below, PG&E has concerns about several of the alternatives being considered in the DEIR. PG&E requests that certain transmission line alternatives be eliminated and, for substation locations, supports the Environmentally Superior Alternative as being PG&E's preferred choice for interconnecting LSPGC's proposed project as well as future projects. PG&E also suggests an approach to mitigating biological impacts related to its interconnection facilities based on recent, relevant CEQA analysis that would simplify construction measure issues, and ends with some additional comments on the proposed measures.

1. Proposed PG&E Interconnection Facilities

This section provides a brief overview of PG&E's interconnection facilities under LSPGC's proposed project and alternatives that would affect the scope or design of PG&E's

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interconnection facilities. Further discussion of PG&E's concerns about various alternatives is contained in later sections.

Proposed Project 500 kV Transmission Lines:

Under LSPGC's proposed project, LSPGC's new substation location would require PG&E to construct two, approximately 1.2 mile long 500 kV transmission lines between the new substation and PG&E's existing Vaca Dixon-Tesla 500 kV Transmission Line. Two parallel, single-circuit transmission lines would be required to loop the line into and out of the new substation because, in accordance with accepted utility standards and best practices, a maximum of one 500 kV circuit (3 conductors) would be placed on each structure to support reliability¹ and safe maintenance.² The roughly parallel 500 kV lines would extend through a wind farm owned and operated by the Sacramento Municipal Utilities District (SMUD) in an area reportedly frequented by flying and nesting birds. PG&E engineers had completed 60% design on the standard option of placing these 500 kV lines on lattice steel towers (LSTs) when they were asked to consider an alternative design (DEIR Alternative 3). PG&E's original plan would require approximately 10 LSTs and 12 tubular steel poles (TSPs), the latter supporting single 500 kV conductors (3 per circuit) on turning and end points.

Alternative 3 – 500 kV Monopole Alternative:

SMUD has urged the CPUC to require PG&E to place the two, parallel 1.2-mile 500 kV transmission lines on non-standard "monopoles" rather than LSTs, even though SMUD itself does not use this design for its 500 kV lines.³ PG&E engineers and construction experts have voiced significant concerns about the impacts and unknown risks of this alternative. Nevertheless, at the request of the CPUC, they have produced a potential design that would include 6 larger monopoles in place of lattice towers and 24 standard TSPs, with an estimated 60% increase in transmission line costs.

Environmentally Superior Project – 500 kV Interconnection:

Under the Environmentally Superior Alternative (Alternative 1 substation location, plus Proposed Project), PG&E's transmission lines would be reduced to two 500 kV loops from the existing Vaca Dixon-Tesla 500 kV Transmission Line directly onto change-of-ownership (POCO) poles just outside LSPGC's adjacent substation site, resulting in a total of approximately 0.4-miles of new 500 kV transmission line. The short loops would be placed entirely on approximately 12 TSPs.⁴ PG&E supports this alternative.

¹ This practice enables one 500 kV circuit to remain in service if the other circuit become damaged.

² For maintenance work, if two circuits were located on one structure, both would need to be taken out of service whereas only one of the two circuits would need to be de-energized if placed on separate structures.

³ In an email dated June 4, 2025, SMUD acknowledged that "SMUD & TANC don't use any 500kV monopole to support transmission lines."

⁴ Note that, while adopting the Alternative 1 substation location would require LSPGC to construct longer 230 kV transmission lines, those 230 kV transmission lines – unlike PG&E's 500 kV lines – can be placed double-circuit on a single pole line using standard, conventional TSPs, thereby addressing SMUD's migrating bird concerns.

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Other Interconnect Project Components:

LSPGC's proposed project would require PG&E to construct an approximately 4,750-foot-long distribution line to serve the new substation. If the Environmentally Superior Alternative is selected, the length of the required distribution line would be reduced to 700 feet.

Other interconnection facilities include remote substation work inside existing substations, protection facilities on LSPGC property immediately adjacent to LSPGC's substation, and transposition structures in existing utility easements in 4 remote locations. These components of the interconnection project would not change with any of the alternatives in the DEIR.

2. The Mitigation Bank Alternatives Must Be Eliminated

DEIR Alternatives 4 & 6A/6B propose that LSPGC's underground or overhead 230 kV lines cross a parcel owned by PG&E that is several years into the process of becoming the Montezuma Island Mitigation Bank. Located southwest of the Montezuma Hills and north of the confluence of the Sacramento and San Joaquin Rivers, approximately 1 mile east of the town of Collinsville, Latitude 38.07750°, Longitude -121.83461°, in Sacramento and Solano Counties, the mitigation bank's final prospectus has been accepted by the Inner Agency Review Team (IRT), which is comprised of several state and federal agencies including the California Department of Fish and Wildlife (CDFW), the State Water Resources Control Board, the San Francisco Regional Water Quality Control Board, the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and U.S. Army Corps of Engineers (USACE or Corps). USACE acts as the IRT lead. As part of the bank approval process, it facilitated a full public comment period following an intensive and lengthy review process with all IRT members. Utility structures and underground or overhead utility lines are not compatible with the conservation goals and expectations that have been set, and that are typically required for mitigation bank projects.

As explained in the public notice at the link below, PG&E initiated the mitigation bank review and approval process by paying fees and submitting an application to the IRT, and submitting a separate stand-alone application to CDFW as part of the banking process to establish the Montezuma Island Mitigation Bank. Once established, this mitigation bank would receive payments from individuals or entities receiving Corps authorization under Section 404 of the Clean Water Act of 1972, when appropriate, to provide compensatory mitigation credit pursuant to the requirements of the 2008 Corps-EPA Compensatory Mitigation Rule (33 CFR 332.8(d)). Additionally, the proposed mitigation bank could be utilized to offset unavoidable impacts to waters of the State that are regulated by the Regional Water Quality Control Board under Section 401 of the Clean Water Act or Section 13260 of the Porter-Cologne Act, stream alteration and state-listed endangered species impacts regulated by CDFW under Section 1602 of the California Fish and Game Code and California Endangered Species Act (CESA), and impacts to endangered species regulated by the U.S. Fish and Wildlife Service and National Marine Fisheries Service under the federal Endangered Species Act.

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Currently, there are approximately 13.54 acres of alkali wetlands, 0.61 acre of scrub-shrub wetlands, and 1.50 acres of brackish marsh within the 109-acre proposed bank project area. The site supports a mosaic of annual grasslands intermixed with alkali wetlands on native bayland substrate, gradually sloping toward the brackish marshes on the margins of the Sacramento River. The northern portion of the site is predominantly covered in nonnative annual grassland; alkali wetlands occupy topographic lows and brackish marshes occur in lower elevations of the southern border. These habitats currently present at the mitigation bank site are remnant of the once more naturally occurring habitats associated with the central Sacramento-San Joaquin Delta and Montezuma Hills.

The entire parcel will be inundated as part of the project, and there will be an overlying conservation easement. As part of the project design, PG&E will excavate between 200,000 and 300,000 cubic yards of soil to lower elevations that will facilitate tidal influence and periodic inundation. PG&E plans to establish and enhance at least 31.38 acres of waters of the United States, including wetlands, in the Suisun Bay watershed. The mitigation bank proposes to offer 24.62 tidal marsh establishment credits, 3.71 alkali wetland enhancement credits, 2.39 open water establishment credits, and 3.00 sea level rise transition zone establishment credits. Credits generated at the bank may be utilized as compensatory mitigation for certain PG&E projects, but will primarily be marketed and sold to third parties.

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The public notice for the Montezuma Island Mitigation Bank can be reviewed at: <https://www.spn.usace.army.mil/Missions/Regulatory/Public-Notices/Article/3504560/spn-2019-00173-proposed-montezuma-island-mitigation-bank-sacramento-and-solano/>

Utility rights-of-way are generally considered incompatible with compensatory mitigation projects and banks that provide endangered species and aquatic resource credits, such as Montezuma Island Mitigation Bank, because they jeopardize the objectives of the compensatory mitigation project from a land use and land rights standpoint. The alignment of the utility right-of-way for Alternatives 4 and 6A/6B would be directly through the center of the Montezuma Island Mitigation Bank.

For these reasons, PG&E requests that Alternatives 4 and 6A/6B be eliminated from further consideration as infeasible.

The CPUC team has indicated that a small portion of one temporary construction access road proposed by LSPCG also falls within the mitigation bank boundary. Given the existing road immediately north and east of the mitigation bank site, it appears likely that other access is available. PG&E remains willing to work with LSPCG and the CPUC to find an appropriate access solution that does not interfere with the developing mitigation bank.

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3. The 500 kV Monopole Alternative Should Be Rejected

As stated above, SMUD has requested that PG&E place two, 1.2-mile 500 kV transmission lines on “monopole” structures despite its own unwillingness to consider that design.⁵ PG&E is concerned that the DEIR’s description of this alternative fails to include the repeated concerns expressed by PG&E about the unknown risks of using a non-standard design, construction impacts due to significantly more ground disturbance, and substantial additional risks and costs that would fall on PG&E and its ratepayers.

Chapter 3 of the DEIR, which contains the Description of Alternatives, describes Alternative 3 as “using TSPs only” to support PG&E’s 500 kV transmission lines. (DEIR, Section 3.4.3 at 3-16.) This description, while accurate, sounds benign, as TSPs are used throughout the PG&E system for lower-voltage transmission lines (particularly 230 kV and 115 kV). Not so for 500 kV lines. The discussion in this section and in Chapter 6, the Comparison of Alternatives, does not once indicate that PG&E would be using a non-standard design for the single-circuit 500 kV monopole that its transmission line engineers initially rejected out of hand. Forced to provide a design for this non-standard alternative, PG&E’s engineers warned that, although the design was “technically doable,” it would be a “first-time learning experience” that could have “unknown challenges.” PG&E’s transmission line engineers continued to recommend not installing these tall, heavy poles with the large wingspans.

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One large disadvantage of using this structure design is the substantial amount of additional ground disturbance required during construction. The DEIR mentions that the larger number of structures (30) will cause more ground disturbance (see Table 6.4-4), but this misses a primary point. Because helicopters cannot be used to set the lower sections of the tangent monopole structures due to their weight, the consequence is having to use a very large crane that would require a large, level crane pad. In this location characterized by rolling hills, a level pad large enough to handle the crane could require substantial cut and fill at the three to six⁶ construction sites. In addition, these large monopole structures could present maintenance challenges given the large size of the structures (both in height and breadth), in hilly terrain and in proximity of active wind turbines. Again, because these structures are untested, PG&E cannot predict the difficulties that could arise post construction.

Another major disadvantage of the non-standard monopole design is its lack of flexibility for future upgrades. PG&E Transmission Line Engineers have recently reported that this non-standard monopole design limits future upgrades of these new line sections because those structures cannot accommodate reconductoring since it could introduce G.O. 95 infractions for ground clearance and line sway (blowout). Rather, they are designed for this project only. The standard TSPs (3-pole TSP arrangement) have more flexibility carrying a single conductor and likely can support reconductoring efforts in the future, but having the large non-standard 500 kV

⁵ See fn. 3.

⁶ As the DEIR observes, it is possible that a single large pad could be placed between two single-pole structure locations for the large crane to set the two bottom pole sections at each of the 3 tangent pole locations, but that has not been field verified and otherwise confirmed.

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monopoles on the line would prevent such upgrades. The standard LSTs typically used to support 500 kV lines do not have this limitation.

Given that PG&E had completed over 60% design for the traditional 500 kV lattice towers, the new monopole design will impact schedule by approximately 6-8 months. Aside from the added design costs, the new design is expected to cost at least \$½-1 million more than the original design.

P-1-2

PG&E questions the biological basis for this alternative, which does not appear to be well-vetted. Based on a preliminary review of the bird strike mortality information provided by SMUD, as well as the facts that SMUD and TANC (of which SMUD is a member) do not use monopoles for their 500 kV transmission lines and the occurrence of few nests in the existing 500 kV towers in the area, there does not appear to be justification for the substantial additional ratepayer expense and risks that would result from requiring PG&E to use non-standard monopole designs for this project.

For these reasons, PG&E requests that Alternative 3 be rejected.⁷

4. PG&E Mitigation Issues

While PG&E is not an applicant in the CPCN proceedings, it provided a list of proposed construction measures to be considered as part of its interconnection project construction. The DEIR proposed to augment or supersede those measures with approximately 30 measures, including 17 in Biology and an additional one related to Biology in Hydrology. PG&E will rely on the FEIR for this project if LSPCG's proposed project is approved and, in any case, will separately comply with the CPUC's General Order (GO) 131-E. In previous LSPGC permitting proceedings, the IS/MND or EIR recognized that PG&E was not applying for a discretionary permit in that proceeding and therefore was not subject to CEQA mitigation; instead, PG&E voluntarily agreed to be bound by certain construction measures incorporated into its project components. (See, e.g., Final Initial Study/Mitigated Negative Declaration, LSPGC's Round Mountain 500 kV Dynamic Reactive Support Project, § 2.6.6 PG&E Construction Measures.⁸) PG&E supports using the same approach here.

P-1-3

Biological and Hydrological Resources

PG&E does not disagree with the categories of measures proposed in the DEIR to reduce or eliminate biological impacts, with the exception of the Alameda Whipsnake as discussed below. However, PG&E feels that the measures themselves are written in a way that could lead to difficulties with implementation and may be redundant to or conflict with resource agency issued

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⁷ If the environmentally superior alternative substation site is selected, the monopole design issue will be moot; all 12 structures would be TSPs, each carrying a single conductor.

⁸ "The APMs (shown above in Table 2-9) would not apply to the PG&E Facilities. However, the PG&E Facilities would be subject to Avoidance and Minimization Measures (AMMs) 1 through 18 from PG&E's Multi-Regional Habitat Conservation Plan General and other PG&E BMPs. PG&E would implement the PG&E AMMs and BMPs identified in Table 2-14 as part of the PG&E Facilities components of the Project."

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permit requirements. PG&E has confirmed that the interconnection project's transition structures will be covered by PG&E's O&M Bay Area HCP (BAHCP), which provides federal take coverage for federally-listed species such as California tiger salamander, California red-legged frog and vernal pool tadpole shrimp. Take coverage under the BAHCP is conditioned on implementation of applicable conservation measures based on type of work and location. These general measures are included in PG&E's proposed Construction Measures. The BAHCP was adopted only after full environmental review under the National Environmental Policy Act (NEPA) to minimize and mitigate the impacts of any taking "to the maximum extent practicable" (Endangered Species Act of 1973, section 10(a)(2)(B)), a higher standard than mitigating to a "less-than-significant" level under CEQA.

PG&E has also indicated it will obtain incidental take permits (ITPs) from CDFW for three species, including Crotch's bumblebee, burrowing owl, and California tiger salamander, for construction of new transmission lines and/or new transposition structures in habitat for those species. All of these permits will have conditions that will ensure less-than-significant impacts under CEQA given that CESA requires that impacts be "fully mitigated."⁹ PG&E suggests adding the following measure that will require PG&E to obtain and comply with these permit conditions rather than setting out separate requirements:

CM BIO-X: ITP Coverage.

PG&E shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife for Crotch's bumblebee, burrowing owl, and California tiger salamander for any PG&E interconnection construction in habitat for those species and shall comply with all requirements of the ITP, including any required surveying, construction limitations, monitoring, compensatory mitigation, and reporting.

For other biological measures attributed to PG&E's construction, PG&E suggests that they be replaced with the equivalent measures taken from the EIR for PG&E's Bay Area Incidental Take Permit (BA ITP), certified by CDFW in June 2022. The structure replacements and other construction activities are the same types of activities examined in the BA ITP EIR. The final EIR for this ITP was certified by CDFW as lead agency after a thorough and public environmental review under CEQA. CDFW incorporated the best management practices and field protocols from the BAHCP and heavily revised PG&E's Applicant Proposed Measures (APMs) during that process, concluding that those measures and the additional Mitigation Measures (MMs) in the EIR fully mitigated biological impacts and reduced impacts to less-than-significant levels. Using the applicable measures from the BA ITP EIR would ensure that impacts in biology will be less than significant, and that compliance requirements are clear and attainable.

PG&E does not agree that the Alameda Whipsnake is present or could be impacted by PG&E's construction activities. None of the work areas occur within Designated Critical Habitat, BAHCP modeled habitat, or suitable habitat as defined by USFWS or CDFW. PG&E suggests eliminating this measure or discussing the issue further.

⁹ See California Fish & Game (F&G) Code, § 2081 (b); Cal. Code Regs., tit. 14, § 783.4.

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PG&E also suggests eliminating the Hydrology and Water Quality measure, MM HYD-1, for two reasons. First, PG&E has now completed the wetlands delineation effort in Solano County and has determined that all work on PG&E's interconnection facilities can be accomplished without impacting waters of the State or United States.¹⁰ Given the lack of a potentially significant impact, no mitigation is justified. Further, even if jurisdictional waters could be impacted by project activities, PG&E would consult with the USACE and the relevant regional water board to determine which permits would be required. The requirements set forth in MM HYD-1 are not necessarily consistent with any likely USACE or water board permits, and those agencies have jurisdiction over the requirements.

P-1-7

In Attachment A, PG&E has listed the additional measures PG&E proposes to incorporate into its project in lieu of those proposed in the DEIR, noting which proposed mitigation measure from the DEIR it is replacing. Note that PG&E is not including MM BIO-1, MM BIO-2, or MM BIO-3 from the BA ITP EIR because they apply only to the California freshwater shrimp, California tiger salamander, and Alameda whipsnake; these provisions as well as any others required to fully mitigate impacts to the California freshwater shrimp and California tiger salamander will be determined and imposed by CDFW in the individual ITPs PG&E has committed to obtain, and – as indicated above – the project will not impact the whipsnake. Also, the proposed construction measures do not include equivalents to MM BIO-4, MM BIO-6 and MM BIO-12 from the DEIR because they would be redundant with measures in the ITPs.

P-1-8

PG&E would welcome a meeting between experts to work out any remaining issues.

Cultural and Tribal Resources

The DEIR proposes a measure that will supersede PG&E's Construction Measure CUL-3, but finds all other construction measures sufficient. PG&E agrees that the additional measure proposed in the DEIR to address Inadvertent Discoveries of cultural and tribal resources during construction of PG&E's interconnection facilities (MM CUL-2) is reasonable and appropriate, and agrees to incorporate it into its Construction Measures.

P-1-9

Paleontological Resources

The DEIR proposes to add MM GEO-1 to protect paleontological resources within potentially sensitive PG&E project work areas as identified in the measure. PG&E requests adding the following sentence to the end of the second bullet concerning paleontological monitoring:

Additionally, if installation or ground disturbance will be completed via drilling or other method that precludes visual observation of landforms and soils, no monitoring is necessary given that those methods preclude the ability of a paleontological monitor to observe stratigraphy, geology and soils.

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¹⁰ The Aquatic Resources Delineation Report has not yet been finalized pending landowner approvals in Contra Costa County, where no wetland impacts are expected. The Report will be submitted to the CPUC when it is completed.

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With this additional language, PG&E agrees to the language in this measure.

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Transportation

MM TRA-2: Helicopter Safety: PG&E’s helicopter team has indicated that the FAA encourages consultation with helicopter operators only in limited situations. To avoid a requirement that is not appropriate, PG&E recommends adding the following language to the first paragraph:

P-1-11

Prior to construction, helicopter contractors shall coordinate helicopter activities for the project with the regional FAA office **as required** and obtain any required approvals to operate helicopters.

Utilities

MM UT-2: Pipeline AC Interference Control: PG&E suggests adding language to MM UT-2 to enable flexibility to adjust to any updated standards for mitigation of induction interference:

Before construction, the PG&E shall coordinate with CPN Pipeline to collect baseline AC/DC pipe-to-soil measurements and coating condition surveys along the segment where the pipeline runs parallel to the PG&E 500 kV alignment then calibrate the AC-interference model to those conditions and re-evaluate steady-state and fault cases. If the tuned model indicates the AC current density exceed the threshold of 30 A/m², PG&E shall install **appropriate mitigation such as** buried zinc-ribbon grounding parallel to the pipeline with bonds at regular intervals and place high-resistivity crushed rock at any above-grade appurtenances (e.g., the insulating flange) where touch potential could occur. The design shall achieve steady-state and fault touch/step potentials within applicable IEEE limits and AC current density at coating holidays ≤ 30 A/m². After energization, PG&E shall verify performance and adjust mitigation as needed; provide test stations and monitoring access to the operator.

P-1-12

Wildfire

PG&E suggests that the details provided in MM FIRE-1 are not all appropriate for a project-specific plan. PG&E submitted its 2026-2028 Wildfire Mitigation Plan (WMP) on April 4, 2025, in compliance with California Senate Bill (SB) 901, Assembly Bill (AB) 1054 and guidelines from the Office of Energy Infrastructure Safety (Energy Safety). PG&E’s WMP can be viewed by searching “Wildfire Mitigation Plan” at www.pge.com and contains some of the company-wide information and requirements mentioned in the proposed DEIR mitigation measure. All PG&E construction projects comply with this WMP.

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PG&E suggests the measure for this project be revised as follows:

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CM FIRE-1: PG&E shall prepare and implement a Project Specific Safety Plan (PSSP) that includes standard fire prevention and mitigation measures. A copy of the PSSP shall be submitted to the CPUC prior to project construction. At a minimum, the plan shall include the following components:

- The purpose and applicability of the plan;
- Responsibilities and duties;
- Preparedness training and drills;
- Procedures for fire reporting, response, and prevention that include the following:
 - Identification of daily site-specific risk conditions,
 - The tools and equipment needed on vehicles and to be on hand at sites,
 - Reiteration of fire prevention and safety considerations during tailboard meetings
- Daily monitoring of the red flag warning system with appropriate restrictions on types and levels of permissible activity,
- Coordination procedures with federal and local fire officials;
- Crew training, including fire safety practices and restrictions; and
- Method(s) for verifying that all Plan protocols and requirements are being followed.

P-1-13

Thank you again for the opportunity to provide these comments and express our support for the Environmentally Superior Alternative identified in the DEIR. PG&E looks forward to working further with the CPUC and LSPGC project teams to address any remaining issues.

Sincerely,



David Thomas
Senior Planner
Pacific Gas and Electric Company

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Proposed Construction Measures for Biological Resource Protection on LSP Collinsville PG&E Interconnection Facilities (APMs refer to BA ITP APMs)

CM BIO-1

(APM BIO-1): Prevent or minimize spread of invasive weeds

(Replaces DEIR MM BIO-3: Invasive Plant Management)

The following will be implemented on E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction to prevent the spread of invasive weeds during all phases of covered activities, as appropriate:

- During covered activities involving ground disturbance, mud and/or accumulated soils will be removed from equipment and vehicles to the extent feasible. Vehicles and equipment will be cleaned or washed before entering a new work site. A log will be kept for each job site and will be completed to document each cleaning or washing of vehicles or equipment before entering each new work site.
- Vehicles will be staged and stored on paved or cleared areas whenever feasible.
- Certified weed-free mulch, straw, hay bales, or equivalent materials will be used where necessary for covered activities.

CM BIO-2

(APM BIO-2): Protect special-status wildlife encountered while performing covered activities and report covered wildlife observations

Any special-status wildlife species encountered during the course of a covered activity will be allowed to leave the area unharmed, and work activities that could disturb or harm the individual will halt until the wildlife has left the area. Encounters with a special-status species will be reported to a qualified biologist and PG&E environmental staff.

PG&E will maintain records of all covered wildlife species encountered during permitted activities. Encounters with covered wildlife species will be documented and provided to CDFW in an annual report as required by the ITP. If a covered wildlife species is encountered during the course of operations, the following information will be reported for each species:

- The locations (i.e., narrative, vegetation type, and maps) and dates of observations, including occurrences observed during any required surveys.
- The general condition of individual health (e.g., apparent injuries).
- If the species is moved, the location where the species was captured and the location where it was released.
- The locations, dates, and species and behaviors observed during covered wildlife monitoring.
- When conducting covered activities E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction PG&E will document encounters with special status species to the same level of detail as required for covered species. During PG&E's environmental screening process, PG&E will also apply this measure to other covered activities to protect special status species and habitats based on recommendations from qualified biologists. This data will be provided in ITP annual reports.

CM BIO-3

APM BIO-3: Design and site minor new construction activities to avoid sensitive areas

(Replaces MM BIO-19: Sensitive Natural Plant Communities)

New, permanent facilities as part of minor new construction activities will be sited and designed to avoid impacts on sensitive vegetation types, sensitive natural communities, and unique plant assemblages, as

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well as occupied habitat and suitable habitat for special-status species, to the extent feasible. If impacts on these areas cannot be avoided, PG&E will determine if additional permitting is required to conduct the work and obtain the required permits (e.g., LSAA). If impacts are expected on covered species' habitat, Mitigation Measure BIO-1 (MM BIO-1) will be implemented to mitigate for habitat impacts.

Where minor new construction would result in impacts on sensitive vegetation types, sensitive natural communities, or unique plant assemblages, PG&E will minimize the construction footprint and implement appropriate protective measures as recommended by the qualified biologist to protect the natural community. Examples of such measures include: reseeded with a California annual seed mix, installing protective fencing around sensitive natural communities or resources, and installing wattles, erosion blankets and other drainage controls to protect new or adjacent plantings.

CM BIO-3a

(APM BIO-3a): Minimize spread of invasive plant and plant pathogens in minor new construction (Replaces DEIR MM BIO-2: Habitat Restoration; Replaces DEIR MM BIO-3: Invasive Plant Management)

When conducting minor new construction activities, PG&E will avoid or minimize the spread of invasive species by taking the following actions:

1. Prior to commencement of activities located on or adjacent to non-paved surfaces, a qualified biologist will flag known populations of noxious weeds and invasive plants in the work areas. Invasive plant species include those listed as invasive by the California Invasive Plant Council (Cal IPC).
2. PG&E will stage work in areas not infested with weeds or treat for weed removal prior to using an infested area.
3. Prior to ground disturbance in areas containing species susceptible to Sudden Oak Death, a qualified professional (e.g., biologist, arborist, botanist familiar with Sudden Oak Death and the vegetation communities in the area) will assess the risk of activities and will identify and implement measures to reduce or avoid the risk of Sudden Oak Death spread. These measures will include but will not be limited to the following, and will be further developed and updated based on the best available science and site-specific conditions: Designate quarantine areas and implement proper measures for disposal of infested materials (e.g., branches, split wood, wood chips), Sanitize shoes, pruning gear, and other equipment with sanitizing materials (e.g., chlorine bleach, Clorox Clean-up, Lysol, scrub brush, boot brush) before and after ground-disturbing and vegetation removal activities are implemented,
4. Clothing, footwear, and equipment used during minor new construction will be cleaned of soil, seeds, vegetation, or other debris or seed-bearing material before entering a work site or when leaving an area with infestations of invasive plants and noxious weeds.
5. Heavy equipment and other machinery used in areas with infestations of invasive plant species or Sudden Oak Death will be inspected for the presence of invasive species before use on the project site and will be cleaned before entering the site, to reduce the risk of introducing invasive plant species or plant pathogens.
6. To minimize the introduction and spread of noxious weeds and invasive plants, PG&E will avoid moving weed-infested gravel, rock, and other fill materials to relatively weed-free locations. In areas where invasive plants are removed during minor new construction or vegetation removal activities, PG&E will dispose of invasive plant biomass off site at an appropriate waste collection facility or treat biomass on site to

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eliminate seeds and propagules and prevent reestablishment; if moved off site, PG&E will transport invasive plant material in a closed container or bag to prevent the spread of propagules during transport. PG&E will use certified weed-free straw and mulch for erosion-control projects. PG&E will maintain stockpiled, uninfested material in a weed-free condition.

7. Areas where ground disturbance has resulted in exposed soil as a result of minor new construction shall be seeded with compatible California annual species, as determined by a qualified biologist or botanist familiar with the native vegetation in the area and experienced in revegetation techniques. Revegetation will occur prior to the onset of winter rains within the year initial impacts take place. If work cannot feasibly be scheduled outside the rainy season, revegetation may occur as directed by the qualified biologist and no later than the onset of the next winter rains.

8. To ensure a successful revegetation effort, onsite vegetation shall meet the following success criteria: PG&E shall perform pre-activity surveys to record baseline vegetative ground cover conditions and composition by a qualified biologist prior to covered activities as follows. The biologist will record the following:

- o Absolute percent ground cover for the entire work area.
- o Relative percentages of ground cover within the work area by herbaceous plants, shrubs, trees, and noxious/invasive plants.
- o Develop a catalog of all invasive species present within the work area, including an estimate of percent composition by species.

PG&E will conduct post-activity monitoring of work areas in the spring following completion of minor new construction. A qualified biologist will record any new invasive species that may have inadvertently been introduced to the work area. The biologist shall make special note of any new invasive plant species rated as “high” by the Cal IPC.

A qualified biologist will record whether there was an increase in relative cover of invasive species from baseline that may have resulted from the covered activity. If relative cover of invasive plant species has increased within the work area, PG&E shall remove and/or dispose of invasive plants in an appropriate manner, as recommended by a qualified biologist and/or a Pest Control Advisor. If any new invasive plants rated by Cal IPC as “high” are found within the work area, they will be removed in an appropriate manner, as recommended by a qualified biologist and/or a Pest Control Advisor. If the relative ground cover of invasive plants exceeds baseline by 100 percent or more, PG&E will reseed the areas where invasive plants are removed and monitor for one additional year.

CM BIO-4

(APM BIO-4): Avoid special-status plants

Replaces (DEIR MM-BIO 1: Avoidance and Minimization of Impacts on Special-Status Plants)

Occurrences of special-status plant species will be avoided to the extent practicable and will include performance of project activities in special-status plant habitat after senescence. PG&E has created “Map Book zones” for the 13 state or federally listed plants that are covered in the O&M HCP. A Map Book zone is defined as an area of occupied or potentially occupied the HCP-covered plant species habitat as determined by PG&E botanical surveys. When rare and endangered plant species subject to the NPPA cannot be avoided, PG&E will follow the requirements of California Fish and Game Code Sections 1913(b) and 1913(c) concerning notification to CDFW at least 10 days in advance and provide an opportunity to salvage such species.

If a special-status plant is found or known to occur, the plant will be avoided if feasible (i.e., O&M objectives

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could still be met). If feasible to avoid, avoidance will include establishing a buffer around the plants and demarcation of the buffer by a qualified biologist or botanist using flagging. Consideration of site-specific environmental factors such as terrain, site hydrology, light, and potential introduction of invasive plants may inform the avoidance approach.

CM BIO-5

(APM BIO-5): Erect wildlife flagging or exclusion fencing

Prior to construction or commencement of any activity that, in the absence of fencing, is likely to directly or indirectly adversely affect covered species, flagging or exclusion fencing for the species will be installed around the perimeter of the activity footprint, 6F7 or otherwise to ensure species protection.

Any exemption or modification of flagging or exclusion fencing requirements will be based on the specifics of the activity, site-specific population, or habitat parameters. Sites with low population density and disturbed, fragmented, or poor habitat will likely be candidates for flagging or fencing requirement exemptions or modifications. Substitute measures, such as onsite biological monitors in the place of the flagging or fencing requirement, will be performed as appropriate.

Prior to flagging or fencing, the qualified individual will ensure (to the extent feasible) that covered special-status species are absent from the activity footprint. After an area is flagged or fenced, PG&E is responsible for ensuring that covered special-status species flagging or fencing is maintained and opened/closed appropriately during project activities and regularly inspected for damage, which will be repaired as soon as possible.

This measure will also be applied when conducting covered activities E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction when these activities are likely to adversely affect special-status species. PG&E may also apply this measure to other covered activities to protect special status species and habitats based on recommendations from qualified biologists.

CM BIO-6

(APM BIO-6): Protect nesting birds

(Replaces DEIR MM-BIO 7: Nesting Bird Management; Replaces DEIR MM-BIO 9: Swainson's Hawk; Replaces DEIR MM-BIO 10: Golden Eagle)

All vegetation clearing and ground-disturbing activities will be conducted outside of the nesting season (generally March 1–August 31) to the extent feasible. If this is not feasible, a biologist or qualified individual will determine if pre-construction activity surveys, nest buffers, and/or monitoring are needed in accordance with PG&E's Nesting Bird Management Plan. Nesting bird surveys will be scheduled to occur within a timeframe prior to construction the activity that is suitable for the detection of recently established nests. If active nests containing eggs or young are found, the qualified biologist or individual will establish an appropriate nest buffer in accordance with the species-specific buffers in PG&E's Nesting Bird Management Plan. Nest buffers under the Plan will be species-specific and can range from 15 to 100 feet for passerines, 50 to 300 feet for raptors, or larger if necessary, depending on the planned activity's level of disturbance, site conditions, and the observed bird behavior. Covered activities will not commence within the established buffer areas until the qualified biologist or individual determines that the young have fledged or the nest is no longer active. Active nests will be periodically monitored until the young have fledged or the activity all construction is finished. If birds with active nests are observed showing behavioral signs of agitation (e.g., standing up from a brooding position, flying off the nest) during covered activities, the buffer will be increased to a distance in which the behavioral signs of agitation cease, in accordance with PG&E's Nesting Bird Management Plan.

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As part of the ITP annual report, PG&E will provide a summary of covered activities where the Nesting Bird Management Plan was implemented; the summary will include the location, dates, species (if known), and nest buffers applied to the covered activity including buffer efficacy.

(The Nesting Bird Management Plan is intended to maintain compliance with federal and state bird protection regulations through a standardized approach to avoiding and minimizing disturbance to nesting birds, including burrowing owl [see APM BIO-6a].)

CM BIO-6a

(APM BIO-6a): Western burrowing owl avoidance

(Replaces MM BIO-8: Burrowing Owl)

If burrowing owls are observed during any covered activities, a qualified biologist will be contacted immediately. The qualified biologist will determine measures to avoid impacts burrowing owls. For ground disturbing activities greater than 0.1 acre in suitable burrowing owl habitat a qualified biologist will conduct a survey at least 14 days prior and again 24 hours prior to the activity to determine the presence/absence of active burrowing owl nesting or wintering burrows within 250 feet of a work area. If owls or sign are detected and work needs to occur within 250 feet, PG&E will implement measures to avoid nest abandonment such as rescheduling the work, screening work areas, minimizing pedestrian access within 250 feet, and evaluating owl's tolerance to disturbance, and report results to CDFW annually.

CM BIO-7

(APM BIO-7): Protect breeding and pupping bats

When feasible, activities directly affecting bat roosting habitat will be conducted outside of the bat breeding/pupping season (generally, April through mid-September). If work that would affect known bat breeding sites must be done in the bat breeding/pupping season, a qualified biologist would evaluate known breeding/roosting sites or conduct surveys for bat roosts in suitable breeding/roosting sites (e.g., bridges, mines, caves, trees with hollows, palm trees, snags, buildings, long and dark culverts, rock outcrops, dense tree canopies, and flaking tree bark). If evidence of a bat maternity roost is found or maternity roosts are detected, PG&E will avoid conducting covered activities that may directly affect the active roost site, including the following:

If a maternity roost is identified then the qualified bat biologist will develop a Bat Avoidance and Monitoring Plan prior to the start of project activities that shall include: (1) an assessment of all impacts to bats from the activity, including noise disturbance during covered activities and (2) effective avoidance and minimization measures to protect bats in order to ensure that direct impact to active bat maternity roost site do not occur. Notification will be provided to CDFW prior to the start of covered activities. The notification will include a copy of the Bat Avoidance and Monitoring Plan. If direct impacts to identified maternity roost sites cannot be avoided, PG&E will provide a compensatory mitigation plan to CDFW for review and approval.

- As necessary, an exclusionary buffer will be maintained around active roosts. The size of the buffer will be determined by the qualified biologist based on factors such as the planned activity's level of disturbance and site conditions and will typically be 250 feet.
- As necessary, a qualified biologist will monitor active roost site buffers during O&M activities to determine if roosting activity is influenced by noise or vibrations until a qualified biologist has determined if the young bats are volant (i.e., able to fly) or the roost is unoccupied.
- When feasible, to protect bats and in accordance with BMP-30, tree work near riparian zones shall be conducted during the dry season (generally May 15–October 15). If it is not feasible to conduct tree work during the dry season, operations will occur between rain events or during dry spells unless there is an emergency or imminent threat to life or property.

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CM BIO-8

(APM BIO-8): Avoid Alameda whipsnake in core habitat

(Replaces DEIR MM BIO-6: Alameda Whipsnake Avoidance)

Prior to the start of construction in core habitat (i.e., areas of concentrated use; habitat in core areas primarily consists of scrub communities such as coastal scrub, coyote brush scrub, mixed chaparral, and chamise chaparral but may also include immediately adjacent grassland), the work area will be visually surveyed for Alameda whipsnakes by a qualified biologist. If a whipsnake is encountered during construction, activities will stop and the qualified biologist will then identify actions sufficient to avoid impacts on the species (e.g., continued work halt, buffer establishment) and the whipsnake will be allowed to leave the area on its own volition. Activities could resume when the qualified biologist determines that activities will not adversely affect the whipsnake or that the whipsnake has moved a sufficient distance from the work area such that activities will not adversely affect the whipsnake.

CM BIO-9

(APM BIO-9): San Joaquin kit fox/American badger

(Replaces MM BIO-14: San Joaquin Kit Fox Avoidance and Minimization; Replaces MM BIO-16: American Badger)

When ground disturbance exceeding 0.5 acre is planned within suitable habitat and range of San Joaquin kit fox or American badger, a qualified biologist familiar with these species and experienced in conducting surveys will survey the work area no more than 30 days prior to the covered activity to determine if potential San Joaquin kit fox or American badger dens are present. If potential dens are located within the proposed activity footprint and cannot be avoided during the activity, a biologist will determine if potential dens are occupied. All potential dens within the activity footprint will be dusted with appropriate tracking substrate or monitored with a motion-sensor camera for a minimum of 3 days to determine occupancy, unless scat, discarded bones, and tracks are observed and the den is presumed occupied. If potential dens are determined to be unoccupied and cannot be avoided, no further action is needed. Otherwise, potential dens within the project footprint or within 200 feet will be avoided where possible, or the following steps will be taken. If an occupied or natal/pupping den is discovered within the activity area or within 200 feet of the project boundary, PG&E shall contact CDFW to discuss protective measures and the need for a permit. Under no circumstances will an occupied or natal/pupping den be destroyed. In the suitable habitat and range of San Joaquin kit fox and American badger, exit ramps will be installed at each end of excavated trenches.

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Response to Letter P-1: David Thomas, Pacific Gas & Electric

P-1-1 PG&E requests that Alternatives 4 and Alternative 6a/6b be eliminated from further consideration due to conflicts between utility rights-of-way and the Montezuma Island Mitigation Bank proposed by PG&E in the area of Alternatives 4 and 6a/6b. PG&E also notes that a small portion of one temporary construction access road proposed by LSPGC falls within the mitigation bank boundary.

PG&E's mitigation bank proposal for the property underlying the Alternative 4 and 6A/6B site is noted. The Alternative Screening Report (ASR) defines the criteria used to evaluate alternatives in compliance with CEQA Guidelines. The mitigation bank proposal has not yet been approved by the U.S. Army Corps of Engineers and is not anticipated to be approved prior to 2027. Therefore, Alternative 4 and Alternative 6A/6B are considered potentially feasible for purposes of evaluation of alternatives under CEQA as described in the ASR. However, the CPUC's decisionmakers will consider this information before making a final decision on the feasibility of any alternative. As noted in Chapter 6 of the EIR, Alternative 4 and Alternative 6A/6B would also have greater environmental impacts than the Proposed Project 230 kV overhead segment; the Proposed Project 230 kV overhead segment is environmentally superior to Alternative 4 and Alternative 6A/6B.

Based on CPUC's review of the access roads for the Proposed Project and coordination with LSPGC, LSPGC has verified it does not propose any access roads on PG&E property. All access roads in the vicinity of PG&E property would be north of Stratton Lane. Therefore, no access roads associated with the Proposed Project would interfere with the proposed mitigation bank. One temporary pull site associated with Alternatives 1 and 2 would be partially located on PG&E property south of Stratton Lane; however, based on the schedules for project construction and the mitigation bank no conflicts between LSPGC construction and the mitigation bank development are expected and PG&E has agreed to work with LSPGC regarding use of the property during construction.

P-1-2 PG&E requests that Alternative 3 be eliminated from further consideration due to the disadvantages and unknown challenges that construction of non-standard monopoles could induce.

The comment does not introduce new information that changes the CPUC's determination that Alternative 3 is potentially technically feasible and its consideration in the EIR. However, the CPUC's decisionmakers will consider this information before making a final decision on the feasibility of any alternative. As noted in Chapter 6 of the EIR, Alternatives 1 and 2 are environmentally

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superior to Alternative 3 as the 500 kV interconnection line would be much shorter and would not require TSPs.

P-1-3 PG&E expresses a desire to be bound exclusively by the construction measures (CMs) it proposed as part of its interconnection project construction, rather than any mitigation measures identified in the EIR to supersede, expand on, or add detail to the CMs. As described in the Draft EIR, the CPUC considered CMs identified by PG&E as part of the project. Where those measures did not reduce impacts to less than significant, the CPUC identified mitigation measures that could reduce adverse impacts, where feasible. This approach is consistent with CEQA Guidelines 15126.4(a)(1), which states, “An EIR shall describe feasible measures which could minimize significant impacts...(A) The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.”

P-1-4 PG&E states that the biological and hydrological resource mitigation measures are written in a way that may be redundant or difficult to implement. The comment suggests that the requirements of the mitigation measures applied to PG&E would be redundant or conflict with agency issued permit requirements and suggests instead adding a new construction measure that would require PG&E to obtain incidental take permits (ITP) from CDFW for Crotch’s bumblebee, burrowing owl, and California tiger salamander.

Since PG&E has proposed to obtain ITPs for Crotch’s bumble bee, burrowing owl, and California tiger salamander, the following new mitigation measures have been added to apply specifically to PG&E in Section 4.4 Biological Resources:

MM BIO-9: Burrowing Owl Permit. PG&E shall obtain an incidental take permit for anticipated impacts to burrowing owl and/or its habitat prior to conducting any ground disturbing activities. PG&E will comply with all permit measures as directed by CDFW. Those measures will include provisions for habitat assessment and surveys, avoidance, passive relocation, monitoring, reporting, and compensatory mitigation as necessary and appropriate or otherwise as determined by CDFW.

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MM BIO-14: Crotch's Bumble Bee. PG&E shall obtain an incidental take permit for anticipated impacts to Crotch's bumble bee and/or its habitat prior to conducting any ground disturbing activities. PG&E will comply with all permit measures as directed by CDFW. Those measures will include provisions for habitat assessment, surveys, avoidance, relocation, and monitoring as necessary and appropriate or otherwise as determined by CDFW.

The text on page 4.4-99 of the Draft EIR is revised as follows:

To reduce the impact, MM BIO-7 requires pre-construction surveys for nesting birds and specifies requirements for exclusion zones, buffer reductions, monitoring and reporting. Additionally, MM BIO-89 ~~defines additional specific requirements for burrowing owl avoidance or passive relocation in the event of an incidental take permit~~ requires PG&E to obtain an incidental take permit from CDFW for incidental take of burrowing owl and comply with the provisions for avoidance and mitigation of impacts to burrowing owl as required by CDFW in the permit measures.

The text on page 4.4-106 of the Draft EIR is revised as follows:

Impacts on Crotch's bumble bee, western bumble bee, and monarch butterfly would be significant as described previously for LSPGC project components. MM BIO-1214 ~~would reduce impacts on Crotch's bumble bee and western bumble bee at the transposition site work areas~~ requires PG&E to obtain an incidental take permit from CDFW for incidental take of Crotch's bumble bee and comply with the provisions for avoidance and mitigation of impacts to Crotch's bumble bee required by CDFW in the permit measures.

P-1-5 PG&E suggests that biological mitigation measures applied to PG&E in this EIR should be replaced with equivalent measures from PG&E's Bay Area ITP EIR, certified by PG&E in June 2022, and that the structure replacements and construction activities are the same types of activities examined in the Bay Area ITP EIR.

Based on review of the Bay Area ITP, the structure replacements and construction activities associated with the Proposed Project are not the same types of activities examined in the Bay Area ITP EIR. The Bay Area ITP only covers operations and maintenance (O&M) activities and specified minor new construction activities. The minor new construction activities covered by the Bay Area ITP include: gas pressure limiting station construction, minor substation expansion, and underground line construction. The construction activities

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required to construct the transposition sites, 500 kV interconnection lines, and 12 kV distribution line do not fall under the scope of these covered minor new construction activities. Therefore, the Bay Area ITP and EIR measures would not cover construction of the PG&E project components for this project, and PG&E's request to eliminate or replace mitigation measures applied to PG&E in this EIR cannot be accommodated. No changes are needed in the EIR to address this comment.

- P-1-6 PG&E states they do not agree that Alameda Whipsnake is present or could be impacted by PG&E's construction activities, and that the mitigation measures addressing Alameda Whipsnake should be eliminated from the EIR.

Qualified biologists have surveyed PG&E work areas and determined that suitable grassland habitat occurs within transposition sites and that transposition site D is within the species' geographic range. This is documented in Table 6 of the Terrestrial Biological Resources Technical Report Addendum, which is Attachment A of the Biological Resources Technical Report, which is attached to the EIR as Appendix F.2. Additionally, there have been recent documented occurrences of Alameda whipsnake between 1 and 5 miles of the transposition site D survey area. Therefore, the PG&E's claims that Alameda whipsnake could not be present and could not be impacted, and that there is no suitable habitat available in the work areas, are not substantiated. The suitability of habitat within the transposition sites and the recent documented occurrences near transposition site D is discussed on page 4.4-44 of the Draft EIR within Table 4.4-4. Therefore, the mitigation measure cannot be eliminated. No changes are needed in the EIR to address this comment.

- P-1-7 PG&E requests the elimination of MM HYD-1, as PG&E has confirmed that all work on PG&E's interconnection facilities would be accomplished without impacting federal or state waters. In addition, PG&E notes that required coordination with the United States Army Corps of Engineers (USACE) or the local water board would supersede requirements defined in MM HYD-1. To date, PG&E has not provided substantial evidence (e.g., a copy of the completed Aquatic Resources Delineation Report) that would rule out the potential for impacts on federal or state waters addressed by the measure. Therefore, MM HYD-1 cannot be eliminated. No changes are needed in the EIR to address this comment.

- P-1-8 PG&E states that PG&E has provided a list of alternate construction measures (provided as Attachment of PG&E's comment letter) that they propose to replace their mitigation measures identified in the Draft EIR. Refer to the CPUC's responses to comments P-1-3, P-1-4, and P-1-5 regarding this matter. Additionally, the construction measures PG&E proposed are taken from applicant proposed measures (APMs) within their Bay Area ITP, and these

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measures are focused only on operation and maintenance or minor new construction activities. These measures are often not applicable to the Project or the area in which the project is sited or they are insufficient to replace the mitigation measures included in the EIR. No changes are needed in the EIR to address this comment.

P-1-9 PG&E acknowledges CM CUL-3 was superseded by MM CUL-2 in the Draft EIR and agrees to incorporate it into its construction measures. Mitigation measures that supersede proposed construction measures in the EIR will be retained as mitigation measures. Refer to the CPUC's response to comment P-1-3.

P-1-10 PG&E proposes adding the following sentence to the end of the second bullet concerning paleontological monitoring: "Additionally, if installation or ground disturbance will be completed via drilling or other method that precludes visual observation of landforms and soils, no monitoring is necessary given that those methods preclude the ability of a paleontological monitor to observe stratigraphy, geology and soils."

MM GEO-1 currently includes the following sentence which allows a paleontologist to reduce or discontinue monitoring based on observations: "...The project paleontologist may reduce or discontinue monitoring if field observations indicate that geologic conditions no longer warrant full-time monitoring..." The ability for a paleontologist to reduce or discontinue monitoring in circumstances that do not warrant full time monitoring is consistent with PG&E's request. Therefore, no changes will be made to MM GEO-1.

P-1-11 PG&E proposes the addition of language to MM TRA-2 regarding helicopter contractor coordination with the FAA.

The text of MM TRA-2 has been revised for clarity as follows:

"Prior to construction, helicopter contractors shall coordinate helicopter activities for the project with the regional FAA office as required and obtain any required approvals to operate helicopters..."

P-1-12 PG&E proposes the addition of language to MM UT-2 regarding induction interference to enable flexibility to adjust to any updated standards for mitigation of induction interference.

The text of MM UT-2 (now MM UT-4) has been revised for clarity as follows:

"...If the tuned model indicates the AC current density exceed the threshold of 30 A/m², PG&E shall install appropriate mitigation such as buried zinc-ribbon grounding parallel to the pipeline with bonds at regular intervals and place high-resistivity crushed rock at any above-

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grade appurtenances (e.g., the insulating flange) where touch potential could occur...”

P-1-13 PG&E suggests that the details provided in MM FIRE-1 are not all appropriate for a project-specific plan and proposes substantial revisions to MM FIRE-1 regarding the preparation and implementation of a Project Specific Safety Plan, including referring to the measure as a construction measure (e.g., CM FIRE-1).

The CPUC does not accept the proposed revisions because the language suggested by PG&E does not include specific requirements identified as necessary in the EIR impact analysis or address the potential gaps between PG&E’s company-wide Wildfire Mitigation Plan and the unique project specific impacts that must be mitigated pursuant to CEQA. No changes are needed in the EIR to address this comment.

Also refer to response to comment L-1-100.

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3.2.2 Letter L-1: LS Power Grid California, LLC

Draft Environmental Impact Report Comments Table

**Collinsville 500/230 Kilovolt Substation Project
Draft Environmental Impact Report (DEIR) Comments**

Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
Executive Summary				
1	ES-1	Paragraph 1	LS Power Grid California, LLC (LSPGC), filed an application for a certificate of public convenience and necessity (CPCN) from California Public Utilities Commission (CPUC) on July 30, 2024, to construct and operate the Collinsville 500/230 kV Substation Project in Solano, Sacramento, and Alameda counties (Proposed Project).	Contra Costa County should be included in this list of counties.
2	ES-2	Second paragraph	Based on the analysis in the Draft EIR and the substantial evidence supporting the analysis, it has been determined that the Proposed Project would result in significant and unavoidable impacts on air quality, biological resources, cultural resources, energy, greenhouse gases, land use, noise, and tribal cultural resources.	This sentence is missing a reference to Mineral Resources. It should be added for completeness if the significant and unavoidable impact to mineral resources remains in the Final EIR. However, there is no significant and unavoidable impact to mineral resources, as explained in comments below.
3	ES-2	Second full paragraph	Based on the analysis in the Draft EIR and the substantial evidence supporting the analysis, it has been determined that the Proposed Project would result in significant and unavoidable impacts on air quality, biological resources, cultural resources, energy, greenhouse gases, land use, noise, and tribal cultural resources.	In the first sentence, insert "minerals" before "noise", consistent with Table ES-1.
4	ES-4	Section ES.3.2	Achieving commercial operation by June 2028 consistent with the timeline and policy goals included in the 2021-2022 Transmission Plan and reinforced by the 2024-2025 Transmission Plan2.	In the fourth sub-bullet, insert "CAISO" before "2021-2022 Transmission Plan" and "2024-2025 Transmission Plan".
5	ES-29	Table ES-2	Table ES-2	Add "NI" to the list of abbreviations beneath the table.
6	ES-32	Section ES.6, first paragraph, second sentence	The No Project Alternative is considered the environmentally superior alternative for CEQA purposes because it would avoid most of the Proposed Project significant and unavoidable impacts but would result in significant and unavoidable impacts from conflicts with state policy and plans for integration of renewable energy because the No Project Alternative would impair the ability to deliver renewable energy into the San Francisco Bay Area.	Replace "San Francisco Bay Area" with "Greater Bay Area", to be consistent with the nomenclature in the CAISO Transmission Plan.
7	ES-32	Section ES.6, second paragraph, second sentence	Alternative 1 is environmentally to the Proposed Project in the comparable area of analysis and would avoid significant and unavoidable impacts on biological resources (Impact BIO-1D), energy (Impact EN-2), and greenhouse gases (Impact GHG-2) due to installation of much shorter 500 kV interconnection lines on TSPs only.	Insert "superior" after "Alternative 1 is environmentally..."
8	ES-33	Figure ES-1	Figure ES-1	Looking south to north in the Collinsville area, the first three structures along the transmission line route should be identified as being part of the proposed project (gray hatch), not Alternative 1 (orange hatch).
1. Introduction				
9	1-1	Section 1.1, second paragraph, last sentence	The CAISO 2024-2025 Transmission Plan reaffirmed the need for the Proposed Project and found the Proposed Project would also integrate wind energy from out of state as well as support increased load in the Bay Area (CAISO 2025).	Revise to, "The CAISO 2024-2025 Transmission Plan reaffirmed the need for the Proposed Project and found the Proposed Project would also <u>help to</u> integrate wind energy from out of state as well as support increased load in the Bay Area (CAISO 2025)."

L-1-1

L-1-2

L-1-3

L-1-4

L-1-5

L-1-6

L-1-7

L-1-8

L-1-9

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Draft Environmental Impact Report Comments Table

Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
10	1-2	Second bullet point	PG&E would install and/or modify transposition structures at four locations along PG&E's existing Vaca Dixon-Tesla 500 kV Transmission Line.	Please revise this section to indicate that the transposition structures are separate from the 500 kV Interconnection, making them two separate components. It is confusing to the reader that the transposition structures have been mentioned here, but also in a separate bullet point at the end of this list. It overstates the scope of work associated with the Proposed Project.	L-1-10
11	1-6	1.2.2 Environmental Analysis	* Geology and Soils*	Per DEIR Volume 2, this bullet should also include Paleontological Resources.	L-1-11
2. Project Description					
12	2-7	Section 2.3.1	2.3.1 LSPGC Project Components LSPGC Collinsville Substation (Initial Buildout)	Delete reference to Initial Buildout.	L-1-12
13	2-7	Section 2.3.1, first paragraph.	"16.1-ohm series capacitor would be installed"	"16.15-ohm series capacitor would be installed"	L-1-13
14	2-8	Last paragraph, first sentence	"Substation would also include four enclosures, as summarized in Table 2-1. Personnel would be able to enter the GIS and control enclosures for construction..."	The substation will include three <u>two</u> enclosures (i.e., the GIS and control enclosures will be combined into a single enclosure for each voltage).	L-1-14
15	2-23	Paragraph 2	The U.S. Army Corps of Engineers (USACE) maintains two navigational channels crossed by the proposed submarine segment, including the San Joaquin Ship Channel and the Sacramento Deep Water Ship Channel. These channels are maintained at a depth of 30 and 35 feet, respectively. The existing channel depths along the submarine segment crossing locations range between 35 and 90 feet to the riverbed, therefore, the installation of submarine segment cables in the sediment of the riverbed at a depth of 6 feet or greater would be below the maintained navigational channel depths.	The U.S. Army Corps of Engineers (USACE) maintains two navigational channels crossed by the proposed submarine segment, including the including the San Joaquin Ship Channel <u>New York/Suisun Bay Ship Channel (near Pittsburg)</u> and the Sacramento Deep Water Ship Channel (near Collinsville).	L-1-15
16	2-23	Paragraph 3	LSPGC would install the submarine segment cables in the sediment of the riverbed consistent with the USACE requirements which include achieving minimum burial depths that vary based on location and utilizing cable protection methods where necessary. The USACE's anticipated minimum burial depths are 15 feet or greater within navigational channels, 10 feet or greater outside navigational channels, and 6 feet or greater in other areas (i.e., shallow areas near the shores).	The USACE did not specify a requirement for the shallow areas near the shoreline. LSPGC recommends removing the 6 foot or greater description near the shoreline.	L-1-16
17	2-31	Table 2-2	Table 2-2	Some items in Table 2-2 do not match the descriptions in the text. -pg. 2-16, says 230kV deadend TSP are supported on piers 15-50 deep. Table says 20-50' Please use 20-50 ft. -pg. 2-24, says H-frame riser would be 50-85 tall but table says 50-100 ft. Please use 50-100 ft. -pg. 2-27, Figure 2-15 shows 80-120' LSTs but table says 90-155 ft. Please use 90-155 ft.	L-1-17
18	2-34	Table 2-4	Includes "Other types of new permanent access roads" for New permanent access roads	There is no reason to include this as there are no other new permanent access roads for the proposed project.	L-1-18
19	2-37	Section 2.5.2, first paragraph	It is anticipated that up to approximately six staging areas would be used by both LSPGC and PG&E to support construction activities associated with the Proposed Project, as summarized in Table 2-5.	Table 2-5 lists seven (7) staging areas. Recommend revising the text in the associated paragraph to "seven staging areas".	L-1-19

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
20	2-57	Paragraph 1	*Construction debris volumes are estimated at a total of 2,750 cubic yards. During construction, LSPGC would account for approximately 78 percent of the total waste volume and PG&E would account for the remaining 22 percent. Of the LSPGC waste volume allocation, LSPGC's substation construction would account for approximately 80 percent (approximately 1,700 cubic yards) of the waste volume and the 230 kV transmission line would account for approximately 20 percent (approximately 425 cubic yards). Estimated waste volumes for PG&E project components include approximately 360 cubic yards for the transmission and distribution construction and 250 cubic yards for the substation interconnection and communication yard.	The sum of the yardage components does not equal total. Recommend changing 425 cubic yards to 440 cubic yards to allow the math to equate.	L-1-20
21	2-77	Section 2.7.5, first paragraph	LSPGC may require up to 30 days of night work to support schedule recovery, such as due to weather delays, or for system commissioning of the proposed LSPGC Collinsville Substation.	LSPGC would limit night work to above-grade construction and testing and commissioning at the Collinsville Substation and 230 kV submarine segment installation. This language should be revised as follows: *With the exception of the 230 kV submarine segment, LSPGC may require up to 30 days of night work to support schedule recovery, such as due to weather delays, or for above-grade construction and system commissioning at the proposed LSPGC Collinsville Substation.	L-1-21
22	2-83	First paragraph	The CPUC is the lead stage agency for the Proposed Project. LSPGC would comply with CPUC GO 131, which contains the permitting requirements for construction of the Proposed Project. This PEA was prepared as part of an application to obtain a CPCN for the Proposed Project. Although PG&E is not an applicant in LSPGC's application for a CPCN, PG&E's scope of work is needed to interconnect the Proposed Project to PG&E's electrical grid. PG&E would be responsible for complying with the CPUC's permitting requirements pursuant to GO 131 to construct their facilities associated with the Proposed Project.	The CPUC is the lead stage agency for the Proposed Project. LSPGC would comply with CPUC GO 131, which contains the permitting requirements for construction of the Proposed Project. This PEA was prepared as part of an application to obtain a CPCN for the Proposed Project. Although PG&E is not an applicant in LSPGC's application for a CPCN, PG&E's scope of work is needed to interconnect the Proposed Project to PG&E's electrical grid. PG&E would be responsible for complying with the CPUC's permitting requirements pursuant to GO 131 to construct their facilities associated with the Proposed Project.	L-1-22
3. Description of Alternatives					
23	3-6	Table 3.3-2	Table 3.3-2 Collinsville 500/230 kV Substation Project Alternatives	LSPGC requests that Alternative 4 (230 kV Overhead Segment Alternative Route) and Alternative 6a/b (Underground Portions of the 203 kV Line within Suisun Marsh Protection Plan Management Areas) be deemed infeasible, as PG&E has development plans for this parcel and the installation of a transmission line on the property would not be a compatible use. Specifically, in 2023, PG&E submitted an application to the U.S. Army Corps of Engineers for the Montezuma Island Mitigation Bank project on the land that is subject to Alternatives 4 and 6a/b. The aim of this project is to establish and enhance 31.38 acres of waters of the U.S., including wetlands, within the Suisun Bay watershed. This mitigation bank will provide compensatory mitigation credits for projects impacting waters of the U.S. under Section 404 of the Clean Water Act and may also offset impacts regulated under state and federal endangered species laws. PG&E has informed LSPGC that Alternative 4 and Alternative 6a/b would be inconsistent with the mitigation goals of the project. Additional information on the Montezuma Island Mitigation Bank can be found at: SPN-2019-00173 Proposed Montezuma Island Mitigation Bank, Sacramento and Solano Counties, California > San Francisco District > Public Notices .	L-1-23

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
24	3-11	Table 3.4-3	Table 3.4-3 – Alternative 1	<p>Pursuant to CEQA Guidelines 15126.6[a], Draft EIR Section 3 (Description of Alternatives) and Section 6 (Comparison of Alternatives) should be updated accordingly as these alternatives are no longer feasible and should be excluded from the analysis in Section 4.0.</p> <p>LSPGC has conducted a preliminary review of Alternative Site 1 and the 230kV transmission line needed for interconnection at that location using aerial imagery and publicly available data. However, a complete feasibility analysis has not been performed. Completing such an analysis and advancing the substation design would require physical site access to conduct necessary surveys and investigations. Access to Alternative Site 1 is not readily available, as described below.</p> <p>By contrast, LSPGC has extensive data for the Proposed site and has used that information to significantly advance the substation design. Given the limited information currently available for Alternative Site 1, the substation design for that location remains conceptual. Consequently, constructing this alternative would be incompatible with a major project objective: achieving in-service status by June 2028. Obtaining site specific topographic surveys, geotechnical data, soil infiltration testing, and electrical resistivity testing are standard engineering practices for substation design and are required to comply with applicable building code requirements and industry safety standards. These investigations must be conducted at the proposed alternative site itself and cannot be reliably substituted with data from other locations. These site-specific field investigations are reasonably necessary to support an engineering redesign of the Project, and to ensure that the substation and related facilities can be designed in a safe, constructible, and code-compliant manner.</p> <p>The safe and successful design and construction of transmission line facilities requires site-specific geotechnical data at or near proposed structure locations. This data includes, among other things, soil stratigraphy, moisture content, density, strength parameters, depth to groundwater, and seismic shear-wave velocity.</p> <p>All the required field investigation has been completed to support the design of the project at LSPGC's proposed substation location. None of these field investigations have been completed for the Alternative 1 location and will need to be completed ahead of redesigning the project to accommodate a change in substation location.</p> <p>Substantial engineering design work has been completed to support the project schedule required to meet the CAISO required in-service date. To support a June 2028 in-service date, construction on the Collinsville substation is schedule to start in 2Q 2026. Relocation of the substation will require significant redesign that cannot begin until after the new field investigations are completed.</p> <p>LSPGC has requested access from the landowner to complete the additional field investigations required to evaluate the impacts associated with relocating the project to Alternative 1 as well as allow for the start of the redesign engineering process. The landowner has formally denied access, meaning that LSPGC will again have to pursue court ordered access to complete these field investigations. It is challenging to determine the exact schedule impact associated with obtaining the field investigation</p>

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				<p>data needed to fully evaluate the Alternative 1 option since the time required to access the site is currently unknown and dependent upon the actions of the courts. Currently, engineering and design efforts for a substation at the Alternative 1 site are estimated to be approximately a year behind engineering and design efforts for the Proposed site.</p> <p>The project alternative that maintains the Proposed substation site while requiring the PG&E 500 kV line be constructed with tubular steel monopoles is an effective option for eliminating the biological, energy, and greenhouse gas substantial unavoidable impacts associated with the Proposed substation location while minimizing impacts to the project schedule. This seems like a reasonable option to reduce the identified significant impacts of the project without creating new energy and greenhouse gas impacts associated with delaying the in-service date for the Project.</p>
25	3-23	Paragraph 2	Within the Alternative 4 alignment there are two underwater ridges that have a steep (near vertical) incline/decline.	Revise to Alternative 5.
4.0 Environmental Impacts Introduction				
26	N/A	N/A	N/A	<p>The DEIR is inconsistent when addressing the portion of the Proposed Project within Alameda County (e.g., Telsa Substation). In some sections of the environmental analysis, Alameda County is addressed with a complete existing conditions/regulatory background (e.g., Aesthetics). In other sections (e.g., Agriculture and Forestry Resources and Biological Resources), Alameda County is not discussed in the regulatory background, but impacts have been addressed. Others (e.g., Cultural Resources and Utilities and Service Systems), have a brief reference to Alameda County in the regulatory background explaining why it does not warrant a detailed discussion (for varying reasons). The document would benefit from consistency in how this Proposed Project component is addressed. Rather than progressing through each category of analysis to make corrections, a discussion related to Alameda County/Tesla Substation could be provided in this section of the document to ensure the reader is aware of why the document includes existing conditions/regulatory background in some resource sections, yet omits it in others. This discussion could include some or all of the following:</p> <p>PG&E's existing Tesla Substation is the only Proposed Project component located in Alameda County. The proposed modifications at this existing facility would involve modifying existing line relays, removing a power line carrier, and conducting additional indoor work. All work would be conducted within the existing fence line and would not require any ground-disturbing activities, as described in Chapter 3 – Project Description. Due to the work occurring within previously disturbed areas at an existing substation and being conducted by limited equipment (e.g., bucket trucks) consistent with ongoing operations and maintenance activities, a detailed discussion of the regulatory background within Alameda County has only been included in resource sections where there is a potential for an impact to occur.</p>
27	4.0-1	Table 4.01-1	Table 4.0-1 Ongoing and Planned Projects in the Vicinity of the Proposed Project and Alternatives	Add PG&E Montezuma Island Mitigation Bank (see comment above) to the table and the overall Final EIR cumulative analysis.

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
28	4.0-3	Last paragraph, Second sentence	The locations of the cumulative projects are shown in Figure 4.0-1.	Not all projects listed in Table 4.0-1 are visible on Figure 4.0-1. A note should be added to this section indicating that projects without sufficient location data were not mapped and indicate which ones have not been mapped.	L-1-28
4.1 Aesthetics					
29	4.1-6	Figure 4.1-1	Figure 4.1-1 Landscape Character Units, Representative Viewpoints, and Key Observation Points	The label for Photo Location 6/KOP 2 is missing. Please add the label for consistency.	L-1-29
30	4.1-26	Table 4.1-7	"Overall, the resulting visual impact at KOP 1 would be perceptible, and the Proposed Project would reduce the natural harmony and project coherence by introducing a cultural infrastructure (i.e., built by man) into a perceived natural landscape."	The DEIR states that KOP 1 includes existing energy infrastructure (wind turbines). The statement "perceived natural landscape" therefore appears to be a misrepresentation of the existing conditions. Recommend revising this statement for clarification that KOP 1 includes existing energy infrastructure and that addition of the Proposed Project while additive, would be consistent with existing conditions.	L-1-30
31	4.1-29	Paragraph 3	Construction of the substation and construction of the overhead segment would involve vegetation clearing, grading, and other excavation to install the Proposed Project components.	This section of the document discusses the PG&E Project Components but uses the term "overhead segment." Throughout the document, "overhead segment" has been reserved for describing a portion of the 230 kV transmission line. The document should be revised to be specific about which PG&E component is being referred to in this discussion (e.g., 500 kV Interconnection Lines).	L-1-31
32	4.1-34	Paragraph 3, sentence 3	At transposition sites A, B, and D, one new TSP would be installed between existing LSTs.	This is inconsistent with the Project Description and should be revised to say "one new three-pole TSP structure would be installed between existing LSTs".	L-1-32
33	4.1-39	Paragraph 2	"Of the 21 projects listed in this table, three exhibit visual characteristics that could be cumulatively considerable in combination with the Proposed Project. These projects are as follows: • Bay Walk Mixed Use Project – Phases I, II, and III • AT&T Rooftop Wireless Facility"	The DEIR states that "three [projects] exhibit visual characteristics," but only list two. Recommend reviewing and revising to include the third project.	L-1-33
34	4.1-45	Paragraph 2	Existing visual character and quality as seen from KOP 5 and KOP 6 would be permanently reduced by introducing man-made structures to an undeveloped area...	This statement is somewhat misleading, as the locality is not entirely undeveloped; please revise as follows: "Existing visual character and quality as seen from KOP 5 and KOP 6 would be permanently reduced by introducing <u>additional</u> man-made structures to an <u>relatively</u> undeveloped area..."	L-1-34
35	4.1-47	Paragraph 3	As shown in the visual simulations for the Proposed Project at KOP 4, 6, 7, and 8 (Refer to Appendix D), the Alternative 2 substation would be visible from Talbert Lane, Birds Landing Road, Montezuma Hills Road, and the Pittsburg Marina...	As shown in the visual simulations for the Proposed Project at KOP 4, 6, 7, and 8 (Refer to Appendix D), the Alternative 2 substation would be visible from Talbert Lane , Birds Landing Road, Montezuma Hills Road, and the Pittsburg Marina... The visual sim for KOP 6 does not show the Alternative 2 substation (it does show the T line that would extend to the Alternative 2 substation).	L-1-35
36	4.1-51	Second full paragraph	Despite the minor shift in components, Alternative 4 would have similar impacts to the Proposed Project due to the equivalent appearance of structures and location of Alternative 4 and the Proposed Project being nearly identical within the nonurbanized area neighboring the Community of Collinsville.	Despite the minor shift in components, Alternative 4 would have similar <u>slightly greater visual impacts to than the Proposed Project</u> due to the equivalent appearance of structures being closer and in a relatively flatter <u>equivalent appearance of structures being closer and in a relatively flatter</u> and location of Alternative 4 and the Proposed Project being nearly identical within the nonurbanized area neighboring the Community of Collinsville.	L-1-36

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
4.2 Agriculture and Forestry Resources				
37	4.2-18-20	NA	N/A	<p>The DEIR concludes under Impact AG-2 that "permanent development of the substation site within the Delta Plan Secondary Zone in areas zoned for agricultural use would conflict with both local and Statewide planning zoning [sic] for agricultural use." DEIR page 4.2-19.</p> <p>This is incorrect. Utility accessory uses such as substations are allowed in all zones in Solano County with appropriate authorization. Section 28.78.20(B)(9) of the Solano County Code provides that "[a]ll utility accessory uses and structures for transmission or distribution of electricity, gas, water, oil, gasoline, telephone, television or other utility services may be permitted in any district. Utility accessory uses and structures include, but are not limited to, compression, drying, regeneration stations, substations, or pumping stations."</p> <p>Solano County's ASM-160 zone (Collinsville Substation south of Stratton Lane) and A-160 zone (Collinsville Substation north of Stratton Lane) allow "utility facility[ies] or infrastructure" with a use permit. See Solano County Code Table 28.21A; Table 28.22A; see also DEIR page 4.2-3. Here, utility accessory uses such as the Collinsville Substation are allowed in the ASM-160 and A-160 zones with appropriate authorization, whether that be a Solano County use permit or a CPUC CPCN in lieu of a use permit pursuant to Section XIV.B of General Order 131-D, and therefore do not conflict with local planning and zoning regulations.</p> <p>Nor does the Project give rise to a significant impact under this criterion by conflicting with the Delta Plan. The Project does not conflict with the Delta Plan because: (1) the Delta Plan does not constitute "zoning," and (2) the Project is not a "covered action" subject to the Delta Plan.</p> <p>The Delta Plan does not constitute "zoning" for the purposes of inquiring whether the Project would "[c]onflict with existing zoning for agricultural use..." Unlike County General Plans and zoning ordinances, the Delta Plan does not dictate land uses. Rather, the legislature authorized the creation of the Delta Plan to promote the "coequal goals" of "providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem." Cal. Water Code § 85054. The Act provides that the Delta Plan "shall include subgoals and strategies to assist in guiding state and local agency actions related to the Delta" and "may also identify specific actions that state or local agencies may take to implement the subgoals and strategies." Cal. Water Code § 85300.</p> <p>Furthermore, even if the Delta Plan did constitute "zoning" appropriate for evaluation under this CEQA criterion, the Delta Plan's regulatory policies only apply to "covered actions" within the planning area. As stated on page 4.11-30 of the DEIR, the Delta Stewardship Council, which administers the Delta Plan, has confirmed that the Proposed Project "is not a covered action" under the Delta Plan. See also DEIR page 4.11-49, fn. 4. Because the Proposed Project is not a "covered action" subject to the Delta Plan, the Project would not conflict with the Delta Plan even if the Delta Plan did constitute "zoning" for purposes of this CEQA impact criterion. The Project cannot conflict with a plan to which it is not subject.</p>

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
				<p>"Covered actions" are those which meet all of the following criteria: (1) Will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh. (2) Will be carried out, approved, or funded by the state or a local public agency. (3) Is covered by one or more provisions of the Delta Plan. (4) Will have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta." Cal. Water Code § 85057.5(a). The Collinsville Project is not a covered action because it would not "have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta." Cal. Water Code § 85057.5(a)(4).</p> <p>First, there is no indication that the Collinsville substation would hinder the reliability of the state's water supply. To the contrary, the project may support infrastructure necessary to power water projects in the Delta region.</p> <p>Second, the project would not have a "significant impact" on the DSC's ability to "protect[], restor[e], and enhanc[e] the Delta ecosystem." The Collinsville substation's 12.7-acre footprint is microscopic relative to the 1,300 square mile Delta and Suisun Marsh planning area, comprising some 0.000015% (that is, fifteen <i>millionths</i> of a percent) of the planning area. The substation and its associated environmental impacts pale in comparison to the vast infrastructure projects that have been deemed "covered actions" in the past. See DEIR page 2-7; Delta Plan page 3. The Collinsville project area is surrounded by existing development, including the nearby community of Collinsville, roads, agricultural operations, and large wind farms to the north. The project is not located on the water and would not block any waterways. These facts suggest that the project would not have a "significant impact" on the protection, restoration, and enhancement of the Delta ecosystem.</p> <p>Finally, there is no evidence that the project would impede implementation of government-sponsored flood control programs. For these reasons, the Collinsville substation is not a covered action under the Delta Plan.</p> <p>Because the Proposed Project would not conflict with existing zoning for agricultural use, there is no potentially significant impact and thus no mitigation is required. Accordingly, the AG-2 impact conclusion should be changed to less than significant (without mitigation) and the compensatory mitigation requirement of MM AG-1 should be removed.</p>

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
38	4.2-22-24	Not Applicable	Not Applicable	Impact AG-5 asks whether the Proposed Project would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use' and incorrectly concludes the impact would be less than significant with implementation of MM AG-1. This conclusion is incorrect because, as the DEIR repeatedly states (see, e.g., DEIR page 4.22), the Proposed Project would not result in the conversion of "Farmland," which, for CEQA purposes, is defined as "Prime Farmland, Unique Farmland, or Farmland of Statewide Importance." The Proposed Project would not induce development, and the DEIR does not identify any other changes in the existing environment" due to the Proposed Project that would result in the conversion of Farmland to non-agricultural use. As such, this impact would in fact be less than significant and does not require mitigation in any form. Requiring compensatory mitigation under MM AG-1 therefore must be withdrawn because it is disproportionate to the impact of the Proposed Project (see 14 C.C.R. 15126.4 (mitigation measures must be consistent with constitutional nexus and proportionality requirements)).	L-1-38
39	4.2-23	Paragraph 2	Operation of the LSPGC 230 kV transmission line would result in permanent impacts where approximately three structures would be installed in areas within or adjacent to agricultural operations along the overhead segment. Operation and maintenance of the proposed 230 kV transmission line would not result in substantial effects on existing agricultural operations because the areas affected by transmission structures would be small and spread out, and overhead transmission would not prevent the agricultural operations from continuing. Impacts associated with the 230 kV transmission line would be less than significant.	This paragraph is located under the "LSPGC Collinsville Substation" header for Operations and Maintenance. This should be moved to the LSPGC 230kV transmission line section.	L-1-39
40	4.2-28	Paragraph 3	The Alternative 1 Collinsville Substation would permanently convert agricultural grazing lands under Williamson Act contract and zoned for agricultural use to a utility use (Figure 4.2-3). The impact from conflict with a Williamson Act contract, zoning for agricultural use, and conversion of grazing lands to non-agricultural use would be significant.	Section 51238(a) of the Williamson Act indicates that, unless the city or county determines otherwise after notice and a hearing, the erection, construction, alteration, and maintenance of gas, electric, water, or communication facilities are compatible with Williamson Act contracts. Therefore, the Alternative 1 substation would not create significant impacts to the Williamson Act contract. Impacts under AG-2 and AG-5 would be less than significant for the same reasons discussed with respect to the Proposed Project above.	L-1-40
41	4.2-32	Paragraph 4	The Alternative 2 Collinsville Substation would permanently convert agricultural grazing lands under Williamson Act contract and zoned for agricultural use to a utility use (Figure 4.2-4). The impact from conflict with a Williamson Act contract, zoning for agricultural use, and conversion of grazing lands to non-agricultural use would be significant.	Section 51238(a) of the Williamson Act indicates that, unless the city or county determines otherwise after notice and a hearing, the erection, construction, alteration, and maintenance of gas, electric, water, or communication facilities are compatible with Williamson Act contracts. Therefore, the Alternative 2 substation would not create significant impacts to the Williamson Act contract. Impacts under AG-2 and AG-5 would be less than significant for the same reasons discussed with respect to the Proposed Project above.	L-1-41

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
4.3 Air Quality					
42	4.3-57	Paragraph 1	Alternative 1 would require more grading than the Proposed Project for preparation of the Collinsville Substation site. BAAQMD does not set a numerical threshold to evaluate the significance of fugitive dust emissions from construction projects. Rather, BAAQMD requires projects to implement all feasible BMPs to reduce fugitive dust emissions as provided in its CEQA Guidelines Chapter 5, Table 5-2. As with the Proposed Project, Alternative 1 would implement MM AQ-1, which requires implementation of all dust-control BMPs required by BAAQMD (refer to Section 4.3.14). The impact from fugitive dust within the jurisdiction of BAAQMD would be less than significant with mitigation.	This paragraph should be discussing Alternative 2. Verify that the proper alternatives are discussed in their respective sections.	L-1-42
43	4.3-63	MM AQ-2:	MM AQ-2: Watercraft Emission Reduction LSPGC shall use marine vessels (e.g., tug boards and support vessels) that meet U.S. Environmental Protection Agency (EPA) Tier 4 engine standards to the extent commercially available and operating in the Bay Area during construction. If marine vessels with EPA Tier 4 engines are not available, LSPGC shall submit to the CPUC evidence documenting good faith effort to obtain watercraft with EPA Tier 4 engines. Where watercraft with Tier 4 engines are not available, LSPGC shall ensure that all marine vessels used during in-water construction activities are powered by engines that meet EPA Tier 3 emission standards for marine compression-ignition engines, as defined in Title 40 of the Code of Federal Regulations (CFR) Part 1042.	LSPGC requests the following changes to MM AQ-2: LSPGC shall use marine vessels (e.g., tug boards and support vessels) that meet U.S. Environmental Protection Agency (EPA) Tier 4 engine standards to the extent commercially available and operating in the Bay Area during construction. If marine vessels with EPA Tier 4 engines are not <u>commercially or regionally</u> available, LSPGC shall submit to the CPUC evidence documenting good faith effort to obtain <u>local</u> watercraft with EPA Tier 4 engines. Where watercraft with Tier 4 engines are not <u>commercially and regionally</u> available, LSPGC shall ensure that all marine vessels used during in-water construction activities are powered by engines that meet EPA Tier 3 emission standards for marine compression-ignition engines, as defined in Title 40 of the Code of Federal Regulations (CFR) Part 1042	L-1-43
4.4 Biological Resources					
44	4.4-1	4 th Bullet	"The EIR should analyze potential effects to sensitive and special-status species and Suisun Bay watershed, the Mendocino National Forest, and the proposed PG&E Montezuma Island Mitigation Bank."	See previous comment regarding the feasibility of the Alternatives 4 and 6a/b.	L-1-44
45	4.4-1	Bullet Point 4	The EIR should analyze potential effects to sensitive and special-status species and Suisun Bay watershed, the Mendocino National Forest, and the proposed PG&E Montezuma Island Mitigation Bank.	Mendocino National Forest is not near the Proposed Project. Please delete this reference.	L-1-45
46	4.4-12	Bullet Point 2	For plants, recent occurrences have been recorded within 0.25 mile, but the species was not observed during floristic surveys or was surveyed outside of the species' known bloom period.	All species with the potential to occur have been surveyed during their appropriate bloom period. As a result, this additional statement is not required and the following edit should be made: "For plants, recent occurrences have been recorded within 0.25 mile, but the species was not observed during floristic surveys or was surveyed outside of the species' known bloom period. "	L-1-46
47	4.4-13	Paragraph 2	One species was determined to be present in the biological study area during field surveys.	As indicated elsewhere in the DEIR, three special status species were determined to be present: Swainson's hawk and northern harrier in the initial survey area and golden eagle were observed in the transposition tower survey area	L-1-47

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48	4.4-29	Table 4.4-4, Row 3	burrowing owl	<p>Findings from the burrowing owl habitat assessment and protocol-level breeding season surveys have not been, but need to be considered in this determination. The habitat assessment and breeding season protocol-level surveys conducted in 2025 identified no evidence of burrowing owl or burrowing owl sign within the initial survey area. Suitable burrow habitat within the initial survey area was already extremely limited, as documented in the 2023 habitat assessments, and these conditions remained unchanged during the 2025 protocol-level surveys. Given these findings, the determination of moderate nesting potential within the survey area is no longer appropriate and should be revised to low.</p> <p>The BUOW survey results are attached to this comment response table.</p>	L-1-48
49	4.4-31	Table 4.4-4, Row 4	Clark's grebe	<p>GLOBAL: The potential to occur determinations for BCC species do not adhere to the stated definitions in many cases. Where there is suitable habitat but no occurrence data, it is not correct to list them as "High." The criteria more closely fit the "Moderate" designation.</p> <p>Species for which this revision is applicable:</p> <ul style="list-style-type: none"> California gull (<i>Larus californicus</i>) Clark's grebe (<i>Aechmophorus clarkii</i>) Lawrence's goldfinch (<i>Spinus lawrencei</i>) Marbled godwit (<i>Limosa fedoa</i>) Short-billed dowitcher (<i>Limnodromus griseus</i>) Western grebe (<i>Aechmophorus occidentalis</i>) Western gull (<i>Larus occidentalis</i>) Willet (<i>Tringa semipalmata</i>) 	L-1-49
50	4.4-42	Table 4.4-4, Row 2	vernal pool fairy shrimp	<p>A potential to occur of moderate is not appropriate given the criteria. No suitable vernal pool habitat is present within the initial survey area. The conditions and occurrence data are consistent with Conservancy fairy shrimp which has been designated as "Low."</p>	L-1-50
51	4.4-42	Table 4.4-4, Row 3	vernal pool tadpole shrimp	<p>A potential to occur of moderate is not appropriate given the criteria. No suitable vernal pool habitat is present within the initial survey area. The conditions and occurrence data are consistent with Conservancy fairy shrimp which has been designated as "Low."</p>	L-1-51
52	4.4-74	Paragraph 1	<p>This EIR incorporates by reference the avoidance and minimization measures (AMMs) in Chapter 5.5.1.2 of PG&Es Bay Area HCP (ICF 2017). These AMMs include specific plant and wildlife species impact avoidance and minimization measures as well as general measures such as personnel training. The complete list of measures may be found in Table 5-1 of the Bay Area HCP. The measures would apply to all PG&E operation and maintenance activities and the transposition structure installation activities conducted under the HCP.</p>	<p>This statement suggests that every measure would be applied; however, only the applicable measures should be applied to operation and maintenance activities. Suggest the following edit to the final sentence: "The applicable measures would apply to all PG&E operation and maintenance activities and the transposition structure installation activities conducted under the HCP."</p>	L-1-52

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53	4.4-200	MM BIO-1	Special-status plant surveys shall be conducted during the appropriate blooming period for each species. Surveys shall occur prior to construction and operation and maintenance activities for all work areas occurring off existing access roads in natural areas, including overland travel routes, and areas of existing roads that require modifications.	LSPGC suggests removing operation and maintenance from MM BIO-1 because operations and maintenance ground disturbance is often unscheduled and cannot feasibly wait for spring or fall seasonal surveys; in the alternative, plant surveys could be required for greenfield operations and maintenance work, but would not be limited to blooming season.	L-1-53
54	4.4-81	Paragraph 2	MM BIO-2 also requires restoration and revegetation of temporary impact areas within all project components and the implementation of a Revegetation, Restoration, and Monitoring Plan that addresses procedures for restoring special status plant populations in areas of temporary impact (refer to Section 4.4.14 for the complete text of these MMs).	This appears to refuse acknowledgement of APM BIO-2, which would create a Project specific restoration plan.	L-1-54
55	4.4-94	Paragraph 3, last sentence	However, California black rail, Ridgway's rail, burrowing owl, golden eagle, Swainson's hawk, and western snowy plover are discussed in greater detail below due to impacts specific to these species.	This statement should be revised to add "potential" before "impacts." Impacts to these species are not a foregone conclusion.	L-1-55
56	4.4-96	Paragraph 2	Burrowing owl	This section makes no mention of the protocol-level breeding season surveys conducted in 2025 for the species. Findings of this survey found no evidence of breeding for this species within the survey area. Accordingly, please add the following sentence "In addition, LS Power conducted protocol-level surveys for burrowing owl during 2025 and no burrowing owls or potential burrows were identified (Insignia, 2025).	L-1-56
57	4.4-96	Paragraph 4	During field surveys, Swainson's hawks were observed north of the Delta flying overhead, foraging, and nesting.	Swainson's hawk were not observed nesting. They were observed flying overhead/foraging during field surveys, as stated in the Terrestrial Technical Report Biological (Insignia, 2025). Suggest revising the first sentence to state "During field surveys, Swainson's hawks were observed soaring over the Project area, but no foraging or nesting behavior was observed."	L-1-57
58	4.4-97	Paragraph 2	No trees are proposed for removal during construction of the Proposed Project and so there would be no significant impacts on nesting habitat.	For consistency with the rest of the document, this should be revised to say that impacts would be less than significant.	L-1-58
59	4.4-119	Paragraph 3, last sentence	Because of the limited in-water work window (APM BIO-18) and implementation of APMs BIO-19 through BIO-22, which would require intake screens to minimize fish entrainment, implement invasive species management measures, screen and test aquatic sediment, and implement an aquatic spill prevention and control plan, impacts from sediment or hazardous materials to special-status marine mammals would be less than significant.	This section of the document should be addressing mammals, not fish. Recommend that this sentence be revised to indicate that the fish screens would help avoid entrainment of mammals or remove reference to this measure altogether.	L-1-59
60	4.4-125	Paragraph 2	However, the increased presence of invasive species such as golden mussel in the region could result in inadvertent transportation of invasive species from the project area after construction is complete and could introduce invasive species to other areas.	Please delete this statement. Inadvertent transportation of an invasive species after the completion of construction and unrelated to Proposed Project activities cannot reasonably be considered to be an impact associated with the Proposed Project.	L-1-60
61	4.4-130	Paragraph 2	MM HYD-1 defines specific procedures for restoration, monitoring, and adaptive management for temporary impacts on wetlands and compensatory mitigation for any permanent impacts to wetlands (refer to Section 4.10: Hydrology for the complete text of this MM)	GLOBAL: The Hydrology and Water Quality section of this DEIR proposes MM HYD-1 to mitigate impacts associated with the alternatives, not the Proposed Project. Impacts in Section 4.10 were found to be less than significant or to result in no impact for the Proposed Project. Therefore, it is not appropriate to apply this mitigation measure to the Proposed Project in the Biological Resources section.	L-1-61

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
62	4.4-136	Paragraph 4	While routine maintenance activities would have a less than significant impact on avian nursery sites, non-routine cable replacement/repair activities could require trenching to replace a defective cable. Cable replacement would require separate authorization. If the trenching is required in areas containing nesting habitat, the impact on avian nursery sites would be equivalent to construction and would be significant. MM BIO-7 defines requirements for pre-activity nesting bird surveys in suitable habitat and requires nest avoidance buffers and monitoring where nests are found. The impact on nursery sites during cable replacement maintenance activities would be less than significant with mitigation.	This section is tailored to the planned operation and maintenance of the LSPGC Collinsville Substation, 230 kV overhead and underground segments, and telecommunication interconnection lines; however, the language in the last paragraph of the section is referring to potential future replacement of the submarine segment. This language is not appropriate for this section of the EIR and should be removed.
63	4.4-193	Paragraph 1, last sentence and first full paragraph	Alternative 6a/6b impacts on special-status birds would be equivalent to the Proposed Project components replaced by Alternative 6a/6b. Indirect on special-status birds during construction would be the same as the Proposed Project and are described in Section 4.4.5.	This statement is incorrect. Because Alternative 6a/6b is located in the Suisun Marsh management area, involves more work closer to the open waters of the Delta, and is more intrusive, the direct and indirect impacts to California black rail, California Ridgway's rail, western snowy plover, and double-crested cormorant would likely be greater than the LSPGC proposal.
64	4.4-201	Paragraph 4	Salvage and replanting plan: For impacts on state or federally listed or CRPR 1 or 2 plants that cannot be avoided, the qualified botanist shall prepare and implement a Salvage and Replanting Plan	Salvage and transplant is not one-size-fits-all. Mason's liliopsis and delta mudwort, due to their small size and creeping or annual growth habits, are not practical to transplant successfully. The current literature and existing restoration guidance for these species advocate either topsoil salvage (San Joaquin County Multi-Species Habitat Conservation Plan; ITP #2081-2018-066-03 Winter Island Tidal Habitat Restoration Project) or passive revegetation (Grewell et al. 2013), neither of which is presented as an alternative in the plan requirements. Both species readily recolonize unvegetated mud within intertidal areas following disturbance (ITP #2081-2018-066-03 Winter Island Tidal Habitat Restoration Project), either through the existing seed bank or through rhizome or stolon fragments in the mud or in adjacent undisturbed habitats (Grewell et al. 2013). This measure should be revised as follows to leave the door open for restoration through natural recolonization or through topsoil salvage and redispersal for species where that approach is appropriate: Salvage and replanting plan: For impacts on state or federally listed or CRPR 1 or 2 plants that cannot be avoided, the qualified botanist shall prepare and implement a Salvage and Replanting Plan. The Salvage and Replanting Plan would specify, at a minimum, the following: <ul style="list-style-type: none"> • Location of the mitigation site(s) (extent of the plants within and adjacent to project areas and site conditions that support recolonization). • Procedures for procuring plants, if appropriate, such as transplanting plants or collecting seed from plants to be impacted, including storage locations and methods to preserve the plants. If collecting seed or transplanting plants are not appropriate the plan shall document justification and propose alternative strategies (e.g. preserving topsoil, protecting adjacent populations to facilitate passive revegetation) • Procedures for propagating collected seed materials or topsoil storage and redistribution methods, including storage methods. • Quantity and species of plants to be planted or transplanted, if applicable.

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
				<ul style="list-style-type: none"> Planting procedures, including the use of soil preparation and irrigation, if applicable. Schedule and action plan to maintain and monitor the mitigation site for a minimum 3-year period. Reporting procedures, including the contents of annual progress reports. List of criteria tailored to species-specific attributes (e.g., cover, survival, spatial extent) (e.g., growth, plant cover, survivorship) by which to measure success of the plantings. Contingency measures, such as adaptive management actions (e.g., supplemental plantings, weed control, seed broadcasting) if performance criteria are not met to implement if the plantings are not successful (i.e., weed removal, supplemental plantings, etc.). <p>Grewell, B. et al. (2013). <i>Case studies in rare plant conservation from the San Francisco Estuary</i>. San Joaquin County Multi-Species Habitat Conservation Plan (2000) CDFW Incidental Take Permit No. 2081-2018-066-03 (Winter Island Restoration), Amendment 1 (2023)</p>
65	4.4-202	Paragraph 2	If CPUC or CDFW determines that the Salvage and Replanting Plan is not likely to be successful (due to the species' life form, habitat requirements, or other factors), then LSPGC/PG&E shall provide compensation lands consisting of habitat occupied by the impacted CRPR 1, 2, 3, or 4 ranked plant occurrences at a 1:1 ratio of acreage for any occupied habitat affected by the project.	Request the removal of the mitigation requirement for CRPR 3 and 4 plants because the DEIR does not identify a potentially significant impact on any CRPR 3 or 4 plants that also meet the definition of endangered, threatened, or rare under 14 C.C.R. 15380 and therefore no mitigation is required. L-1-65
66	4.4-203	Paragraph 6	A qualified biologist or botanist shall monitor vegetation resources that are impacted annually until performance standards have been met. Monitoring shall be conducted once a year during the blooming period to verify species composition and cover within all areas of temporary disturbance.	This measure, as written, is inconsistent. The measure requires that surveys be conducted once a year, but also during the appropriate blooming period. It is more appropriate for the measure to require an annual survey during the growing period as dictated by local climate conditions. The measure should be revised to change "blooming period" to "growing period." L-1-66
67	4.4-204	Paragraph 7, Timing	Restoration of temporary impact areas shall occur within one year following completion of temporary disturbance	This sentence is unclear as prepared. It suggests that all restoration criteria must be met within one year, which is not practical nor is it consistent with the rest of the measure. This statement should be refined to say "restoration of temporary impact areas shall be initiated within one year following completion of temporary disturbance." L-1-67
68	4.4-206	Paragraph 1	Control. Invasive plant infestations must be controlled or eradicated as soon as possible upon discovery, and before they go to seed, or when appropriate with the goal to prevent further spread.	This should be corrected to "new invasive plant infestations." The Project is not responsible for existing infestations. L-1-68
69	4.4-206	Paragraph 5, MM B/O-4	Within 7 days prior to ground disturbance in each work area, a qualified biologist shall investigate each work area for the presence of burrows suitable for California tiger salamander and California red-legged frog.	Surveys for these burrows should only be required within suitable upland habitat within the species' known dispersal range from suitable aquatic habitat, not all work areas. Suggested change "Within 7 days prior to ground disturbance in each work area <u>within the species' known dispersal range from suitable aquatic habitat</u> , a qualified biologist shall investigate each work area for the presence of burrows suitable for California tiger salamander and California red-legged frog." L-1-69

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
70	4.4-207	Paragraph 4, Pre-construction surveys	the potential to occur	As prepared this measure would require surveys for special-status species with any potential to occur, which is infeasibly and unjustifiably broad and. This language should be revised to apply only to special-status species with a "moderate or higher potential to occur."	L-1-70
71	4.4-208	Paragraph 3, Resource Avoidance	Resource avoidance	The way that this measure is prepared, it suggests that all special-status species habitat, sensitive natural communities, wetlands, and riparian areas will be avoided by construction. This is not the case and is why permits are being secured for the project. This measure must be revised to allow flexibility for construction to proceed and should be refined as follows: "Prior to construction or access in any <u>work</u> area containing or potentially containing special-status species habitats, sensitive natural communities, riparian areas, or wetlands, the biological monitor shall mark or otherwise delineate the limits of special-status species habitat, sensitive natural communities, riparian areas, and wetlands for avoidance, <u>to the extent feasible</u> . Where necessary, post signs at access route entrances to inform workers of special access considerations (i.e., seasonal restrictions, biological monitor escort, etc.)."	L-1-71
72	4.4-209	Paragraph 2	Pre-activity nest surveys will be conducted prior to any construction activities within suitable habitat scheduled during the breeding period	Requiring preconstruction surveys prior to "any construction activity" is inconsistent with the language earlier in the measure under Avoidance of Work During Nesting and Breeding Season, since that section specifically calls for avoiding work during the breeding season for vegetation clearing and ground disturbance. The following revision will make this measure consistent with the rest of the document: <u>Pre-activity nest surveys will be conducted prior to any construction vegetation clearing and ground disturbance activities</u> within suitable habitat scheduled during the breeding period	L-1-72
73	4.4-209	Paragraph 6, Nest Buffers and Acceptable Activities	In some cases, active nests may be found while work is underway. Therefore, a protocol shall be implemented for stopping ongoing work within the buffer area, securing the work site, and removing personnel and equipment from the buffer	A nest established during construction clearly shows acclimation to the existing activities on-site. If a nest is established during construction, the measure language should allow for the possibility of an alternative scenario, to be discussed with and evaluated by the CPUC and relevant agencies, in which the nest will be monitored for disturbance and to ensure no direct impacts or failure and that a no-disturbance buffer be established if a biologist determines that changes in disturbance levels or visible responses from the nesting pair indicate that the nest is at risk of failure. Suggest the following edit: In some cases, active nests may be found while work is underway. <u>In the event that a bird nest is established by a species that carries no state or federal listing status, within the work area during construction, work will temporarily halt within the prescribed buffer for that species, but may resume within a reduced buffer area, agreed upon in writing by the CPUC under the condition that the nest be monitored continuously for a period of 2 days after construction recommences. If nest behavior is not affected during the 2-day monitoring period, construction may continue within the reduced buffer without dedicated monitoring.</u> Therefore, a protocol shall be implemented for stopping ongoing work within the buffer area, securing the work site, and removing personnel and equipment from the buffer	L-1-73

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
74	4.4-209	Paragraph 7	a 300-foot buffer shall apply as a standard buffer distance for migratory birds	A 150-foot buffer is more appropriate for non-special-status species.
75	4.4-211	Paragraph 3	A qualified biologist shall conduct a habitat assessment and surveys, if warranted based on the habitat assessment, following the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology(https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds) and prepare a report documenting the survey results. The qualified biologist shall have a minimum of two years of experience implementing the above methodology resulting in burrowing owl detections.	A habitat assessment for this species has already been completed and is included as Attachment C. An additional habitat assessment is not warranted. The parameters of this measure may require access outside of our current ROW/areas where we have landowner consent to survey.
76	4.4-211	Paragraph 3	Burrowing Owl Habitat Assessment and Surveys:	<p>This measure needs to be re-evaluated to consider the temporal constraints imposed by the implementation of protocol-level breeding season surveys, and to a lesser extent, the non-breeding season surveys.</p> <p>Requiring a protocol-level breeding season survey prior to work occurring during the breeding season dramatically reduces the potential start time of construction within the February 1 – August 31 breeding season window, as the earliest that these surveys can be completed, in accordance with the protocol is June 16. Only 1.5 months of the breeding season would be left for construction initiation.</p> <p>The same issue is also present, but to a slightly more ambiguous extent for the non-breeding season. In this case the protocol requires non-breeding season surveys consist of "at least four (4) visits, spread evenly, throughout the nonbreeding season". It is unclear from the measure what adequate survey temporal spacing would be and how construction might plan it's commencement during the non-breeding season while accommodating the protocol.</p> <p>The following language was accepted on a recent LSPGC project (Manning 500/230KV Substation Project). Please revise the language in the Mitigation Measure to the following:</p> <p>"If Project activities commence in after January 31, surveys will be conducted to determine whether burrowing owls are present within the Habitat Assessment Area during the breeding season (February 1-August 31). Complete breeding season surveys in accordance with the Survey Protocol will not be conducted if construction begins prior to June 16, as following the survey timing requirements in the Protocol would not be possible during that time period. Instead, an abbreviated protocol will be followed (i.e., fewer survey visits) at the discretion and in the best judgement of the project biologist. If construction begins after June 16, the full breeding season survey will be conducted in accordance with the Survey Protocol.</p> <p>In accordance with the Survey Protocol, "...non-breeding season surveys may be warranted (i.e., if the site is believed to be a wintering site only based on negative breeding season results)." These surveys will follow the Survey Protocol and will be used to determine whether overwintering owls are present within the Habitat Assessment Area during the non-breeding season (September 1–January 31)."</p>

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
77	4.4-211	Paragraph 3	The habitat assessment and surveys shall encompass the project site and a sufficient buffer zone to detect owls nearby that may be impacted, which is up to 500 meters (1,640 feet) around the project site pursuant to the above methodology, unless otherwise approved in writing by CDFW	Appendix C of the CDFW protocol specifies a 150-meter buffer zone for habitat assessments. The measure should be revised to specify a 150-meter buffer zone.
78	4.4-214	Paragraph 4	Crotch's Bumble Bee Surveys	The surveys are not recommended pursuant to Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023). This measure should be revised to conform with current regulatory guidance from CDFW. Further, the link provided in the measure directs to the home page for the California Bumblebee Atlas, not the survey guidelines. In addition, the protocols available through that site require the collection of bees, which conflicts with the language later in the measure that requires surveys to be conducted using non-take methods. The measure references a peak flying time of March to August; however, conflicts with CDFW's current guidance as presented in Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023) where the colony active period for this species (i.e. highest detection probability) April-August. The measure should be revised for consistency with the CDFW guidance. Please see comment for page 4.4-215 for a comprehensive proposed revision.
79	4.4-215	Paragraph 1	Surveys shall be conducted no more than 30 days prior to the start of project construction activities, assessing all areas of suitable habitat for overwintering, nesting and foraging at, and within 100 feet of the proposed work area.	<p>Nesting and foraging habitats potentially suitable for Crotch's bumble bee are present in the project work areas. However, according to the best available science regarding bumble bees, including bumble bees in California, overwintering habitat consists of woodlands and woodland or forest edges where leaf or needle litter is present (CDFW 2023, USFWS 2021, Williams et al. 2014; Williams et al. 2019). Bumble bees in California have been documented overwintering under 1 to 2 inches of duff, between leaf or needle litter and mineral soil. All work areas and their surrounding 100-foot buffers, which have been mapped previously to the alliance level, do not contain woodland habitat or areas where leaf or needle litter could accumulate. Fully floristic surveys conducted within LSPGC work areas and within 100 feet of these work areas further corroborated these findings.</p> <p>In a recent (June 2025) IS/MND analysis of the LSPGC Manning 500/230 kV Substation Project (Manning Project), the CPUC stated that it did not consider the overwintering life history stage for Crotch's bumble bee in its impact analysis. The CPUC noted that the project alignment area does not contain woodland habitat or areas where leaf or needle litter could accumulate. The CPUC further concluded that because overwintering habitat is not present within the project alignment area, surveys conducted during the overwintering period are not likely to result in detection of the species. The CPUC also noted that implementation of a limited operating period during the colony active period, if feasible, would avoid take of individual Crotch's bumble bees.</p> <p>Because overwintering habitat is not present within work areas or within 100 feet of these areas, Crotch's bumble bees have potential to occur in work areas only during the colony active period, gyne flight period, and queen flight period. Surveys during the overwintering period are not likely to result in detection of the species. Further, detection of dispersing queens and gynes is expected to be exceptionally difficult given the low number of dispersing individuals relative to the quantities detectable during the colony active period. These findings are consistent with the determinations</p>

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				<p>made for the Manning Project which determined that Crotch's bumble bees have potential to occur only during the colony active period.</p> <p>As the habitat conditions between the Proposed Project and the Manning Project, as they pertain to overwintering habitat, are similar, LSPGC proposes replacing the language in MM BIO-12 with the following mitigation measure language drafted by the CPUC for the Manning Project which is consistent with the regulatory guidance put forth by the CDFW in their Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023):</p> <ul style="list-style-type: none"> - Initial ground-disturbing work (e.g., grading, vegetation removal, staging) in grassland habitat or agricultural areas that contain grasses or forbs shall take place between August 15 and March 15, if feasible to avoid impacts on nesting Crotch's bumble bees. - If the above limited operating period is not feasible (i.e., if limiting ground disturbance to the period between August 15 and March 15 would preclude achieving most of all of the project objectives) as determined by LSPGC with concurrence from the CPUC, a qualified biologist approved by the CPUC, familiar with bumble bees of California and experienced using survey methods for bumble bees, shall conduct a habitat assessment and focused survey for Crotch's bumble bee before the start of any ground disturbing activities in grassland habitat or edges of agricultural areas that contain grasses or forbs. Surveys shall be performed when Crotch's bumble bee is most likely to be identified, typically from April through August (i.e., the colony active period) when floral resources and ideal weather conditions are present, and shall follow the methods in Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023). Surveys shall be conducted during the colony active period the same year as the start of planned construction activities. - LSPGC shall submit a survey report to the CDFW and the CPUC within 1 month of survey completion and shall notify the CDFW and the CPUC within 24 hours if Crotch's bumble bees are detected. - If Crotch's bumble bees are detected during the focused survey, appropriate avoidance measures shall be implemented. Avoidance measures shall include, but not be limited to, the following: <ul style="list-style-type: none"> o Protective buffers shall be implemented around active nesting colonies until these sites are no longer active. A qualified biologist, in coordination with the CDFW, shall determine the appropriate buffer size to protect nesting colonies. o If nesting colonies are detected, avoidance areas shall be implemented in areas near the colony location that contain significant floral resources for the colony, if present. A qualified biologist shall determine the appropriate avoidance area size to protect foraging resources. o If project activities involving temporary disturbance (e.g., staging) would occur where a nesting colony was detected after the nesting colony is no longer active, the area shall be restored to original

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				<p>conditions after the temporary disturbance is complete such that habitat for Crotch's bumble bee would be available.</p> <ul style="list-style-type: none"> - If take of Crotch's bumble bee cannot be avoided, LSPGC shall obtain an Incidental Take Permit (ITP) from the CDFW and shall implement all avoidance measures included in the ITP. The CDFW may also require compensatory mitigation through on-site habitat restoration or purchase of credits at an appropriate mitigation bank. Avoidance measures included in the ITP would reduce the likelihood of take of Crotch's bumble bees such that impacts on the species would be fully mitigated. These measures would include but not be limited to: <ul style="list-style-type: none"> o specifications for construction timing and sequencing requirements to avoid impacts on nesting Crotch's bumble bees; o pre-construction surveys conducted within 30 days prior to the start of ground-disturbing activities; o establishment of seasonal no-disturbance buffers around nest sites; o construction monitoring; o restrictions associated with construction practices, equipment, or materials that may harm bumble bees (e.g., BMPs to minimize the spread of invasive plant species); and o provisions to avoid Crotch's bumble bees or potential Crotch's bumble bees if observed away from a nest during project activity (e.g., ceasing of project activities until the animal has left the work area). <p>Documentation of compliance with this mitigation measure and any required coordination with the CDFW or acquisition of an ITP shall be provided to the CPUC before commencement of any project construction activities.</p> <p>California Department of Fish and Wildlife. 2023. (June). <i>The Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species</i>.</p> <p>US Fish and Wildlife Service. 2021. <i>Recovery Plan for Rusty Patched Bumble Bee (Bombus affinis)</i>.</p> <p>Williams, P. H., R. W. Thorp, L. L. Richardson, and S. R. Colla. 2014. <i>Bumble Bees of North America</i>.</p> <p>Williams, N. L., J. M. Mola, C. Stulgross, T. Harrison, M. L. Page, R. M. Brennan, N. M. Rosenberger, and M. Rundlof. 2019. "Fantastic Bees and Where to Find Them: Locating the Cryptic Overwintering Queens of a Western Bumble Bee."</p>

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
80	4.4-216	MM BIC-17	LSPGC shall submit this plan to CPUC for review and approval at least 60 days before the start of marine activities and shall submit the plan to USACE, NMFS, and CDFW for review. Vessels originating outside San Francisco Bay shall follow existing compliance measures established by the CSLC as part of the Marine Invasive Species Program, relating to hull fouling and ballast water control.	LSPGC requests that the plan only be submitted to the CPUC and CSLC for review. The USACE, NMSF and CDFW have limited or no jurisdiction over marine invasive species and should only require plan submittal to the extent required by applicable regulations and/or permits. Accordingly, please make the following edit: LSPGC shall submit this plan to CPUC for review and approval at least 60 days before the start of marine activities and shall submit the plan to USACE, NMFS, and CDFW for review <u>if required by applicable regulations and/or permits</u> . Vessels originating outside San Francisco Bay shall follow existing compliance measures established by the CSLC as part of the Marine Invasive Species Program, relating to hull fouling and ballast water control.	L-1-80
81	4.4-217	MM BIC-18	MM BIC-18: Compensatory Mitigation for Permanent Impacts to Benthic Habitat LSPGC shall implement compensatory mitigation for permanent impacts on benthic habitat at a ratio of 1:1 or greater, subject to approval by the appropriate resource agencies (e.g., U.S. Army Corps of Engineers, CDFW, and SWRCB).	Revise MM BIC-18 to "If the Project requires the use of concrete mattresses or builders for submarine cable protection, LSPGC shall implement compensatory mitigation for permanent impacts on benthic habitat at a ratio of 1:1 or greater, subject to approval by the appropriate resource agencies (e.g., U.S. Army Corps of Engineers, CDFW, and SWRCB).	L-1-81
4.5 Cultural Resources					
82	4.5-2	Paragraph 2	The tallest structure would be the microwave tower up to 200 feet tall.	The microwave tower has a maximum vertical high of 199 feet.	L-1-82
83	4.5-18	Paragraph 2	An underwater paleo landform was also located and determined to have low sensitivity for cultural deposits (ASM Affiliates and Insignia Environmental 2025).	Please clarify that this is the same paleo landform discussed in the previous paragraph.	L-1-83
84	4.5-18	Paragraph 5	During consultations, the Native American representatives discussed the presence of significant tribal cultural resources including a potential historic Native American village site along the northern bank of the Sacramento River near the Proposed Project.	This statement is misleading because no village has in fact been identified. Please revise to " <u>potential</u> presence of significant tribal cultural resources"	L-1-84
85	4.5-29 to 4.5-30	Table 4.5-3	APM CUL-3	In order to more clearly reflect the requests of the Confederated Village of Lisjan Nation and the Yocha Dehe Winton Nation that tribal artifacts that cannot be avoided be reburied outside of impacted areas, LSPGC has revised the last sentence of APM CUL-3 as follows and request corresponding edits to the DEIR to reflect same: "Archaeological materials recovered during any investigation would be reburied <u>outside areas impacted by the Proposed Project</u> , curated at an accredited curation facility, or transferred to the appropriate tribal organization."	L-1-85
86	4.5-33 to 4.5-37	Paragraph 3	Due to likelihood of encountering precontact resources along portions of the 230 kV line and because it may not be possible to avoid a historic Native American village or human remains (if they occur in the construction area), impacts would be significant and unavoidable.	The Draft EIR correctly acknowledges that extensive cultural resources surveys (including records reviews and field surveys) have been performed for the project site and surrounding areas, and that no historical resources have been identified that the project would impact significantly. As the Draft EIR also properly notes, as part of these efforts, both LSPGC and CPUC have conducted tribal outreach. (The Amah Mutsun Tribal Band of San Juan Bautista recommended cultural sensitivity training for project workers, as well as archaeological and tribal monitoring during earth movement activities. The Confederated Village of Lisjan Nation and the Yocha Dehe Winton Nation requested monitoring of ground-disturbing activities, cultural sensitivity training, meetings between tribal representatives, and reburial of isolated artifacts outside areas impacted by the Project.)	L-1-86

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				<p>The Draft EIR ultimately concludes that potential project impacts to unanticipated, precontact discoveries along portions of the 230 kV alignment would be significant and unavoidable. While LSPGC does not request that the Final EIR be revised to reflect a different impact conclusion, for the reasons explained below, the record supports a "less than significant with mitigation" conclusion, and the Final EIR should at minimum be updated to clarify that a "significant and unavoidable" conclusion represents a highly conservative approach.</p> <p>The measures identified in the Draft EIR provide robust, comprehensive protections consistent with applicable law to ensure the project does not cause significant impacts to previously unidentified cultural or tribal resources. For example, in addition to providing worker education and archaeological and Native American monitoring, these measures require work to immediately stop in the event of unanticipated discoveries of cultural resources, consistent with CEQA Guidelines Section 15064.5. (See APM CUL-1 through CUL-4, CM CUL-1 through CUL-3, MMs CUL-1 through CUL-6).</p> <p>Furthermore, the measures identified in the DEIR prioritize preservation in place if historical, archaeological, or tribal cultural resources are found, consistent with Guidelines Section 15126.4(b)(3)(A) and Public Resources Code Section 21084.3. (See APM CUL-3, MM CUL-2). As specified in Section 15126.4(b)(3)(B), preservation in place may be accomplished through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before facilities on the site; or deeding the site into a permanent conservation easement. Preservation in place would ensure adverse impacts are avoided altogether.</p> <p>Because the location and extent of unanticipated discoveries, if any, is inherently unknown at this time, it is not currently feasible to determine the extent of such resources or whether they can be avoided or otherwise preserved in place, and if so which preservation in place methods may be feasible. In the unlikely event that data recovery through excavation is the only feasible mitigation option, the cultural resource measures of the EIR comply with Guidelines Section 15126.4(b)(3)(C) by requiring treatment plans that ensure recovery of scientifically consequential information and require consultation with CPUC and Tribes to make sure recovered materials are treated properly and curated at appropriate facilities or transferred to appropriate Tribal organizations. (See APM CUL-3, MM CUL-2). (Because the resource(s) that would be subject to such plans are currently unknown, it is infeasible to provide detailed plans at this point). Additional safeguards would apply in the event human remains are discovered. See Public Resources Code 5097.98 and Health and Safety Code section 7050.5, APM CUL-3, MM CUL-2.</p> <p>Contrary to the Draft EIR's statements that it would not be feasible to rebury human remains or other artifacts outside of areas impacted by the Project "because the applicant does not have the land rights for the 230 kV overhead or submarine segment," we hereby confirm that in the unlikely event such resources are encountered during construction, particularly given the relatively low ground-</p>

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				disturbance footprint of these features, reburial along the transmission alignment but outside impacted areas is expected to be feasible. LSPGC and its archaeologists have been unable to identify any additional feasible mitigation measures. However, taken together, these measures are more than sufficient to ensure impacts are less than significant. (See Public Resources Code 21084.3 (methods to mitigate impacts to tribal cultural resources to less than significant levels include preservation in place or "treating the resource with culturally appropriate dignity") and Guidelines Section 15126.4(b)(3)(C) ("When data recovery through excavation is the only feasible mitigation, a data recovery plan ... shall be prepared. ... If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation")) However, out of an abundance of caution, LSPGC does not object to the EIR's ultimate conclusion that impacts would be significant and unavoidable.
87	4.5-54	Paragraph 3	If a tribal monitor is unavailable to support the monitoring effort, LSPGC shall provide documentation to the CPUC on outreach efforts to AB 52 consulting tribes (Yocha Dehe Wintun Nation, Confederated Villages of Lisjan Nation) regarding cultural resource monitoring.	This language should be included for all tribal monitoring measures. L-1-87
88	4.5-58	Paragraph 4	MM CUL-4 requires avoidance of ground disturbing activities within the boundaries of RP-03 and RP-04 as well as use or soil protections to avoid rutting from access road use.	This should reference MM CUL-5. L-1-88
89	4.5-54	MM CUL-1	If historic resources cannot be avoided additional treatment measures, such as curation at an accredited curation facility.	This statement in the measure does not appear complete. Recommend completing this sentence with: "will be developed by the qualified archaeologist, in coordination with tribal monitors as appropriate, in a treatment plan using the standards set forth in Public Resources Code Sections 5097.98, 21083.2, and 21084.3; Health and Safety Code Section 7050.5; and CEQA Guidelines Sections 15064.5 and 15126.4." L-1-89
90	4.5-55	MM CUL-5	Additional measures shall be applied as needed to protect avoid disturbance of buried sediments such as use of matting or plating.	Please clarify this portion of the measure would be applied during wet conditions, rather than all the time, which is consistent with the previous sentence. L-1-90
91	4.5-55	MM CUL-6	If historic resources cannot be avoided additional treatment measures, such as curation at an accredited curation facility.	This statement in the measure does not appear complete. Recommend completing this sentence with: "will be developed by the qualified archaeologist, in coordination with tribal monitors as appropriate, in a treatment plan using the standards set forth in Public Resources Code Sections 5097.98, 21083.2, and 21084.3; Health and Safety Code Section 7050.5; and CEQA Guidelines Sections 15064.5 and 15126.4." L-1-91
4.6 Energy				
92	4.6-5	Paragraph 4	PRC Section 25301(a) requires the CEC to develop an Integrated Energy Policy Report (IEPR) at least every 2 years for electricity, natural gas, and transportation fuels. The current IEPR (2021 edition, updated in 2022) calls for the state to assist in the decarbonization of buildings and the agricultural sector, ensuring electricity reliability in a changing climate, decarbonizing the state's gas systems, and improving electricity demand forecasting.	This section of the EIR should be updated to reflect the current 2023 IEPR. L-1-92
93	4.6-14	Paragraph 1	LSTs have substantially more cross-arms compared to TSPs	This statement is inaccurate. Both types of structures have three crossarms per circuit. An LST is built using multiple steel members, so those members may provide additional perching and nesting options. L-1-93

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94	4.6-14	Paragraph 2	<p>Curtailment of renewable energy generation at SMUD's Solano 4 Wind Project site would reduce overall generation of renewable energy and SMUD's ability to comply with their renewable energy plans including IEPR, which would be a conflict with a State plan for renewable energy. The reduced renewable energy generation/output would be a significant impact. No feasible mitigation is available to reduce the impact due to the location of the proposed 500 kV interconnection lines and the nature/design of LSTs could not be modified to substantially reduce perching or nesting opportunities. Therefore, the impact from conflicting with State plans for renewable energy generation would be significant and unavoidable.</p>	<p>The DEIR incorrectly concludes under Impact EN-2 that the Proposed Project would conflict with or obstruct a state or local plan for renewable energy or energy efficiency, specifically the IEPR, because the PG&E 500 kV lines could increase avian perching opportunities within the Solano 4 wind project, which could contribute to increased mortality, which could result in curtailment of the wind project. In addition to being based on clearly tenuous, speculative causal reasoning that fails to meet the reasonably foreseeable requirements of Guidelines Section 15064(d)(3), this analysis also fails to acknowledge the overall objectives of the Proposed Project, stated elsewhere in the DEIR, which include the following:</p> <ul style="list-style-type: none"> Facilitating deliverability of load from existing and proposed renewable generation projects in the northern Greater Bay Area and corresponding progress toward achieving California's RPS goals in a timely and cost-effective manner by California utilities. Facilitating deliverability of generation and energy storage resources in the Solano area, progressing California's renewable energy goals. <p>Because the Proposed Project would facilitate the integration of existing and proposed future renewable energy generation projects in the greater region, consistent with the IEPR and other state and local plans for renewable energy, on a much greater scale than a single wind project, the Proposed Project will have a net positive impact on regional and statewide renewable energy generation. Accordingly, balancing the Proposed Project's positive impact on regional and statewide renewable energy generation with the speculative potential to cause curtailment of the Solano 4 wind project, impacts would be less than significant.</p>
4.8 Greenhouse Gas Emissions				
95	4.8-25	Paragraph 5	<p>Curtailment of renewable energy generation at the Solano 4 Wind Project would reduce overall generation of renewable energy, which would be a conflict with SB 100, which requires increased renewable energy generation. Since SMUD has informed the CPUC that curtailment of energy generation associated with exceedance of the avian fatalities would significantly affect SMUD's delivery of energy to its customers, the impact of the LSTs would be significant. Since the impact would be due to the presence of the LSTs within the wind farm, no mitigation would feasibly reduce the impact from introduction of the LSTs within the wind farm. The impact from conflict with state plans for GHG reduction would be significant and unavoidable.</p>	<p>The DEIR incorrectly concludes under Impact GHG-2 that the Proposed Project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Specifically, the DEIR states that the PG&E 500 kV lines could increase avian perching opportunities within the Solano 4 wind project, which could contribute to increased mortality, which could result in curtailment of the wind project, which "would reduce overall generation of renewable energy, which would be a conflict with SB 100, which requires increased renewable energy generation."</p> <p>The analysis fails to balance the speculative, tenuously reasoned possibility of curtailment of the Solano 4 facility with the statements in the immediately preceding paragraph that "[b]y increasing the capacity and reliability of the regional transmission system, the Project would facilitate integration of clean energy resources into the grid and generally support statewide decarbonization goals," and that the Proposed Project would do so on a regional scale, as opposed to the unreasonably foreseeable potential for curtailment of a single generating facility. Accordingly, the net effect of the Proposed Project on greenhouse gas reduction plans is anticipated to be positive, and any impacts would be less than significant.</p>

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4.9 Hazards, Hazardous Materials, and Public Safety					
96	4.9-10	Paragraph 4	<p>Wind Turbine Hazard Throw Zones</p> <p>Existing wind turbines associated with the SMUD Solano 4 Wind Project are located in the vicinity of the proposed LSPGC Collinsville Substation and 230 kV overhead segment, and the existing PG&E 500 kV line and proposed interconnection lines. If a turbine component were to strike an electrical facility, it could result in an electrical arc and potential ignition of surrounding vegetation. This unique condition introduces a reasonably foreseeable wildfire risk that is independent of typical electrical equipment failure scenarios. As discussed in Section 4.20: Wildfire, Figure 4.20-3 shows the wind turbine hazard throw zones in the Proposed Project vicinity. Approximately 430 feet of the proposed 230 kV overhead segment is within a wind turbine hazard throw zone for one wind turbine located approximately 600 feet northeast. No other Proposed Project components are within a wind turbine hazard throw zone, including the existing PG&E 500 kV Vaca Dixon-Tesla Transmission Line.</p>	<p>The definition/size of wind turbine hazard throw zone is not defined in the DEIR. LSPGC revised the 230kV Overhead transmission line alignment in response to CPUC Data Request #3. With this revision, only the right-of-way was within the hazard throw zone, but the actual transmission line is outside of the zone. Therefore, the odds of blade throw colliding with the 230kV line is not a significant impact.</p> <p>CEQA regulations provide that "[a] change which is speculative or unlikely to occur is not reasonably foreseeable." 14 CCR 15064(d)(3). The likelihood of blade throw occurring at the existing wind site in general is already extremely low, and the likelihood of it occurring so precisely as to strike the 230 kV line even if it were within the hazard throw zone is so minimal as to be insignificant.</p> <p>The U.S. National Renewable Energy Laboratory (NREL) states that wind turbine blade failures are "an extremely rare occurrence." NREL, <i>Wind Power Reliability Research</i>, available at https://www.nrel.gov/wind/reliability. A report for an Illinois wind project prepared by Persimia in 2024 indicates a blade failure rate of approximately 1 per 10,000 (10⁻⁴) turbines per year, of which only a part would result in actual blade throw instead of triggering rotor shutoff. Persimia, <i>Panther Grove 2 Wind Energy Project Ice Shed and Blade Failure Risk Assessment</i>, available at https://cms3.revize.com/revize/livingstocountyil/Documents/Department/Regional%20Planning%20%26%20Zoning/Panther%20Grove%20PG2%20Exhibit%2025.pdf. A report for an Australian wind project prepared by DNV in 2022 indicates that at a distance of half the rotor diameter, the risk of a blade throw collision or tower collapse impact from a fixed location is less than 10⁻⁵ per year (1-in-100,000), and at a distance of either the turbine tip height or the maximum theoretical throw distance for an entire blade, the risk of blade throw collision or tower collapse impact is less than 10⁻⁶ per year (1-in-1 million). DNV, <i>Valley of the Winds Wind Farm Blade Throw Assessment</i>, available at https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10461%2120220331T064949.710+GMT.</p>	L-1-96
97	4.9-47	Paragraph 2	<p>The secondary containment system would be designed consistent with the California Fire Code §1207 requirements for stationary storage battery systems, including spill control and neutralization (§1207.6.2).</p>	<p>Chapter 12 of the California Fire Code is not applicable to the Substation, as per California Fire Code §1201 "It shall not apply to equipment associated with the generation, control, transformation, transmission, or distribution of energy installations that is under the exclusive control of an electric utility or lawfully designated agency". The substation's battery storage would fall under the National Electrical Safety Code, Part 1, Section 14.140.F.</p>	L-1-97
98	4.9-52	Impact HAZ-4	Less than significant	<p>This impact is listed as "No Impact" in the summary table. Revise to be consistent.</p>	L-1-98

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99	4.9-62	Paragraph 2	<p>"Because the proposed LSPGC 230 kV overhead segment would be within the hazard throw zone of an existing turbine, this rare but reasonably foreseeable event could result in contact with the line, creating an electrical arc and potential ignition of vegetation. As such, this condition represents a significant hazard irrespective of the low likelihood of occurrence. The impact from location of the 230 kV transmission line within the hazard throw zone would be significant. "</p>	<p>LSPGC revised the 230kV Overhead transmission line alignment in response to Data Request #3. With this revision, only the right-of-way was within the hazard throw zone but the actual transmission line is outside of the zone), such that the risk of an impact from blade throw striking the line is less than significant</p> <p>Furthermore, even if such an impact were significant, it would be addressed by Compliance with PUC § 8386. In the extremely unlikely event of a wind turbine blade hitting LSPGC line, and resulting in a wildfire, LSPGC would adhere to PUC § 8386 and implement its required wildfire management plan to reduce risk of wildfire during operation and maintenance of the 230 kV overhead line. The wildfire management plan would apply equally to any line failure whether caused by blade strike or a tower failure or any other event compromising the line and causing conductors to touch ground.</p> <p>Furthermore, the possibility of the turbine failure could cause a fire. The addition of LSPGC's transmission line would not increase or create a significant impact for turbine failure.</p> <p>CEQA regulations provide that "[a] change which is speculative or unlikely to occur is not reasonably foreseeable." 14 CCR 150664(d)(3). The likelihood of blade throw occurring at the existing wind site in general is already extremely low, and the likelihood of it occurring and striking the transmission line even if it were within the hazard throw zone is so minimal as to be insignificant.</p> <p>The U.S. National Renewable Energy Laboratory (NREL) states that wind turbine blade failures are "an extremely rare occurrence." NREL, Wind Power Reliability Research, available at https://www.nrel.gov/wind/reliability. A report for an Illinois wind project prepared by Persmia in 2024 indicates a blade failure rate of approximately 1 per 10,000 (10-4) turbines per year, of which only a part would result in actual blade throw instead of triggering rotor shutoff. Persmia, Panther Grove 2 Wind Energy Project Ice Shed and Blade Failure Risk Assessment, available at https://cms3.revize.com/revizelivingstocountyil/Documents/Department/Regional%20Planning%20%26%20Zoning/Panther%20Grove%2022/Panther%20Grove%2022/PG2%20Exhibit%2025.pdf. A report for an Australian wind project prepared by DNV in 2022 indicates that at a distance of half the rotor diameter, the risk of a blade throw collision or tower collapse impact from a fixed location is less than 10-5 per year (1-in-100,000), and at a distance of either the turbine tip height or the maximum theoretical throw distance for an entire blade, the risk of blade throw collision or tower collapse impact is less than 10-6 per year (1-in-1 million). DNV, Valley of the Winds Wind Farm Blade Throw Assessment, available at https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/imp/01/getContent?AttachRef=SSD-10461%2120220331T064949.710+GMT.</p>

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100	4.9-62	Paragraph 3	LSPGC is required to operate and maintain equipment in a CPUC HFTD in accordance with a WMP, which is filed with the Office of Energy Infrastructure and Safety. The WMP is updated annually. The current LSPGC WMP does not address the LSPGC Collinsville Substation or 230 kV overhead segment as neither have been approved nor are in operation. Since the Proposed Project is not in a CPUC HFTD, it is uncertain whether LSPGC would include the Proposed Project in its WMP.	Please delete MM FIRE-1. Compliance with PUC § 8386 already addresses this impact and reduces it to less than significant, without need for further mitigation. As described in PUC § 8386, all electrical corporations are required to prepare and submit Wildfire Mitigation Plans and "Each electrical corporation shall annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval." Since the Collinsville Substation and associated 230kV Transmission Line would be owned and operated by LSPGC, a regulated public utility, LSPGC would be required by State Code (PUC § 8386) to include the new substation and transmission line into the overall WMP. Therefore, because LSPGC is already obligated by state code, this mitigation measure is unnecessary.	L-1-100
101	4.9-63	Paragraph 2	Impacts would be reduced to less than significant levels for each individual project component through compliance with CPUC General Order 95, PRC vegetation clearance requirements, and California Fire Code standards, and through implementation of MM FIRE-1 which requires LSPGC and PG&E to prepare project-specific WMPs (refer to Section 4.9.13).	Please delete reference to MM FIRE-1. Conformance with PUC § 8386 already addresses this impact and reduces it to less than significant, without need for further mitigation. As described in PUC § 8386 all electrical corporations are required to prepare and submit Wildfire Mitigation Plans and "Each electrical corporation shall annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval." Since the Collinsville Substation and associated 230kV Transmission Line would be owned and operated by LSPGC, a regulated public utility, LSPGC would be required by State Code (PUC § 8386) to include the new substation and transmission line into the overall WMP. Therefore, because LSPGC is already obligated by state code, this mitigation measure is unnecessary.	L-1-101
102	4.9-74	Paragraph 4	MM FIRE-1, required for the Proposed Project, would also apply to Alternative 1 230 kV overhead segment only and would ensure implementation of project-specific fire-safety protocols, maintenance of fire-suppression equipment, and coordination with local fire agencies during construction and operation (refer to Section 4.9.13). With implementation of MM FIRE-1 and compliance with applicable fire-prevention regulations, wildfire-related impacts would be less than significant with mitigation.	Please delete reference to MM FIRE-1. Conformance with PUC § 8386 already addresses this impact and reduces it to less than significant, without need for further mitigation. As described in PUC § 8386 all electrical corporations are required to prepare and submit Wildfire Mitigation Plans and "Each electrical corporation shall annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval." Since the Collinsville Substation and associated 230kV Transmission Line would be owned and operated by LSPGC, a regulated public utility, LSPGC would be required by State Code (PUC § 8386) to include the new substation and transmission line into the overall WMP. Therefore, because LSPGC is already obligated by state code, this mitigation measure is unnecessary.	L-1-102
103	4.9-77	Paragraph 3	MM FIRE-1 required for the Proposed Project, would also apply to Alternative 2 230 kV overhead segment only and would ensure implementation of project-specific fire-safety protocols, maintenance of fire-suppression equipment, and coordination with local fire agencies during construction and operation (refer to Section 4.9.13). With implementation of MM FIRE-1 and compliance with applicable fire-prevention regulations, wildfire-related impacts would be less than significant with mitigation.	Please delete reference to MM FIRE-1. Conformance with PUC § 8386 already addresses this impact and reduces it to less than significant, without need for further mitigation. As described in PUC § 8386 all electrical corporations are required to prepare and submit Wildfire Mitigation Plans and "Each electrical corporation shall annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval." Since the Collinsville Substation and associated 230kV Transmission Line would be owned and operated by LSPGC, a regulated public utility, LSPGC would be required by State Code (PUC § 8386) to include the new substation and transmission line into the overall WMP. Therefore, because LSPGC is already obligated by state code, this mitigation measure is unnecessary.	L-1-103

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104	4.9-80	Paragraph 4	MM FIRE-1 requires preparation and implementation of a project-specific fire-prevention and emergency-response plan, maintenance of fire-suppression equipment at all active work areas, establishment of fire-watch procedures during high-risk operations, and coordination with local fire-protection agencies (refer to Section 4.9.13). Implementation of MM FIRE-1 would reduce the potential for ignition and ensure prompt response capability in the unlikely event of a fire. The impact would be less than significant with mitigation and the risk would be the same as the Proposed Project.	Please delete reference to MM FIRE-1. Conformance with PUC § 8386 already addresses this impact and reduces it to less than significant, without need for further mitigation. As described in PUC § 8386 all electrical corporations are required to prepare and submit Wildfire Mitigation Plans and "Each electrical corporation shall annually prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval." Since the Collinsville Substation and associated 230kV Transmission Line would be owned and operated by LSPGC, a regulated public utility, LSPGC would be required by State Code (PUC § 8386) to include the new substation and transmission line into the overall WMP. Therefore, because LSPGC is already obligated by state code, this mitigation measure is unnecessary.
4.11 Land Use and Planning				
105	4.11-45 to 4.11-54	See Comment Text	See Comment Text	<p>The DEIR states that the location of the Collinsville Substation and 230 kV transmission line overhead segment within the Suisun Marsh Priority Habitat Management Area designated by the Delta Plan would result in a significant and unavoidable impact under Impact LU-2: "Would the Proposed Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?" This is incorrect. First, as stated in the DEIR and discussed above with respect to Agriculture, the Project "is not a covered action" subject to the Delta Plan and thus it cannot conflict with the Delta Plan. See DEIR pages 4.11-30; 4.11-49, fn. 4.</p> <p>Second, even if the Project was a covered action, the Delta Plan recognizes the need for energy infrastructure within the planning area. Specifically, Administrative Measure DP R19-01 of the Delta Plan directs DSC to "Identify Actions to Address Energy Development, Storage, and Distribution." The Delta Plan's regulatory policies similarly provide: "The council, in consultation with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, may incorporate into the Delta Plan additional actions to address the needs of Delta energy development, energy storage, and energy distribution." (Cal. Water Code § 85307(d)). According to DSC's website, the agency is behind schedule in fulfilling this obligation, and therefore the Delta Plan currently does not comprehensively account for energy infrastructure in its policies. However, it is clear that energy infrastructure development is not categorically inconsistent with the Delta Plan. Accordingly, any impacts related to conflict with the Delta Plan are less than significant.</p> <p>The DEIR also identifies the Proposed Project's conflict with the Suisun Marsh Protection Plan and Local Protection Program as potentially significant under Impact LU-2 absent mitigation. The DEIR's treatment of the Suisun Marsh Protection Plan and the Suisun Marsh Local Protection Program is internally inconsistent. The Hydrology section states that "[t]he Proposed Project is a regulatory action and is therefore not a covered action under the Suisun Marsh Protection Plan, as discussed further in Section 4.11: Land Use and Planning." DEIR pages 4.10-18-19. Because the Suisun Marsh Protection Plan does not appear to contain an exception for "regulatory actions" (as the Delta Plan does), we presume the statement on page 4.10-18-19 is in error and should be revised.</p> <p>Elsewhere in the Hydrology section, the DEIR instead correctly states "[t]he proposed LSPGC 230 kV submarine segment alignment is located within the Primary</p>

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				<p>Management Area, which triggers the requirement to obtain a Marsh Development Permit from the BCDC. The proposed LSPGC Collinsville Substation site and portion of the proposed PG&E 12 kV distribution line alignment are located in the Secondary Management area and is therefore subject to the Suisun Marsh LPP, as discussed in Section 4.11: Land Use and Planning." DEIR page 4.10-20. The Land Use and Planning section also indicates that the Proposed Project is covered by the Plans.</p> <p>With respect to impact LU-2, the DEIR concludes that "approximately 12 acres within the SMPP Secondary Management Area would still be permanently converted to utility uses and, therefore, the Proposed Project would conflict with policies outlined in the SMPP which are designed to reduce environmental effects, and would result in a significant impact." DEIR page 4.11-47. The DEIR fails to substantiate the assertion that the Proposed Project would conflict with policies in the SMPP or the Local Protection Plan. See also DEIR pages 4.11-52-54.</p> <p>The DEIR incorrectly states that "[t]he SMPP requires maintaining agricultural uses consistent with protection of the Marsh, such as grazing and grain production, in the Secondary Management Area; however, in the event such uses are infeasible, other compatible uses consistent with the Marsh are permitted." DEIR page 4.11-47, 4.11-50. This is incorrect because the SMPP does not "require" maintaining agricultural uses consistent with protection of the Marsh; rather, it says that such uses "should continue." See also Local Protection Plan Policy SM.P-8. "Should" is not synonymous with "must" or "required." "Should" allows flexibility to account for significant overriding considerations, such as the fact that CAISO and the CPUC has identified the Collinsville Project as necessary to "address critical reliability issues within the transmission system." DEIR page ES-3. Furthermore, the DEIR must assess the Project's consistency with the SMPP as a whole, not with a single policy. As described in the Land Use Plans and Policies Consistency Analysis contained in Attachment 5.11-B of the Proponent's Environmental Analysis, the Proposed Project is consistent with the majority of the relevant policies.</p> <p>Because the Proposed Project does not conflict with the Delta Plan, the Suisun Marsh Protection Plan, or the Suisun Marsh Local Protection Program, the LU-2 impact conclusion must be changed to less than significant without mitigation and the compensatory mitigation requirement of MM AG-1 must be removed because it is disproportionate to the impact of the Proposed Project (See 14 C.C.R. 15126.4 (mitigation measures must be consistent with constitutional nexus and proportionality requirements)).</p>

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106	4.11-50	Paragraph 2	As the pole footprints are small and interspersed, the 500 kV interconnection lines support structures and 12 kV distribution support poles would not conflict with restoration goals of the SMPP. Following restoration, the telecommunication yard area would be permanently converted to utility uses, which would conflict with policies outlined in the SMPP. The Project would be required to implement MM AG-1, which requires mitigation of permanent impacts on agricultural land through granting of an agricultural conservation easement at a 1.5:1 mitigation ratio consistent with the Solano County Agricultural Mitigation Program. Because the implementation of MM AG-1 would result in conservation of lands with similar value to those impacted by the Proposed Project, the Proposed Project would not conflict with SMPP requirements for maintaining agricultural uses. The impacts related to conflict with SMPP policies adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant with mitigation.	As discussed above, the SMPP does not "require" maintaining agricultural uses consistent with protection of the Marsh; rather, it says that such uses "should continue." See also Local Protection Plan Policy SM.P-8. "Should" is not synonymous with "must" or "required." "Should" allows flexibility to account for significant overriding considerations, such as the fact that CAISO and the CPUC have identified the Collinsville Project as necessary to "address critical reliability issues within the transmission system." DEIR page ES-3. Furthermore, the DEIR must assess the Project's consistency with the SMPP as a whole, not with a single policy. As described in the Land Use Plans and Policies Consistency Analysis contained in Attachment 5.11-B of the Proponent's Environmental Analysis, the Proposed Project is consistent with the majority of the relevant policies.
107	4.11-51	Paragraph 1	MM AG-1 which requires lands with similar agricultural or farmland value to those impacted by the Proposed Project to be conserved and would mitigate impacts related to the loss of agricultural lands; however, MM AG-1 would not address the restoration value of the converted lands. Since the impact would be caused by the location of the telecommunications yard within the Suisun Marsh Priority Habitat Restoration Area, the impact would be significant and unavoidable.	The location of the telecommunications yard within the Suisun Marsh Priority Habitat Restoration area would not conflict with the Delta Plan. First, as stated in the DEIR and discussed above with respect to Agriculture, the Project "is not a covered action" subject to the Delta Plan and thus it cannot conflict with the Delta Plan. See DEIR pages 4.11-30, 4.11-49, fn. 4. Second, even if the Project was a covered action, the Delta Plan recognizes the need for energy infrastructure within the planning area. Specifically, Administrative Measure DPR19-01 of the Delta Plan directs DSC to "Identify Actions to Address Energy Development, Storage, and Distribution." The Delta Plan's regulatory policies similarly provide: "The council, in consultation with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, may incorporate into the Delta Plan additional actions to address the needs of Delta energy development, energy storage, and energy distribution." (Cal. Water Code § 85307(d)). According to DSC's website, the agency is behind schedule in fulfilling this obligation, and therefore the Delta Plan currently does not comprehensively account for energy infrastructure in its policies. However, it is clear that energy infrastructure development is not categorically inconsistent with the Delta Plan. Accordingly, any impacts related to conflict with the Delta Plan are less than significant.
4.12 Mineral Resources				
108	4-12.8	Paragraph 3	LSPGC would obtain a lease agreement and a lease encumbrance permit from the CSLC ensuring LSPGC's access to the area during construction of the submarine segment cables; however, the overall availability of sand and gravel resources would be largely unaffected by construction activities for the submarine segment due to the size of the lease area and short duration of construction within the lease area, which would be approximately 4.5 months for cable installation.	LSPGC would obtain a lease agreement with CSLC and a consent agreement with the current lease holder, rather than a lease encumbrance permit.

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3 COMMENTS AND RESPONSES

Draft Environmental Impact Report Comments Table

Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
109	4-12.9	Paragraph 4	<p>Operation of the LSPGC 230 kV submarine segment would permanently restrict dredging for sand mining within 75 feet of the outer edge of the cables on either side, which would restrict minerals extraction within approximately 44 acres of the Suisun Associates sand and gravel dredging operation (Lease No. 7781) in the Suisun Bay. LSPGC has completed a scour analysis along the proposed submarine segment path and has defined the depth of the cable at approximately 6 to 15 feet to account for USACE maintenance dredging activities (Coast and Harbor Engineering 2025). Additionally, the CSLC has an existing lease for sand and gravel mining in the area, and CSLC requires LSPGC to coordinate with the entities who hold the sand and gravel mining lease to resolve conflicts prior to granting an easement to LSPGC within the existing sand and gravel mining lease. However, even after coordination, the dredging operator Suisun Associates has indicated that it would not continue sand and gravel mining operations in an approximately 52-acre area of the total 886-acre lease area after cable installation due to risk of cable strike (J. Niven and S. Heim, "Re: *ext* Collinsville Progress Meeting Agenda 7/17/25," July 23, 2025). Therefore, the impact on the availability of mineral resources would be significant. MM MIN-1 (refer to Section 4.12.13) requires LSPGC to design the submarine cable to avoid impacts on proposed sand and gravel mining operations to the extent feasible and coordinate with individuals with sand and gravel mining leases in the area to minimize impacts on the sand and gravel mining operations. While MM MIN-1 would reduce the impact on sand and gravel mining, the presence of the submarine cable would still restrict areas available for mining and the resulting impact on the availability of mineral resources would be significant and unavoidable.</p>	<p>The temporary restriction of sand mining operations during the in-service lifespan of the submarine cables would not represent a permanent loss of mineral resources of regional value given that this area would be available for mining once the commercial and operational viability of the submarine cables has concluded. Furthermore, the temporary loss of 52 acres of available mining would not amount to a significant impact to the overall local/regional availability of sand and gravel given the remaining 834 acres of the lease area would still be available to mine. This represents less than 6% of Lease No. 7781 and under 2% of the combined Central San Francisco, Suisun Bay, and Private Middle Ground Lease areas. Within this lease area, there is an approximate volume of 59,522,600 cubic yards available for mining, while only a volume of 2,350,000 cubic yard is proposed to be mined, indicating that removal of this acreage from the available mining area would not result in a significant deterioration of ongoing activities. In addition, this area of Lease No. 7781 has not been historically mined as CSLC historical records indicate. Suisun Associates' business or operational decision not to mine around the cable is not substantial evidence of the loss of availability of a known mineral resource of value to the region and the residents of the state.</p>
110	4.12-11	Paragraph 1	<p>The resulting impact on a locally important mineral resource recovery site would be significant.</p>	<p>The sand within Lease No. 7781 is not delineated in any general plan, specific plan, or other land use plans as a locally important mineral resource, as stated in the San Francisco Bay and Delta Sand Mining Draft Supplemental Environmental Impact Report dated August 2025. See page 3.3-10 of the SEIR ("[N]one of the plans identify mineral resources within the water areas where sand mining would be conducted."). Because no general plan, specific plan, or other land use plan delineates the sand as a locally important mineral resource, it is not possible for there to be a significant impact under this criterion.</p>
111	4.12-12	Paragraph 1	<p>The Proposed Project would impact approximately 52 acres of the mineral lease area (see impact MIN-1), which would contribute considerably to the cumulative impact on availability of sand and gravel mining resources.</p>	<p>The temporary loss of 52 acres of available mining would not contribute considerably to the cumulative impact because this is not a significant impact to the overall local/regional availability of sand and gravel given the remaining 834 acres would still be available to mine.</p>

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L-1-111

3 COMMENTS AND RESPONSES

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment
112	4.12-19	Paragraph 1	The loss of access to 38 acres of the sand and mining lease area would result in loss of availability of a known mineral resource of value to the region and a locally important mineral resource, which would be a significant impact. MM MIN-1 (refer to Section 4.12.13) would be implemented and requires LSPGC to design the submarine cable to avoid impacts on proposed sand and gravel mining operations to the extent feasible and coordinate with individuals with sand and gravel mining leases in the area to minimize impacts on the sand and gravel mining operations. While MM MIN-1 would reduce the impact on sand and gravel mining, and would result in an overall reduction in the impact to the sand and gravel mining lease, the presence of the Alternative 5 submarine cable would still restrict areas available for mining by approximately 38 acres and the impact from loss of availability of known mineral resource of value to the region and locally important mineral resource would remain be significant and unavoidable.	The temporary restriction of sand mining operations during the in-service lifespan of the submarine cables would not represent a permanent loss of the mineral resources given that this area would be available for mining once the commercial and operational viability of the submarine cables has concluded. Furthermore, the temporary loss of 38 acres of available mining would not amount to a significant impact to the overall local/regional availability of sand and gravel given the remaining acres would still be available to mine. In addition, this area of Lease No. 7781 has not been historically mined as CSLC historical records indicate. Suisun Associates' business or operational decision not to mine around the cable is not substantial evidence of the loss of availability of a known mineral resource of value to the region and the residents of the state.
4.13 Noise				
113	4.13-15	Entire page	Solano County Noise Ordinance	The "Solano County Noise Ordinance (Solano County 2017)" was published as a draft document but never adopted into the Solano County Code. Please remove all references to this ordinance. The applicable noise threshold in Solano County for purposes of construction is found in the Solano County General Plan's Public Health and Safety Element, Policy HS.1-67: "Require noise mitigation to reduce construction and other short-term noise impacts as a condition of approval for development projects by applying the performance standards outlined in Table HS-5 ." The noise analysis should reference this threshold when assessing whether Project construction will exceed local noise ordinances in Solano County. Please correct all construction noise discussion in this chapter. The applicable noise threshold in Solano County for purposes of Project operation is found in Section 28.70.10.B.1 of the County Code: "All uses of land and structures shall be conducted in a manner, and provide adequate controls and operational management to prevent... Noise that exceeds 65 dBA at any property line." The noise analysis should reference this threshold when assessing whether Project operation will exceed local noise ordinances in Solano County. Please correct all operational noise discussion in this chapter.
114	4.13-26	Paragraph 2, Solano County	See Appendix I for further detailed analysis of noise levels that would result at NR1 from the Proposed Project.	Portions of this appendix (heading tables in the supplementary portion provided by the CPUC) are formatted incorrectly. Letters in table headings appear to be missing or formatted as the same color as the heading background making them impossible to read. The formatting of this appendix should be fixed so that all characters are legible.
115	4.13-31	Paragraph 1	The Solano County Noise ordinance permits construction noise to exceed the exterior noise standard of 55 dBA by 20 dBA (75 dBA total) when construction occurs during the hours of 9 a.m. to 4 p.m.	The "Solano County Noise Ordinance (Solano County 2017)" was published as a draft document but never adopted into the Solano County Code. Please remove all references to this ordinance. The applicable noise threshold in Solano County for purposes of construction is found in the Solano County General Plan's Public Health and Safety Element, Policy HS.1-67: "Require noise mitigation to reduce construction and other short-term noise impacts as a condition of approval for development projects by applying the performance standards outlined in Table HS-5 ." The noise analysis should reference this threshold when assessing whether Project construction will exceed local noise ordinances in Solano County. DEIR Table 4.13-14 shows construction noise levels of up to 68 dBA at the nearest sensitive receptor, which is below the 70 dBA daytime threshold in Solano County. Accordingly, daytime construction noise impacts would be less than significant.

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L-1-114

L-1-115

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
116	4.13-31	Paragraph 1	The impact from exceedance of the Solano County construction noise standards (construction before 9 a.m. or after 4 p.m.) and exceedance of the daytime noise standard for residential properties would remain significant and unavoidable.	With the exception of the 230 kV submarine segment, any additional night work would be limited to above-grade construction and testing and commissioning at the Collinsville Substation. Appendix J of the DEIR identifies a 57 dBA noise level for aboveground construction at the Collinsville substation at NR 2. LSP's noise report did not calculate commissioning and testing noise at NR 2, but commissioning and testing noise at NR 1 is identified as 62 dBA; such noise would be lower at NR 2 (estimated at 55.5 dBA). Accordingly, nighttime construction noise levels would be below the 65 dBA nighttime threshold in Solano County at the nearest occupied sensitive receptor. DEIR Table 4.13-14 shows construction noise levels of up to 68 dBA at the nearest sensitive receptor, which is below the 70 dBA daytime threshold in Solano County. Accordingly, daytime and nighttime construction noise impacts would be less than significant.	L-1-116
117	4.13-31	Paragraph 3	LSPGC has proposed construction at the substation and 230 kV overhead segment for up to 30 days at night to meet the construction schedule. Nighttime construction activities would conflict with the Solano County construction hours (9 a.m. to 4 p.m.) and noise levels generated at the nearest receptor would exceed the nighttime noise standard of 45 dBA Leq at NR2 in Solano County as summarized in Table 4.13-14.	With the exception of the 230 kV submarine segment, any additional night work would be limited to above-grade construction and testing and commissioning at the Collinsville Substation. Appendix J of the DEIR identifies a 57 dBA noise level for aboveground construction at the Collinsville substation at NR 2. LSP's noise report did not calculate commissioning and testing noise at NR 2, but commissioning and testing noise at NR 1 is identified as 62 dBA; such noise would be lower at NR 2 (estimated at 55.5 dBA). Accordingly, nighttime construction noise levels would be below the 65 dBA nighttime threshold in Solano County at the nearest occupied sensitive receptor. Accordingly, nighttime construction noise impacts would be less than significant.	L-1-117
118	4.13-31	Paragraph 2	MM NOI-2 requires the installation of sound barriers (e.g., blankets attached to the substation fence or other acoustic barrier) to reduce noise levels at sensitive receptors.	MM NOI-2 is no longer necessary, as the Project would not create potentially significant impacts to noise.	L-1-118
119	4.13-32	Paragraph 2	Table 4.13-21, below, lists the nearest sensitive receptor, distance to the receptor, and noise levels that would result from Proposed Project construction at the nearest receptor during construction at each transposition site.	All table references in this document need to be reviewed and revised for accuracy. Many of the references point to the incorrect tables.	L-1-119
120	4.13-33	Paragraph 1	The Solano County Noise ordinance permits construction noise to exceed the exterior noise standard of 55 dBA when construction occurs during the hours of 9 a.m. to 4 p.m. The ordinance allows for a 20 dB exceedance of the exterior noise standard during this timeframe, which would be 75 dBA.	DEIR Table 4.13-14 shows construction noise levels of up to 68 dBA at the nearest sensitive receptor, which is below the 70 dBA daytime threshold in Solano County. Accordingly, daytime construction noise impacts would be less than significant.	L-1-120
121	4.13-50	Paragraph 3	All other project components would be constructed as described for the Proposed Project and significant unavoidable impacts related to construction of the substation would still occur.	See previous comments that the Proposed Project would not create potentially significant noise impacts.	L-1-121

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
122	4.13-52	Paragraph 1	Noise generated from construction of the Alternative 4 230 kV submarine cable would be approximately 51 dBA at the nearest receptor. 230 kV overhead segment construction would generate noise levels between 56 dBA (without helicopters) and 61 dBA (with helicopters) and would exceed the Solano County 55 dBA daytime noise standard. The impact from generation of temporary noise in excess of local standards would be significant. MM NOI-1 restricts the use of helicopters to the hours of 9 a.m. to 4 p.m. It is not feasible to limit ground-based construction of the 230 kV overhead segment to the hours of 9 a.m. to 4 p.m. without extending the construction schedule, which would not meet project objectives. Even with implementation of MM NOI-1, construction noise from ground-based equipment would still exceed the 55 dBA threshold because MM NOI-1 does not limit the use of ground-based equipment. The impact from generation of noise during construction of the 230 kV overhead segment would remain significant and unavoidable.	The correct daytime construction noise threshold in Solano County is 70 dBA. Accordingly, daytime construction noise impacts would be less than significant.	L-1-122
123	4.13-55	Paragraph 1	Alternative 6a/6b would result in noise levels exceeding the 55 dBA daytime standard outside of the permitted hours for temporary construction noise exceeding the standard at NR1, which would be a significant impact. Limiting construction to the hours of 9 a.m. to 4 p.m., consistent with the Solano County zoning code, is not feasible as the shortened hours of construction would extend the construction duration and would not meet project objectives for the in service date. As a result, the Alternative 6a/6b construction would generate noise in excess of noise standards in the local general plan and the impact would remain significant and unavoidable.	The correct daytime construction noise threshold in Solano County is 70 dBA. Accordingly, daytime construction noise impacts would be less than significant.	L-1-123
124	4.13-56	Paragraph 3	MM NOI-2	MM NOI-2 is no longer necessary, as the Project would not create potentially significant impacts to noise.	L-1-124
125	4.13-56	Paragraph 4	MM NOI-4	MM NOI-4 is no longer necessary, as the Project would not create potentially significant impacts to noise.	L-1-125
4.14 Population and Housing					
126	4.14-8	Paragraph 2	"The Proposed Project would not serve new users or expand service areas and would not indirectly induce population growth."	This could be misinterpreted as the Proposed Project may directly induce population growth. The sentence should be clarified: "The Proposed Project would not serve new users or expand service areas and would not <u>directly or</u> indirectly induce population growth."	L-1-126
4.15 Public Services					
127	4.15-1	Paragraph 2	County-level responses and planning regarding emergency services in the Proposed Project vicinity are coordinated by the Solano County Office of Emergency Services (OES), Contra Costa Office of the Sheriff Emergency Services Division, and Sacramento County Office of Emergency Service (SacOES).	Alameda County should be addressed as well.	L-1-127
128	4.15-4	Paragraph 2	No police services are required for the Sacramento-San Joaquin River Delta.	Revise this statement to acknowledge that Sacramento County, Solano County, and Contra Costa County sheriffs have marine patrol departments. This should also be addressed in the discussion of Alternative 5.	L-1-128

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
129	4.15-17	Paragraph 3	"The PG&E project components would introduce long-term fire risk due to the overhead electrical lines, which would increase wildfire ignition risk. Electrical transmission lines in California are required to comply with fire break clearance requirements in GO 95, PRC section 4292 and title 14, section 1254 of the CCR. Accordingly, LSPGC would need to trim or remove flammable vegetation in the area surrounding the Proposed Project facilities."	This statement is located under <i>PG&E Project Components</i> . LSPGC should not be responsible for trimming or removing flammable vegetation surrounding PG&E project components.	L-1-129
130	4.15-20	Paragraph 2	Construction of the proposed 230 kV underground segment and telecommunication lines would not occur in proximity to any schools or hospitals and would not affect any schools or hospitals.	The telecommunications lines would be constructed directly adjacent to Saint Peter Martyr School. This discussion should be updated to reflect the presence of the school and how sensitive noise receptor impacts would be less than significant due to APM PUB-1. APM PUB-1: School Access. Construction of the proposed LSPGC Telecommunication Line within 320 feet of Saint Peter Martyr School would be coordinated with the school's administration and conducted during the summer months, at a time when school is out of session, in order to minimize disruptions to school access. With implementation of APM PUB-1, impacts to school operation would be less than significant.	L-1-130
4.16 Recreation					
131	4.16-1	Paragraph 2	Recreational facilities in the vicinity of the Proposed Project are shown on Figure 4.16-1, Figure 4.16-2, and listed in Table 4.16-1	The Vaca Dixon and Tesla substations are not included in this table. Include recreation areas and facilities in the vicinity of these substations or describe in the Recreation section why recreation areas were not included or for these substations.	L-1-131
132	4.16-4, 4.16-5	Table 4.16-1, Paragraph 2	"The Sacramento-San Joaquin River Delta (Delta) spans 738,000 acres throughout Contra Costa, Sacramento, San Joaquin, Solano, and Yolo counties (DPC, n.d)."	Table 4.16-1 identifies the Delta Waterways facility size as 85,000 acres, but paragraph 2 of page 4.16-5 states that the Delta spans 738,000 acres. The size of the Delta is unclear.	L-1-132
133	4.16-10	Paragraph 6	Appendix G of the CEQA Guidelines ask whether a project would:	Appendix G does not ask all five of these questions, just the first two. The last three questions are suggested additional CEQA impact questions from the CPUC's PEA Guidelines. As written, this statement is inaccurate. This should be checked and revised globally to properly attribute the source of the questions.	L-1-133
134	4.16-16	Paragraph 3	While the barge would be larger than typical boats utilizing the Delta, the barge would be mobile and the presence of the barge would be temporary, therefore the barge and construction activities would be relatively consistent with the existing scenic environment of the Delta and is unlikely to result in impacts to the scenic quality experienced by recreationalists.	Previously, it was stated that the barge would be a similar size to other vessels: "The barge would not reduce or prevent access to the Delta as the barge would be similar to other vessels moving through the waterway" (Page 4.16-14). Revise the language for consistency throughout the section to indicate that barges would be of similar size to other vessels in the Delta.	L-1-134
4.17 Transportation					
135	4.17-51	Paragraph 2	Helicopters are anticipated to support the construction of the Collinsville Substation	Helicopter use to support substation construction is not anticipated. References to helicopter use at the substation site should be removed.	L-1-135
136	4.17-51	Paragraph 2, last sentence	These activities may include transportation of construction workers, delivery of equipment and materials to temporary construction areas, refueling at local airports, hardware installation, and/or installation/removal of overhead conductor/cable.	This section of the EIR refers to the Collinsville Substation and the 230 kV Transmission Line. These facilities do not exist yet, therefore, there is no conductor to remove and the word "remove" should be eliminated from the sentence.	L-1-136

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
137	4.17-52	Paragraph 2	APM HAZ-1 requires that LSPGC comply with all applicable FAA regulations regarding air traffic within 2 miles of the LSPGC project components in Solano County and the City of Pittsburg	Remove City of Pittsburg from this paragraph as helicopter use in the City of Pittsburg is not anticipated.	L-1-137
138	4.17-56	Paragraph 2	and 230 kV transmission line on private property or within approved easements and would be designed in accordance with all relevant County roadway design standards.	Permanent roads associated with the 230 kV line are not planned. Remove references to these roads.	L-1-138
139	4.17-85	MM TRA-3	to the construction standard of the affected local jurisdiction	MM TRA-3 requires roadways to be rebuilt to a construction standard that could far exceed "existing conditions." CEQA Guidelines 15126.4(a)(4) restates constitutional law prohibiting mitigation that is disproportionate to the impacts of a project, which in turn prohibits mitigation requiring the Proposed Project to bring all roadways in the area to the latest standard; mitigation can only require the Proposed Project to return the roads to pre-construction conditions. Please revise MM TRA-3 to require that roadways be restored to pre-construction conditions.	L-1-139
4.18 Tribal Cultural Resources					
140	4.18-2	Paragraph 1	The tallest structure would be the microwave tower up to 200 feet tall.	As noted in the Project Description, the tallest structure would be up to 199 feet tall, not 200 feet tall.	L-1-140
141	4.18-19 to 4.18-21	Impact TCR-1	The DEIR concludes that LSPGC and cumulative impacts would be significant and unavoidable.	Please see the comment on pages 4.5-33 to 4.5-37 above. For the reasons articulated there, the record supports a "less than significant with mitigation" conclusion for this alternative as well, and the Final EIR should be revised to clarify that a "significant and unavoidable" conclusion is a highly conservative approach.	L-1-141
4.20 Wildfire					
142	4.20-20	Paragraph 5	The following policies from the Public Health and Safety Chapter of the Solano County General Plan are relevant to the Proposed Project.	All policies need to be reviewed for accuracy and applicability to the wildfire section. The policy numbering and language do not match the 2008 General Plan language. For example, Policy HS.P-20 is related to seismic hazards, not fire.	L-1-142
143	4.20-39	Paragraph 3	"The LSPGC 230 kV overhead segment is also within a hazard throw zone for a wind turbine within the Solano 4 Wind Project, and there is a reasonably foreseeable potential for a turbine to dislodge and strike the conductor which could create an electrical arc that could potentially ignite a wildfire."	For the reasons stated above in our comments on the hazards section of the DEIR, the risk of blade throw striking the project's 230kV line and causing a fire is less than significant.	L-1-143
144	4.20-57	Paragraph 6	"The LSPGC 230 kV submarine segment would be directly buried in the riverbed of the Sacramento River and would not be on land within an SRA or land classified as a very high FHSZ. This differs from the Proposed Project, which includes overhead 230 kV transmission facilities that traverse areas mapped as high and very high FHSZs; therefore, Alternative 5 would avoid placement of new electrical infrastructure within mapped wildfire hazard zones. No fire risk is associated with areas under water."	This is incorrect. Alternative 5 only reroutes the submarine cable, there is no change in the overhead facilities.	L-1-144
Chapter 5 Other CEQA Considerations					
145	5-5	Paragraph 3	As such there is a reasonably foreseeable potential for a turbine to dislodge and contact the conductor or anyone working in the area, which would result in irreversible damage.	This is not a reasonably foreseeable impact. Please see comments in the Hazards section.	L-1-145
146	5-5	Paragraph 2	As such there is a reasonably foreseeable potential for a turbine to dislodge and contact the conductor or anyone working in the area, which would result in irreversible damage.	This is not a reasonably foreseeable impact. Please see comments in the Hazards section.	L-1-146

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Comment Number	DEIR Page #	DEIR Paragraph or Table #	Original DEIR Text	Comment	
147	5-6	Second full paragraph	No mitigation can feasibly avoid special status avian species perching on the LSTs, as the impact would be a result of the LST structure form and location within a wind farm.	Recommend listing the special status avian species that could perch and/or nest on LST, as not all of the special status species listed in Table 4.4-4 exhibit such behavior.	L-1-147
148	5-6	Paragraph 1	MM AQ-2 requires use of BAAQMD recommended fugitive dust control BMPs. While the use of fugitive dust control BMPs would reduce fugitive dust emissions, the emissions would still exceed BAAQMD thresholds during Year 2 and the impact would be significant and unavoidable.	Section 4.3 does not report an exceedance of PM emissions in the BAAQMD. This section should be revised to be consistent with the impact conclusions in Section 4.3. The BAAQMD requires all feasible BMPs to be implemented.	L-1-148
149	5-8	First full paragraph	Additionally, the operation of the 230 kV transmission lines could create the potential for an impact to the larger sand and gravel mining operation if the location of the buried 230 kV submarine segment was not properly communicated as the sand and gravel mining operation would need to avoid the buried cables.	Recommend removal of this statement because the Project's USACE permit will require an as-built survey of the submarine cables that must be submitted to the USACE. The as-built survey will likely be shared with Suisun Associates.	L-1-149

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Response to Letter L-1: Dustin Joseph, LS Power Grid California, LLC

L-1-1 LSPGC states that Contra Costa County should be included in the executive summary's list of counties that the Proposed Project is located in.

Page ES-1 of the Executive Summary section is revised to address this comment as follows:

LS Power Grid California, LLC (LSPGC), filed an application for a certificate of public convenience and necessity (CPCN) from California Public Utilities Commission (CPUC) on July 30, 2024, to construct and operate the Collinsville 500/230 kV Substation Project in Solano, Sacramento, Contra Costa and Alameda counties (Proposed Project).

L-1-2 LSPGC states that the executive summary's list of significant and unavoidable impacts on resources should include mineral resources as identified in the Draft EIR as having a significant and unavoidable impact.

Page ES-2 of the Executive Summary is revised to address this comment as follows:

Based on the analysis in the Draft EIR and the substantial evidence supporting the analysis, it has been determined that the Proposed Project would result in significant and unavoidable impacts on air quality, biological resources, cultural resources, energy, greenhouse gases, land use, mineral resources, noise, and tribal cultural resources.

L-1-3 LSPGC requests the insertion of mineral resources before the mention of noise in the executive summary's list of resource topics that the Proposed Project would have a significant and unavoidable impact on.

The comment is addressed in response to comment L-1-2.

L-1-4 LSPGC requests the addition of "CAISO" before "2021-2022 Transmission Plan" and "2024-2025 Transmission Plan" in the executive summary list of basic project objectives.

The preceding bullet in this list references CAISO and its transmission plans. Therefore, it is obvious that the Transmission Plans are CAISO Transmission Plans and no changes have been made to the EIR to address this comment.

L-1-5 LSPGC requests the addition of "NI", for no impact, to the list of abbreviations in the Executive Summary below Table ES-2.

Page ES-29 of the Executive Summary is revised as follows to address this comment.

NI = no impact

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LTS = less than significant

LTSM = less than significant with mitigation

NA = not applicable

S = significant

SU = significant and unavoidable

- L-1-6 LSPGC requests the replacement of “San Francisco Bay Area” with “Greater Bay Area” for consistency with the language in the CAISO Transmission Plan. Page ES-32 of the Executive Summary is revised as follows to address this comment:

The No Project Alternative is considered the environmentally superior alternative for CEQA purposes because it would avoid most of the Proposed Project significant and unavoidable impacts but would result in significant and unavoidable impacts from conflicts with state policy and plans for integration of renewable energy because the No Project Alternative would impair the ability to deliver renewable energy into the ~~San Francisco~~ Greater Bay Area.

- L-1-7 LSPGC requests the insertion of “superior” in the second sentence of the second paragraph of Section ES.6 of the Executive Summary.

Page ES-32 of the Executive Summary is revised as follows to address this comment:

Alternative 1 is environmentally superior to the Proposed Project in the Proposed Project in the comparable area of analysis and would avoid significant and unavoidable impacts on biological resources (Impact BIO-1D), energy (Impact EN-2), and greenhouse gases (Impact GHG-2) due to installation of much shorter 500 kV interconnection lines on TSPs only.

- L-1-8 LSPGC requests edits to Figure ES-1 to classify specific structures along the transmission line route as part of the Proposed Project.

However, Figure ES-1 correctly shows where Alternative 1 would combine with the Proposed Project to create the Environmentally Superior Alternative. No change to the EIR is required.

- L-1-9 LSPGC requests revisions of the last sentence of the second paragraph of Section 1.1.

The sentence has been updated as follows:

The CAISO 2024-2025 Transmission Plan reaffirmed the need for the Proposed Project and found the Proposed Project would also help to integrate wind energy from out of state as well as support increased load in the Bay Area (CAISO 2025).

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L-1-10 LSPGC requests revisions to page 1-2 to indicate that the transposition structures are separate from the 500 kV interconnection.

The second bullet on page 1-2 was revised as follows to address the comment, and the last bullet on page 1-3, which describes separate transposition structures was retained:

Constructing two self-supporting segments of new 500 kV conductor and structures roughly parallel along the approximately 1.2-mile interconnection route (or "loop") between the proposed LSPGC Collinsville Substation and Pacific Gas and Electric Company's (PG&E) existing Vaca Dixon-Tesla 500 kV Transmission Line, resulting in the addition of approximately 2.5 miles of new 500 kV transmission lines. ~~PG&E would install and/or modify transposition structures at four locations along PG&E's existing Vaca Dixon-Tesla 500 kV Transmission Line.~~

L-1-11 LSPGC requests the addition of "Paleontological Resources" to the Geology and Soils bullet in Section 1.2.2. The text is revised on page 1-6 as follows:

Geology, ~~and~~ Soils, and Paleontological Resources.

L-1-12 LSPGC requests the deletion of the reference to initial buildout in Section 2.3.1.

The references to initial buildout have been removed on page 2-7 and page 2-15 as follows:

~~LSPGC Collinsville Substation (Initial Buildout)~~

~~The initial buildout of the proposed LSPGC Collinsville Substation would be a *breaker-and-a-half* (BAAH) configuration with two 500/230 kV transformer banks, two 230 kV bays with six circuit breakers, and two 500 kV bays with six circuit breakers.~~

~~While LSPGC is not currently planning future modifications to the Proposed Project components described under the initial buildout, the substation parcel includes sufficient space to accommodate future expansion of the substation, if needed. Any future modification of the proposed Collinsville Substation would be determined by CAISO planning or as needed by interconnection agreements and would be subject to separate CPUC review in accordance with GO 131-E.~~

L-1-13 LSPGC requests the revision of "16.1-ohm series capacitor" to "16.15-ohm series capacitor" in the first paragraph of Section 2.3.1. The text is revised on page 2-7 as follows:

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A 3,000 A, 16.15-ohm series capacitor would be installed at the proposed LSPGC Collinsville Substation, on PG&E's existing Vaca Dixon-Telsa 500 kV transmission line.

- L-1-14 LSPGC requests the revision of the stated number of substation enclosures in the last paragraph on page 2-8. The text is revised on page 2-8 as follows:

The substation would also include ~~four~~ two enclosures, as summarized in Table 2-1. The GIS and control enclosures will be combined into a single enclosure for each voltage. Personnel would be able to enter the GIS and control enclosures for construction and maintenance purposes.

- L-1-15 LSPGC requests the revision of paragraph 2 on page 2-23 to clarify the name of the New York/Suisun Bay Ship Channel.

The text is revised to reflect the "New York Slough/Suisun Bay Ship Channel" which is consistent with the analysis presented in Section 4.11, Land Use and Planning, of the Draft EIR. The text on page 2-23 is revised as follows:

The U.S. Army Corps of Engineers (USACE) maintains two navigational channels crossed by the proposed submarine segment, ~~including the San Joaquin Ship Channel~~ New York/Suisun Bay Ship Channel (near Pittsburg) and the Sacramento Deep Water Ship Channel (near Collinsville).

- L-1-16 LSPGC requests removal of the requirement for 6 foot or greater target depths for the cable near shoreline based on a clarification regarding USACE required target depths for the submarine cables.

The 6-foot depth value originated in the information provided in the PEA Project Description from July 2024. During the CPUC's coordination with USACE, USACE clarified the depth requirement is "...a minimum depth of 15 feet in the navigation channels and 10 feet outside of the navigation channel, but less than 10 feet is acceptable in some areas (i.e., shallow areas)..." (correspondence with Jessica Vargas on May 30, 2025). The text on page 2-23 is revised as follows:

The submarine cables would be buried ~~approximately 6 to 15 feet~~ below the sediment surface of the Delta waterway, or as specified by engineering and/or permitting agency requirements, to protect them from mechanical damage. The U.S. Army Corps of Engineers (USACE) maintains two navigational channels crossed by the proposed submarine segment, ~~including the including the San Joaquin Ship Channel~~ New York/Suisun Bay Ship Channel (near Pittsburg) and the Sacramento Deep Water Ship Channel (near Collinsville). ~~These~~ The navigation channels are maintained at a depth of 30 and 35 feet, respectively. The USACE's

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anticipated minimum burial depths are 15 feet or greater within navigational channels and 10 feet or greater outside navigational channels; however, less than 10 feet is acceptable in some areas (i.e., shallow areas near the shores).⁷ The existing channel depths along the submarine segment crossing locations range between 35 and 90 feet to the riverbed; therefore, the installation of submarine segment cables in the sediment of the riverbed at a depth of 6 feet or greater at these depths would be below the maintained navigational channel depths.

LSPGC would install the submarine segment cables in the sediment of the riverbed consistent with the USACE requirements which include achieving minimum burial depths that vary based on location and utilizing cable protection methods where necessary. ~~The USACE's anticipated minimum burial depths are 15 feet or greater within navigational channels, 10 feet or greater outside navigational channels, and 6 feet or greater in other areas (i.e., shallow areas near the shores.)~~

⁷Minimum burial depths of the submarine cable were provided by the USACE during correspondence and meetings with the CPUC project team in April 2025.

L-1-17 LSPGC requests updates to Table 2-2 to match the descriptions in the text.

Page 2-16 of the Project Description was revised to address the three references to structure dimensions in the comment as follows.

Approximately two TSP structures would have a vertical double-circuit orientation. The two dead-end structures and the overhead riser structures would each utilize a vertical single-circuit configuration. In locations where the line angle is relatively straight, the proposed TSPs would be directly buried, with the bottom of each pole supported by approximately 6 inches of gravel at the base of the hole and then backfilled with concrete. ~~Where the line angle changes or additional support is required,~~ The proposed TSPs would be mounted on drilled pier foundations, typically between 15 and up to approximately 50 feet deep. The overhead riser structures would be mounted on drilled pier foundations approximately 55 feet deep.

L-1-18 LSPGC requests the row in Table 2-4 of the Project Description which describes 'Other types of new permanent access roads' be removed as there are no other new permanent access roads under the Proposed Project beyond the proposed new driveway for the Collinsville Substation.

The fourth row of Table 2-4 is revised as follows:

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Other types of new permanent access roads	NA	20 feet	NA
---	----	---------	----

L-1-19 LSPGC requests Section 2.5.2 of the Project Description be revised to state there are seven staging areas in total, consistent with the information presented in Table 2-5. The text has been revised to address this comment.

L-1-20 LSPGC requests the stated volume of generated waste for 230 kV transmission line (425 cubic yards) should be revised to 440 cubic yards so that the total volume equates.

This text on page 2-57 is revised as follows:

Of the LSPGC waste volume allocation, LSPGC’s substation construction would account for approximately 80 percent (approximately 1,700 cubic yards) of the waste volume and the 230 kV transmission line would account for approximately 20 percent (approximately 440 ~~425~~ cubic yards).

L-1-21 LSPGC requests that Section 2.7.5 of the Project Description be revised to clarify that the 30 days of night work applies to the above grade construction.

The existing text adequately distinguishes between that night work proposed for terrestrial construction and submarine segment construction. Therefore, no changes to the EIR are necessary.

L-1-22 LSPGC requests the following sentence in Section 2.12 of the Project Description be removed: “...This PEA was prepared as part of an application to obtain a CPCN for the Proposed Project...” LSPGC is correct that this was remnant text associated with the 2024 PEA and it has been removed from the revised Draft EIR on page 2-83 as follows:

The CPUC is the lead stage agency for the Proposed Project. LSPGC would comply with CPUC GO 131, which contains the permitting requirements for construction of the Proposed Project. ~~This PEA was prepared as part of an application to obtain a CPCN for the Proposed Project.~~ Although PG&E is not an applicant in LSPGC’s application for a CPCN, PG&E’s scope of work is needed to interconnect the Proposed Project to PG&E’s electrical grid.

L-1-23 LSPGC requests that Alternative 4 and Alternative 6a/6b be deemed not feasible in Table 3.3-2 due to incompatibility of use for the identified parcel within these alternatives.

See response to PG&E’s comment P-1-1.

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L-1-24 LSPGC states they have conducted a preliminary review of the Alternative 1 site and the 230kV transmission line needed for interconnection at that location; however, a complete feasibility study has not been conducted. LSPGC describes additional studies and design and engineering requirements that would be required like those they have already completed for the Proposed Project site. LSPGC states access limitations to the Alternative 1 site will prevent them from being able to begin the required site analysis for the studies and engineering, making it difficult to predict the project schedule. LSPGC also suggests such delays would result in delays to the construction start date identified for Alternative 1 (May 2026) and CAISO's required in-service date (June 2028).

The schedule information for Alternative 1 in Table 3.4-3 was developed based on information provided by LSPGC in response to CPUC's data requests. The description of the alternatives already includes details about potential delays due to design and engineering requirements. The potential delay for engineering does not make the alternative infeasible under CEQA. Therefore, no changes were made to the EIR.

L-1-25 LSPGC notes that Section 3.4.5, under the Alternative 5 construction details description, mistakenly refers to Alternative 4.

The text on page 3-23 is revised as follows:

Within the Alternative 4-5 alignment there are two underwater ridges that have a steep (near vertical) incline/decline.

L-1-26 The comment recommends adding a discussion of Alameda County as it relates to the existing Tesla Substation in the introduction of environmental impact analysis (Section 4.0). The comment suggests this would effectively address the selective inclusion of the discussion of Alameda County regulations and conditions within resource sections.

The text of page 4.0-0 is revised to clarify the activities within Alameda County and the relevancy of Alameda County regulations as follows:

Regulatory Setting provides an overview of relevant federal, State, and local laws, regulations, and ordinances that are applicable to the project and impact analysis. The only project feature within Alameda County is PG&E's existing Tesla Substation. A discussion of the regulatory background related to Alameda County has only been included in resource sections where there is potential for an impact to occur. The proposed substation modifications would occur within the previously developed substation footprint and the substation modifications would be consistent with existing substation equipment. The

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activities within the substation would be similar to ongoing operations and maintenance activities.

L-1-27 The comment requests the addition of the proposed PG&E Montezuma Island Mitigation Bank to Table 4.01-1, and the cumulative project analysis presented in the Revised Draft EIR.

The Montezuma Island Mitigation Bank has been added to Table 4.01-1 and Figure 4.0-1 was revised as follows:

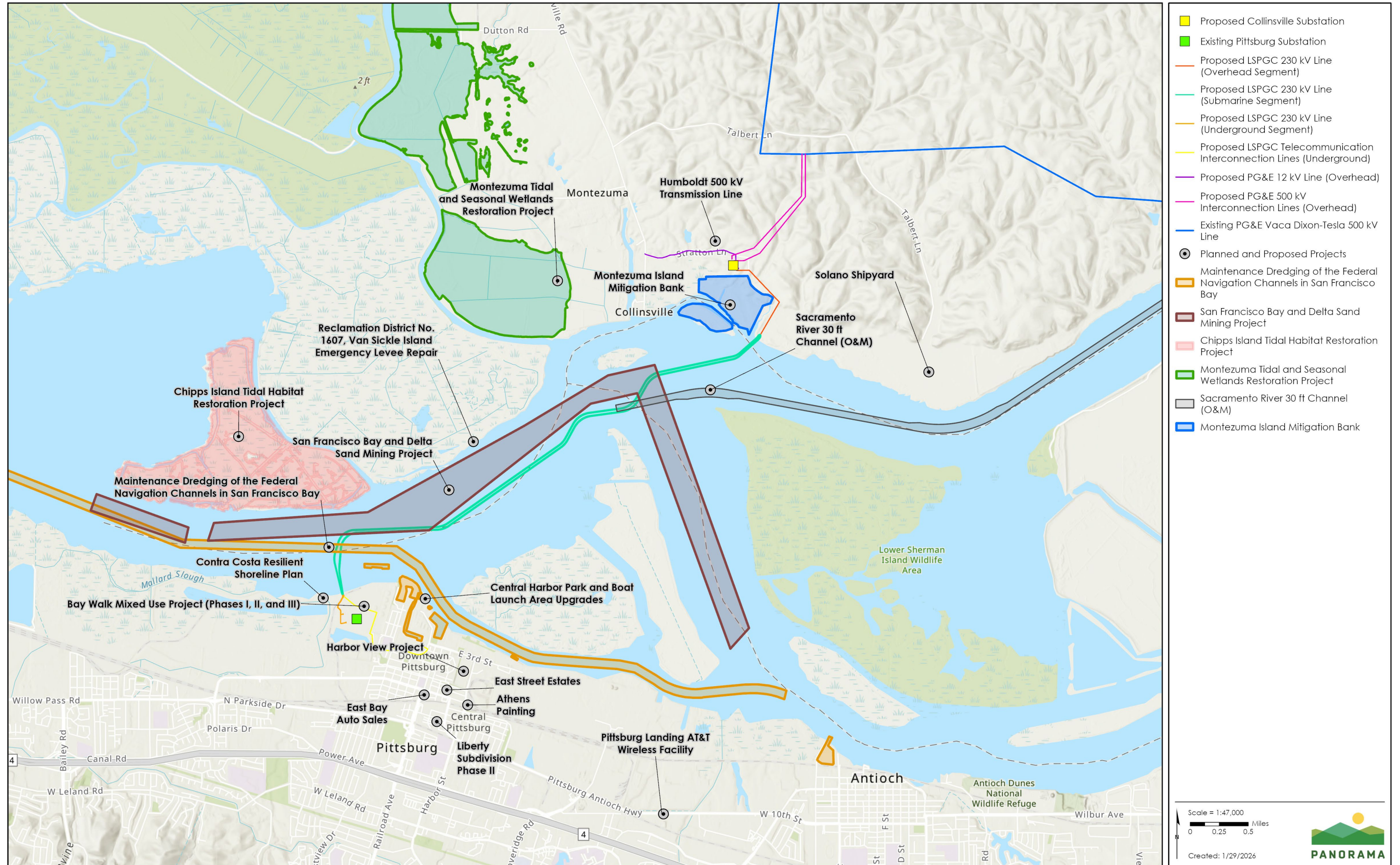
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#	Project name	Proximity to the nearest Project component	Description	Activity location	Lead agency	Status	Timeframe	Construction timing overlap?
22	<u>Montezuma Island Mitigation Bank</u>	<u>The proposed mitigation bank is located on PG&E-owned property direction adjacent to the proposed Collinsville Substation site and 230 kV overhead segment. Alternatives 4 and 6a/6b would transect the proposed mitigation bank and PG&E property.</u>	<u>The proposed mitigation bank would establish a 141-acre mitigation bank southwest of the Montezuma Hills approximately 1 mile east of the town of Collinsville. The project would occur in two phases, however Phase 2 has yet to be proposed. If approved, the project would establish a site where wetland and other aquatic habitat restoration, creation, enhancement, and/or preservation generates regulatory mitigation credits that can be purchased to offset permitted impacts to similar resources elsewhere by PG&E or another party. The proposed habitat restoration and creation include inundating a PG&E-owned parcel and creating a conservation easement. As part of the project design, PG&E would excavate up to 300,000 cubic yards of soil to lower elevations that will facilitate tidal influence and periodic inundation. The mitigation bank proposes to offer 24.62 tidal marsh establishment credits, 3.71 alkali wetland enhancement credits, 2.39 open water establishment credits, and 3.00 sea level rise transition zone establishment credits. Credits generated at the bank may be utilized as compensatory mitigation for certain PG&E projects but would primarily be marketed and sold to third parties.</u>	<u>Solano and Sacramento Counties, CA</u>	<u>USACE</u>	<u>Proposed</u>	<u>According to USACE the soonest the project could be approved in June 2027.³ Accordingly to PG&E the project is expected to go into construction Q1 or Q2 of 2027.⁴</u>	<u>Potentially</u>

³ Personal correspondence with Zachary Fancher, USACE Senior Project Manager (January 13, 2026)

⁴ PG&E Response #1 to CPUC Data Request #15 (January 23, 2026)

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The Montezuma Island Mitigation Bank would potentially involve construction and generate air emissions at the same time as the Proposed Project. The cumulative impact analysis in Section 4.3, Air Quality determined that cumulative air quality emissions in BAAQMD would be significant and the project contribution to those emissions would be considerable and unavoidable. No revisions are required in Section 4.3.

The Montezuma Island Mitigation Bank would have a net benefit on species and habitat by enhancing vegetation, wetland, and wildlife habitats. The mitigation bank would thus not contribute to a cumulative adverse impact in combination with the Proposed Project.

The Montezuma Island Mitigation Bank would involve ground disturbance that could damage cultural resources, similar to the Proposed Project. The cumulative impact analysis in Section 4.5 determined the project contribution to a cumulative impact would be considerable and unavoidable. The text on page 4.5-37 of the Draft EIR is revised as follows to address the Montezuma Island Mitigation Bank:

As discussed in Impacts CUL-1, CUL-2, and CUL-3, the Proposed Project would have a significant and unavoidable impact on historic or archaeological resources and human remains due to the high potential for historic Native American village site and burials to occur along the northern bank of the Sacramento River. The California Forever potential ship building project and Montezuma Island Mitigation Bank are also located on the north bank of the Sacramento River ~~east of~~ near the Proposed Project in an area that has very high sensitivity for buried archaeological resources including precontact villages or burials. The cumulative impact of the Proposed Project, ~~and~~ shipbuilding project, and Montezuma Island Mitigation Bank would be significant.

The Montezuma Island Mitigation bank construction could overlap with the Proposed Project construction and would involve equipment that generate noise. The text of page 4.13-44 is revised as follows:

Projects located within 1 mile of the Proposed Project site within Solano County are as follows:

- **Humboldt 500 kV Substation, with 500/115 kV Transformer, and a 500 kV line to Collinsville:** This project would include a new 500 kV transmission line to the proposed Collinsville Substation and would be located within 0.5 mile of the Proposed Project site.
- **Potential Future California Forever Shipbuilding Project:** The exact location of the project is not currently known, but could

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include activities along the shoreline of the Sacramento-San Joaquin River approximately 1 mile east of the Proposed Project.

- **Montezuma Island Mitigation Bank:** The mitigation bank would be located directly south of the proposed LSPGC substation and west of the 230 kV overhead segment.

The text on page 4.13-45 is revised as follows:

Construction of the Proposed Project would not overlap with construction of the Humboldt 500 kV Transmission Line to Collinsville or potential future California Forever Shipbuilding Project. Construction of the Montezuma Island Mitigation Bank has the potential to overlap with construction at the Collinsville Substation or 230 kV overhead segment. While the mitigation bank would require earthwork to create the proposed wetlands, the earthwork activities are anticipated to be along the shoreline and at a distance of over 1,000 feet from the proposed Collinsville Substation or 230 kV overhead segment. Therefore, the Montezuma Island Mitigation Bank construction and Proposed Project construction noise would not result in a cumulative increase in noise that would be greater than the Proposed Project alone given the much greater intensity of Proposed Project construction activities than the Montezuma Island Mitigation Bank. The Proposed Project noise impacts are addressed in Section 4.13.4.

The Montezuma Island Mitigation Bank would involve ground disturbance that could damage tribal cultural resources, similar to the Proposed Project. The cumulative impact analysis in Section 4.18 determined the project contribution to a cumulative impact would be considerable and unavoidable. The text on page 4.18-21 of the Draft EIR is revised as follows to address the Montezuma Island Mitigation Bank:

As discussed in Impact TCR-1, based on AB 52 consultation, there is the potential for tribal cultural resources to occur along the north bank of the Sacramento River. The California Forever potential future shipbuilding project and Montezuma Island Mitigation Bank also occurs in areas along the north bank of the Sacramento River that have a similar sensitivity for the presence of tribal cultural resource. If tribal cultural resources occur in the Proposed Project site and the California Forever shipbuilding area and/or Montezuma Island Mitigation Bank disturbance area, the cumulative impact on tribal cultural resources would be significant.

The Montezuma Island Mitigation Bank is not anticipated to result in cumulative impacts in combination with the Proposed Project on other environmental resource topics.

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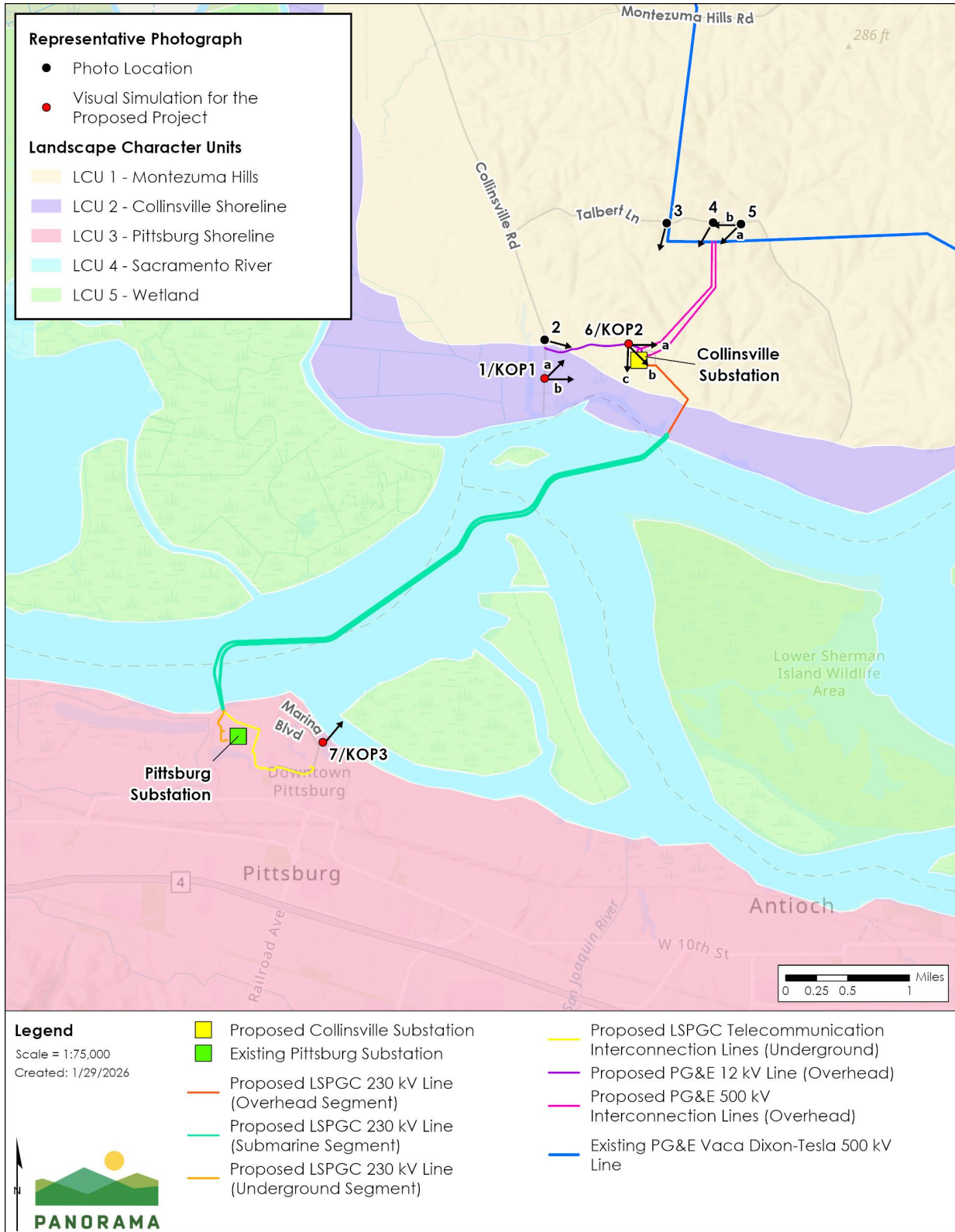
L-1-28 LSPGC requests a note in Section 4.0-3 to clarify that not all of the cumulative projects in Table 4.0-1 are included in Figure 4.0-1 due to a lack of available location data. Section 4.0-3 has been revised as follows:

Table 4.0-1 lists ongoing construction projects and potential future projects planned for construction in the general vicinity of the Proposed Project and alternatives. The locations of the cumulative projects are shown in Figure 4.0-1. Projects without sufficient location data were not mapped and include California Forever Shipbuilding Project and Valley Link Rail Project. While no applications ~~has~~ have been filed for the California Forever ~~developments~~ Shipbuilding Project, the projects has been considered to the extent information is available on public websites or news articles about the potential for future development in the area.

L-1-29 LSPGC requests the addition of a label for Photo Location 6/KOP 2 within Figure 4.1-1 of Section 4.1, Aesthetics.

Figure 4.1-1 has been revised to show KOP 2 as follows:

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L-1-30 LSPGC requested revisions to Table 4.1-7 of Section 4.1, Aesthetics, to remove the statement “perceived natural landscape” in relation to the visual impact experienced at KOP 1 after implementation of the Proposed Project.

Table 4.1-7 explains why the statement is used. The table states, "While the existing view contains energy infrastructure, it is harmonious and rhythmic, while the proposed infrastructure would be dominant and visually discordant, creating an inharmonious landscape reducing the quality of the view." This view can be seen in Appendix D, Figure D-1, which shows the existing energy infrastructure on rolling hills with a largely grassland, perceived natural, landscape. No changes were made to the EIR.

L-1-31 LSPGC requests removal of the term “overhead segment” on page 4.1-29 regarding discussion of PG&E Project Components.

The text on page 4.1-29 is revised as follows:

Construction of the substation, including the PG&E Telecommunication Yard and construction of the overhead segment, would involve vegetation clearing, grading, and other excavation to install the Proposed Project components.

L-1-32 LSPGC requested a correction to the sentence on page 4.1-34 in Section 4.1.4 to clarify the proposed structures at the PG&E transposition sites.

The text on page 4.1-34 was revised as follows:

At transposition sites A, B, and D, one new three-pole TSP structure would be installed between existing LSTs.

L-1-33 LSPGC points out that Section 4.1.5, Impact Analysis - Cumulative, states that "Of the 21 projects listed in this table, three exhibit visual characteristics that could be cumulatively considerable in combination with the Proposed Project..." However, the analysis only discusses two cumulative projects.

The text on page 4.1-39 has been revised as follows:

Of the 21 projects listed in this table, ~~three~~ two exhibit visual characteristics that could be cummulatively considerable in combination with the Proposed Project. These projects are as follows:

- Pittsburg Landing AT&T Rooftop-Wireless Facility

L-1-34 LSPGC requests the revision to the impact analysis on page 4.1-47 of Section 4.1, Aesthetics.

The text on page 4.1-47 is revised in response to this comment as follows:

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Existing visual character and quality as seen from KOP 5 and KOP 6 would be permanently reduced by introducing additional man-made structures to an relatively undeveloped area.

- L-1-35 LSPGC requests revisions to impact analysis for Alternative 2 to describe what is shown in the visual simulations in Appendix D.

The following sentence on page 4.1-47 has been revised as follows to address the comment:

As shown in the visual simulations ~~for the Proposed Project~~ at KOP 4, 6, 7, and 8 (Refer to Appendix D), the Alternative 2 substation components would be visible from Talbert Lane, Birds Landing Road, Montezuma Hills Road, and the Pittsburg Marina, however views from the Pittsburg Marina (KOP 4) are largely obscured due to the Montezuma Hills.

- L-1-36 LSPGC requests revisions to the analysis of Alternative 4 under Impact AES-3 of Section 4.1.9 to reflect Alternative 4 as having greater visual impacts in comparison to the Proposed Project.

As discussed in the EIR, Alternative 4 would involve minor changes to the location of the LSPGC 230 kV overhead segment and would require four pier-mounted or direct bury 230-kV TSPs for the overhead segment and two pier-mounted TSP overhead riser structures at the transition to the submarine segment. The 230 kV TSPs and riser structures would be equivalent to those used for the Proposed Project. The analysis accurately describes Alternative 4 as having similar visual impacts to the Proposed Project due to the equivalent appearance of structures and the adjacent location. No revisions to the EIR are needed.

- L-1-37 LSPGC suggests that the Proposed Project would not conflict with existing zoning for agricultural use and therefore would not create a potentially significant impact on agriculture. LSPGC requests changing the Impact AG-2 impact determination to less than significant and removing MM AG-1 on the basis of utility uses being allowed in zones ASM-160 and A-160 after obtaining a use permit.

As stated on page 4.2-4 of the Draft EIR, the proposed LSPGC Collinsville Substation property is located on lands zoned as Suisun Marsh Agriculture (ASM-160) (south of Stratton Lane) and Exclusive Agriculture (A-160) (north of Stratton Lane), which is acknowledged by the commenter. Chapter 28 of the Solano County Code allows utility infrastructure in zones ASM-160 and A-160 with approval of a conditional use permit process. The LSPGC Collinsville Substation is not permitted by right within either ASM-160 or A-160, and because LSPGC will not obtain a conditional use permit since the CPUC has

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preempted local land use authority for the project under General Order 131-D, the project is not by its nature consistent with the agricultural uses of zone ASM-160 or A-160.

It is also noted that the Solano County Agricultural Mitigation Program stipulates that communication and infrastructure uses, including use permits for communication and infrastructure uses on lands within any agricultural zoning district, as defined and set forth in Chapter 28 of the Solano County Code, are required to implement mitigation consistent with the Solano County Agricultural Mitigation Program requirements. MM AG-1 was designed, in part, according to the Solano County Agricultural Mitigation Program requirements for application in areas zoned for agricultural use.

Additionally, MM AG-1 was also designed to consider the Delta Protection Commission scoping comments, dated January 13, 2025, and included in Appendix D of the Draft EIR, which requested, "...if the land under and near the lines are subject to changes in land use such as new restrictions on what land uses may occur, we encourage you to allow agricultural land uses to continue. If agricultural land uses cannot continue, we encourage you to adopt appropriate mitigation to preserve equivalent or greater acreage of land than the land that is lost. While the upland areas where the project will occur are in the Secondary Zone, agricultural land uses in those areas support the overall sustainability of Delta agriculture."

Therefore, implementation of MM AG-1 is required to reduce the impact from development of the project in areas zoned for agricultural use to less than significant.

Page 4.2-20 of the Draft EIR is revised for clarity as follows:

While the Proposed Project would not be subject to local regulations, the proposed Collinsville Substation site is ~~within the Delta Plan Secondary Zone (refer to Figure 4.11-5 in Section 4.11 Land Use and Planning)~~ zoned as Suisun Marsh Agriculture (ASM-160) (south of Stratton Lane) and Exclusive Agriculture (A-160) (north of Stratton Lane).

L-1-38

LSPGC states that MM AG-1 does not apply to Impact AG-5 and the "less than significant with mitigation" conclusion is incorrect.

As discussed in Impact AG-5, the analysis is focused on impacts to active agricultural operations. Page 4.2-22 states "The Proposed Project would not result in additional direct or indirect changes in the existing environment that would result in the conversion of FMMP-designated Farmland to non-agricultural use or forest land to non-forest use. Therefore, the discussion for Impact AG-5 is focused on potential impacts to active agricultural operations

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that occur within or adjacent to the Proposed Project areas.” The analysis of impacts on agricultural operations is accurate based on the Proposed Project location and active agricultural operations in the area. No change to the EIR analysis is required.

- L-1-39 LSPGC states that the second paragraph on page 4.2-23 was included under the incorrect subheading.

Upon review, the text should have been deleted and was included in error. The text on page 4.2-23 is revised as follows:

~~Operation of the LSPGC 230 kV transmission line would result in permanent impacts where approximately three structures would be installed in areas within or adjacent to agricultural operations along the overhead segment. Operation and maintenance of the proposed 230 kV transmission line would not result in substantial effects on existing agricultural operations because the areas affected by transmission structures would be small and spread out, and overhead transmission would not prevent the agricultural operations from continuing. Impacts associated with the 230 kV transmission line would be less than significant.~~

- L-1-40 LSPGC states that Alternative 1 would not create significant impacts to lands enrolled in Williamson Act contracts, therefore the impact determinations listed under Impact AG-2 and Impact AG-5 should be revised to less than significant. LSPGC pointed out that Section 51238(a) of the Williamson Act allows for the erection, construction, alteration, and maintenance of gas, electric, water, or communication facilities.

LSPGC’s comment does not address the fact that the Alternative 1 substation would permanently convert areas that are zoned for agricultural use to a substation. See response to comment L-1-37. The impact is appropriately addressed in the impact analysis. No modification to the EIR is needed.

- L-1-41 LSPGC states that Alternative 2 would not create significant impacts to lands enrolled in Williamson Act contracts, therefore the impact determinations listed under Impact AG-2 and Impact AG-5 should be revised to less than significant. LSPGC pointed out that Section 51238(a) of the Williamson Act allows for the erection, construction, alteration, and maintenance of gas, electric, water, or communication facilities.

LSPGC’s comment does not address the fact that the Alternative 2 substation would permanently convert areas that are zoned for agricultural use to a substation. See response to comment L-1-37. The impact is appropriately addressed in the impact analysis. No modification to the EIR is needed.

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L-1-42 LSPGC requests that the first paragraph on page 4.3-57 of Section 4.3, Air Quality, be revised to say "Alternative 2" rather than "Alternative 1."

The text of the EIR is revised as follows in response to this comment:

Alternative ~~2~~⁴ would require more grading than the Proposed Project for preparation of the Collinsville Substation site.

L-1-43 LSPGC requests revisions to MM AQ-2.

MM AQ-2 has been revised in response to this comment. See response to comment AL-1-2.

L-1-44 LSPGC reiterates comment L-1-23, which requests Alternative 4 and Alternative 6a/6b be deemed not feasible.

Refer to response to comment L-1-23 and response to PG&E's comment P-1-1.

L-1-45 LSPGC requests the deletion of Mendocino National Forest on page 4.4-1, citing lack of proximity to the Proposed Project.

The comment about Mendocino National Forest is a comment from scoping and does not affect the EIR analysis. The scoping comment should be left in its original form. No change is needed in the EIR to address this comment.

L-1-46 LSPGC states that all species with the potential to occur in the Proposed Project area have been surveyed during their appropriate bloom period. Therefore, discussion on page 4.4-12 regarding plant surveys should be revised to reflect this.

The CPUC team reviewed the Botanical Resources Report Addendum (November 2024) and confirmed that all species were surveyed within their bloom period. Therefore, the proposed changes in the comment are accepted.

The text on page 4.4-12 is revised as follows:

For plants, recent occurrences have been recorded within 0.25 mile, but the species was not observed during floristic surveys ~~or was surveyed outside of the species' known bloom period.~~

L-1-47 LSPGC states that three special status species were determined to be present and requests revisions to the text on page 4.4-13.

The EIR has been edited on page 4.4-13 as follows to address this comment:

Special-status terrestrial wildlife species were identified by the state and federal databases as occurring or potentially occurring within or in the

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vicinity of the biological study area. ~~One~~Three species ~~was~~were determined to be present in the biological study area during field surveys. Special-status wildlife species that were determined to be present as well as those with potential to occur in the biological study area are documented in Table 4.4-4. Species determined to have no potential to occur are not included in Table 4.4-4.

L-1-48 LSPGC states that the occurrence potential determination for burrowing owl in Table 4.4-4 should be revised to low nesting potential, considering the results of the 2025 burrowing owl habitat assessment and protocol-level breeding seasons surveys.

The 2025 burrowing owl survey report is provided in the Revised Draft EIR in Appendix F.10. Based on the results of the burrowing owl breeding season protocol-level surveys in the report provided by LSPGC, it is reasonable to downgrade the burrowing owl's potential for nesting in the initial survey area to "low." The surveys found no evidence of burrowing owl nesting or breeding activity onsite and determined that the breeding habitat onsite is still of marginal quality. It is important to note that habitat conditions and burrowing owl use patterns could change relatively quickly, i.e., from year to year. If the activity of burrowing mammals, such as ground squirrels, that create burrows suitable for burrowing owl were to increase, it could create new nesting opportunities that burrowing owls could be quick to take advantage of due to their highly mobile nature. The burrowing owl report did in fact report an increase in ground squirrel activity in one part of the Project site, and this could lead to future burrowing owl use. Therefore, the same APMs and MMs protecting burrowing owl would apply to the Project even with the lowering of the potential to occur from "moderate" to "low."

Table 4.4-4 on page 4.4-29 of the Draft EIR is revised as follows:

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Common Name (<i>Scientific Name</i>)	Listing Status ^a	Habitat And Life History	Potential To Occur In The Biological Study Area
Birds			
burrowing owl (<i>Athene cunicularia</i> ssp. <i>hypugaea</i>)	SC; SSC	This species can be found in a variety of open habitat types, including grassland, savanna, desert scrub, agricultural, and urban areas. Breeding occurs from March through October, and nesting takes place within abandoned burrows dug by burrowing mammals. This species preys on large insects and small mammals.	<p>Moderate-Low (nesting). High (foraging/migration). Grassland habitat suitable for foraging is found in the initial survey area north of the Delta; however, burrows suitable for species occupation and breeding were not observed during the field surveys. Migrating individuals have been reported to occur within the initial survey area during winter months. CNDDDB occurrences north of the Delta were recorded during both the breeding and non-breeding seasons. Nesting habitat is limited and marginal given the ongoing agricultural activity north of the Delta, but ground squirrels may recolonize and provide suitable burrow habitat if the fields are left fallow or grazed. This species was not observed during the field surveys.</p> <p>Transposition sites: High (nesting) High (foraging). Suitable grassland and agricultural habitat is present within the transposition site survey area. This species has been recently documented between 0.25 and 1 mile of the transposition site survey area.</p>

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L-1-49 LSPGC requests a global check for the correct usage of the stated definitions for BCC species.

The CPUC acknowledges the inconsistency in the definition of “high” potential to occur in the Draft EIR and the determinations for the BCC birds. The reason there are no occurrences for the BCC birds is not because there are no occurrences of these species, rather, these species are not included in the CNDDDB database because they are not State or federally listed. Therefore, the absence of occurrence data in the CNDDDB, which was used to determine occurrences in/near the Project site, cannot be used to rule out the possibility of occurrences of BCC bird species.

A qualified biologist reviewed these species’ life histories and the habitat available in the Project site and determined that “high” was a more suitable potential to occur determination than “moderate” in many cases. In order to rectify the discrepancy between the potential to occur definitions and the determinations for these species, the definition of “high” potential to occur has been changed to address BCC species. The text of the EIR is revised on page 4.4-12 as follows:

High. Suitable habitat for the species is present within the biological study area and recent (within the last 30 years) occurrences have been reported within 1 mile of the biological study area. Alternatively, marginal habitat is present, and recent occurrences have been recorded within 0.25 mile of the biological study area. For plants, recent occurrences have been recorded within 0.25 mile, but the species was not observed during floristic surveys or was surveyed outside of the species’ known bloom period. For non-State or -federally listed wildlife species that would not be included in the CNDDDB and therefore would have no occurrence data, such as BCC species, the presence of suitable habitat alone is sufficient for a “high” potential to occur determination if the habitat is within the geographic and elevational ranges of the species and no other factor would preclude the species from using the habitat.

L-1-50 LSPGC requests the potential to occur level for vernal pool fairy shrimp listed in Table 4.4-4 be changed from moderate to low, citing the lack of suitable vernal pool habitat in the survey area.

Vernal pool fairy shrimp was originally determined to have a moderate potential to occur in the initial survey area because the original Biological Resources Technical Reports were inconclusive about the potential for vernal pools onsite. However, since the time of those reports, examination of the aquatic and floristic field data confirmed the lack of vernal pools within the initial survey area. The U.S. Fish and Wildlife Service Biological Assessment, published in June 2025,

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states that, “fully floristic plant surveys conducted in May 2023, July 2023, and April 2024 by Insignia biologists showed no signs of vernal pool habitat within the surveyed areas in the action area. The 2024 field surveys were conducted during the typical blooming period for plants associated with vernal pools, the ideal season to search for evidence of vernal pools.” With this information, it is appropriate to change the potential to occur determination from moderate to low. The determination has been changed in the text of the EIR on page 4.4-42 as follows:

Moderate Low. No suitable vernal pool habitat was observed during the field survey and botanical survey data confirmed the absence of vernal pool-associated plant species that would indicate the presence of vernal pools. ~~It is possible that suitable vernal pool habitat for this species may develop during the rainy season and outside of this report’s initial survey window.~~ This species has been documented between 1 and 5 miles from the initial survey area based on CNDDDB records, but it was not observed during the field survey.

- L-1-51 LSPGC requests the potential to occur level for vernal pool tadpole shrimp in Table 4.4-4 be changed from moderate to low, citing the lack of suitable vernal pool habitat in the survey area.

For the same reasons discussed in response to comment L-1-50, i.e., due to lack of vernal pools in the area, the determination is revised on page 4.4-42 and 4.4-43 as follows:

Moderate Low. No suitable vernal pool habitat was observed during the field survey and botanical survey data confirmed the absence of vernal pool-associated plant species that would indicate the presence of vernal pools. ~~It is possible that suitable vernal pool habitat for this species may develop during the rainy season and outside of this report’s initial survey window.~~ This species has been documented between 1 and 5 miles from the initial survey area based on CNDDDB records, but it was not observed during the field survey.

- L-1-52 LSPGC suggests clarifying which measures would be applied to operation and maintenance activities in paragraph 1 on page 4.4-74.

The text on page 4.4-74 of the Draft EIR has been edited as follows in response to this comment:

This EIR incorporates by reference the applicable avoidance and minimization measures (AMMs) in Chapter 5.5.1.2 of PG&Es Bay Area HCP (ICF 2017). These AMMs include specific plant and wildlife species impact avoidance and minimization measures as well as general

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measures such as personnel training. The complete list of measures may be found in Table 5-1 of the Bay Area HCP. The measures would apply to all PG&E operation and maintenance activities and the transposition structure installation activities conducted under the HCP.

- L-1-53 LSPGC suggests revising MM BIO-1 to remove discussion of operation and maintenance, citing infeasibility of scheduling around seasonal surveys. LSPGC further requests removal of the requirement for special-status plant surveys prior to conducting work activities in natural areas (i.e., areas not within existing roadways or permanent project facilities) during operation and maintenance of the Project in MM BIO-1.

MM BIO-1 is only applied to non-routine maintenance for cable replacement. The CPUC notes that cable replacement would require separate authorization and is not a routine operation and maintenance activity. In the event of cable replacement along the shoreline in areas that contain special status plants, a new trench would be constructed to install the replacement cable. Trenching in an area containing special status plants is a significant impact and requires mitigation. MM BIO-1 is not applied to any routine operation and maintenance activities.

- L-1-54 LSPGC requests the acknowledgement of APM BIO-2, which would create a project-specific restoration plan, within paragraph 2 of page 4.4-81.

APM BIO-2 lacked detailed information about the proposed restoration plan or performance standards and thus was deferral of mitigation. Therefore, MM BIO-2 supersedes APM BIO-2. MM BIO-2 includes performance standards as required under CEQA. No changes are needed in the EIR to address this comment.

- L-1-55 LSPGC requests the addition of “potential” before “impacts” on page 4.4-94 in the last sentence of paragraph 3.

The text of the Draft EIR on page 4.4-94 has been edited as follows:

However, California black rail, Ridgway’s rail, burrowing owl, golden eagle, Swainson’s hawk, and western snowy plover are discussed in greater detail below due to potential impacts specific to these species.

- L-1-56 LSPGC requests edits to paragraph 2 on page 4.4-96 of the Draft EIR to include discussion of the protocol-level breeding season surveys conducted in 2025. LSPGC states that the bio section makes no mention of the protocol-level breeding season surveys conducted in 2025 for this species and requests an addition to the text for burrowing owl on page 4.4-96 of the Draft EIR.

The Draft EIR did not mention the protocol-level breeding surveys because that survey report was not provided to the CPUC prior to Draft EIR publication. The

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protocol-level breeding season survey for burrowing owl is included as Appendix F.10 of the Revised Draft EIR). The text on page 4.4-96 has been modified to incorporate the findings of the burrowing owl breeding season report.

The text of the Draft EIR on page 4.4-96 is revised as follows:

Burrowing owl: The habitat within the LSPGC project component area has low suitability for burrowing owl due to the absence of suitable burrows throughout the majority of the Proposed Project site (Oates 2024a; Insignia 2025e); however, during protocol-level breeding surveys for burrowing owl in 2025, ground squirrels were observed establishing burrows in one area along a fence just south of Talbert Lane (Insignia 2025e), and it is possible that burrows could establish prior to construction and burrowing owl could occupy habitat within or near the Proposed Project area (Oates 2024a). At the time of the protocol-level breeding surveys, no burrowing owls or potential burrowing owl burrows or other burrowing owl sign were observed in the Proposed Project site (Insignia 2025e).

The burrowing owl breeding season survey report citation is added to the reference list on page 4.4-225 as follows:

Insignia Environmental. 2025e. Collinsville 500/230 Kilovolt Substation Project Breeding Season Burrowing Owl Survey Report.

L-1-57 LSPGC suggests revising paragraph 4 on page 4.4-96 to clarify the nature of Swainson's hawk observations made during field surveys.

The Biological Resources Technical Report confirmed that a Swainson's hawk was observed flying, not nesting, during field surveys. The nesting observations are from CNDDDB documentation, as stated on page 4.4-36 and 4.4-37 of the Draft EIR.

The text of the revised Draft EIR on page 4.4-96 is revised as follows:

Swainson's hawk: During field surveys, Swainson's hawks were observed north of the Delta flying overhead, ~~foraging, and nesting.~~ Additionally, there are multiple CNDDDB records of the species nesting between 1 and 5 miles from the *initial survey area*.

L-1-58 LSPGC requests the description of the impact in paragraph 2 on page 4.4-97 be revised to less than significant for clarity.

The text is changed on page 4.4-97 for clarity as follows:

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No trees are proposed for removal during construction of the Proposed Project and so ~~there would be no significant~~ the impacts on nesting habitat would be less than significant.

L-1-59 LSPGC requests clarification of the use of fish screens to provide context for their discussion in paragraph 3 on page 4.4-119.

The text on page 4.4-119 is revised to reflect that APM BIO-19 does not apply to marine mammals:

Because of the limited in-water work window (APM BIO-18) and implementation of APMs BIO-~~2019~~ through BIO-22, which would ~~require intake screens to minimize fish entrainment,~~ implement invasive species management measures, screen and test aquatic sediment, and implement an aquatic spill prevention and control plan, impacts from sediment or hazardous materials to special-status marine mammals would be less than significant.”

L-1-60 LSPGC requests the removal of a statement within paragraph 2 on page 4.4-125 that considers the impact of inadvertent transportation of an invasive species after completion of construction of the Proposed Project.

CEQA Guidelines section 15358(a)(2) requires consideration of indirect effects “which are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable.” The potential to transport invasive aquatic species is a reasonably foreseeable indirect effect as there is known occurrence of invasive aquatic species in the Delta and the invasive aquatic species entered the area as a result of other similar activities carrying the species into the area. The Invasive Marine Species Control Plan described in MM BIO-19 would prevent the spread of invasive species, either to the project site prior to construction or from the project site following construction. The analysis language in the referenced section explains how the indirect effects could occur, why mitigation is needed, and how MM BIO-19 would reduce the effect. No change to the EIR is required.

L-1-61 LSPGC requests the removal of MM HYD-1 in Section 4.4, Biological Resources, applied to the Proposed Project because LSPGC claims the mitigation measure is specifically intended to mitigate impacts associated with the alternatives.

To reduce confusion between measures applied to the alternatives and the Proposed Project, MM BIO-22 was developed from MM HYD-1 to address wetlands specifically and not other aquatic resources. Based on the analysis in the EIR, MM BIO-22 is required “Because the Proposed Project does not contain specifications for restoration of wetlands, the impacts would be significant.” MM HYD-1 remains in the hydrology section to address impacts on hydrologic

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resources associated with the alternatives. The new MM BIO-22 developed from the existing MM HYD-1 is provided as follows:

MM HYD-1/BIO-22: Aquatic Resource Wetland Delineation, Avoidance, Minimization, and Mitigation

Prior to construction, LSPGC and PG&E shall submit to the CPUC an Aquatic Resources Delineation Report that documents the limits of ~~waters of the State and waters of the U.S.~~ wetlands subject to State or federal jurisdiction within the project ~~the limits of the alternative work areas. Drainages shall be delineated in accordance with A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States: A Delineation Manual (2008) and w~~ Wetlands shall be delineated in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual (1987) and Arid West Regional Supplement to the Corps of Engineers Wetland Delineation Manual (Version 2.0) (2008).

Where ~~waters of the State or waters of the U.S.~~ jurisdictional wetlands are located within the ~~alternative project~~ work areas, an Aquatic Resource Avoidance and Minimization Plan shall be prepared. The Aquatic Resource Avoidance and Minimization Plan shall document strategies for avoidance and minimization of impacts on ~~waters of the State and waters of the U.S.~~ wetlands wherever feasible. Avoidance strategies would include relocating poles and associated work areas where feasible to provide a minimum buffer of 10 feet from the outer limits of the ~~aquatic resource wetland~~ aquatic resource wetland and installing fencing to avoid project activities from encroaching on the ~~aquatic resource wetland~~ aquatic resource wetland. Where avoidance isn't feasible, minimization strategies could include using matting or alternative construction techniques to minimize damage to the resource and avoiding grading within the resource limits.

Where avoidance of the resource is not feasible, the responsible party (LSPGC or PG&E) shall obtain any permits required under State (Porter Cologne Water Quality Control Act and Fish and Game Code) and federal law (Clean Water Act) from the State Water Resources Control Board, California Department of Fish and Wildlife, and U.S. Army Corps of Engineers for discharge of dredged or fill materials within ~~the waters of the State or U.S.~~ wetlands. In addition, the responsible party shall provide compensatory mitigation for impacts on the ~~aquatic resource wetland~~ aquatic resource wetland through preservation, enhancement, or creation of ~~aquatic resources wetlands in kind (same type of aquatic resource)~~ aquatic resources wetlands in kind (same type of aquatic resource). The mitigation ratio shall be at a minimum ratio of 1:1 and may be greater depending on the type of mitigation proposed (creation,

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enhancement/restoration, or preservation), value of the impacted resource, and value of the mitigation resource. For any unavoidable impacts on ~~aquatic resources~~ wetlands, the responsible party shall submit an aquatic resource mitigation plan to the CPUC for review and approval no less than 30 days prior to construction within the ~~aquatic resource~~ wetland. The aquatic resource mitigation plan shall meet the standards for compensatory mitigation as defined in the State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (2021). The responsible party shall submit evidence of successful mitigation to the CPUC through either record of purchase of mitigation lands at a mitigation bank or through an in-lieu fee program, or monitoring documenting that the compensatory mitigation has successfully compensated for the functions and values of the impacted resource per the approved mitigation plan.

Additionally, the prior name of the measure has been revised where referenced in the Biology section in the revised Draft EIR.

L-1-62 LSPGC suggests that analysis discussing the potential future replacement of the submarine segment should not be included in paragraph 4 on page 4.4-136, citing lack of relevancy to the rest of the section.

This text is deleted from the section discussing the overhead segment as the cable replacement activity would be associated with the submarine segment in the following paragraph and is already analyzed in the paragraph that follows. The text of the EIR is revised as follows.

~~While routine maintenance activities would have a less than significant impact on avian nursery sites, non-routine cable replacement/repair activities could require trenching to replace a defective cable. Cable replacement would require separate authorization. If the trenching is required in areas containing nesting habitat, the impact on avian nursery sites would be equivalent to construction and would be significant. MM BIO-7 defines requirements for pre-activity nesting bird surveys in suitable habitat and requires nest avoidance buffers and monitoring where nests are found. The impact on nursery sites during cable replacement maintenance activities would be less than significant with mitigation.~~

The content of this text was added to the discussion of the submarine segment on page 4.4-137, as follows.

The portion of the 230 kV submarine segment cables located on land north of the Delta could be located within avian nesting habitat. While routine maintenance activities would have a less than significant impact

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on avian nursery sites, non-routine cable replacement/repair activities could require trenching to replace a defective cable. Cable replacement would require separate authorization. If the trenching is required in areas containing nesting habitat, the impact on avian nursery sites would be equivalent to construction and would be significant. MM BIO-7 defines requirements for pre-activity nesting bird surveys in suitable habitat and requires nest avoidance buffers and monitoring where nests are found. The impact on nursery sites during cable replacement maintenance activities would be less than significant with mitigation.

L-1-63 LSPGC suggests that the impact on special-status birds would be greater for Alternative 6a/6b than for the Proposed Project.

Refer to Table 6.4.6 on page 6-22 of the revised Draft EIR. Alternative 6a/6b is ranked as having the greatest impacts on biological resources when compared to the Proposed Project and Alternative 4. The EIR analysis is consistent with this request.

L-1-64 LSPGC requests edits to MM BIO-1 citing restoration constraints for Mason's lilaopsis and delta mudwort due to their small size and creeping and growth habits.

The text of MM BIO-1 is revised as follows to reflect the approach to recolonization of these species:

MM BIO-1: Avoidance and Minimization of Impacts on Special-Status Plants

Pre-construction surveys: Where surveys have not been completed within 5 years prior to construction or vegetation disturbance, LSPGC/PG&E shall obtain CPUC approval of a qualified botanist to perform pre-construction surveys for state or federally listed plant species and those with a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B that have the potential to occur in the project area ~~during construction during operation and maintenance~~. These surveys shall be performed utilizing CNPS or other accepted botanical survey protocol. Special-status plant surveys shall be conducted during the appropriate blooming period for each species. Surveys shall occur prior to construction and operation and maintenance activities for all work areas occurring off existing access roads in natural areas, including overland travel routes, and areas of existing roads that require modifications. The surveys shall include a floristic inventory and focused search for special-status plants with potential to occur in project areas where suitable habitat is present.

The survey results shall be summarized in a report and provided to the CPUC no less than 30 days prior to commencement of construction. The

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survey report shall identify the botanists' names and qualifications, and a description of the survey dates, methods, and a description of the survey efforts, including a list of the species that were searched for, results of the plant inventory evaluation, and suitable habitat that was encountered. The report shall include maps (1: 3,000 scale) that identify final project work areas and access routes and the extent of focused plant surveys that cover project areas located in occupied habitat. Maps in the report shall identify point locations for individual plants and boundaries for plant populations. The report shall include specific recommendations for avoiding ~~the~~ special-status plants.

Avoidance measures: LSPGC/PG&E shall mark all populations of special-status plants within the work area and a 25-foot buffer site as *environmentally sensitive areas* (ESAs) on maps that are provided to contractors working near environmentally sensitive areas. All populations within 25 feet of a project work area and 20 feet of an access road shall be staked and flagged or fenced for avoidance by a qualified biologist or botanist prior to construction and shall be monitored by a qualified biologist or botanist during construction to ensure proper avoidance of the species. The project work areas shall be adjusted as needed to avoid any populations of special-status plants that occur within the work area to the extent feasible. All stakes and flagging shall be removed no later than 30 days after construction is complete in the area. Information about special-status plants and avoidance requirements shall be included in the Workers Environmental Awareness Training Program (APM BIO-3 and CM BIO-3). In the event of a discovery of previously undocumented species, the boundary of the occurrence will be flagged, avoided, and monitored as discussed above and the CPUC, CDFW, and/or USFWS will be notified if the species is state or federally listed.

If the special-status plant species cannot be avoided, LSPGC/PG&E shall notify CPUC in writing, and LSPGC/PG&E shall submit a Salvage and Replanting Plan to CPUC and CDFW for approval as described below. No State or federally listed plant species shall be salvaged or relocated without obtaining permit authorization from CDFW and/or USFWS, as required. LSPGC/PG&E shall provide the CPUC with any permits and authorizations obtained from USFWS and CDFW. LSPGC shall relocate the species to areas within the easement that are outside of the long-term maintenance areas. If the species occurs in an area that is subject to temporary impacts, the species shall be included in the restoration of the site.

Salvage and replanting plan: For impacts on state or federally listed or CRPR 1 or 2 plants that cannot be avoided, the qualified botanist shall

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prepare and implement a Salvage and Replanting Plan. The Salvage and Replanting Plan would specify, at a minimum, the following:

- Location of the mitigation site(s) (extent of the plants within and adjacent to project areas and site conditions that support recolonization).
- Procedures for procuring plants, if appropriate, such as transplanting or collecting seed from plants to be impacted, including storage locations and methods to preserve the plants. If collecting seed or transplanting plants is not appropriate, the plan shall document justification and propose alternative strategies (e.g., preserving topsoil or protecting adjacent populations to facilitate passive revegetation).
- Procedures for propagating collected ~~seed materials or topsoil storage and redistribution methods,~~ including storage methods.
- Quantity and species of plants to be planted or transplanted, if applicable.
- Planting procedures, including the use of soil preparation and irrigation, if applicable.
- Schedule and action plan to maintain and monitor the mitigation site for a minimum 3-year period.
- Reporting procedures, including the contents of annual progress reports.
- List of criteria tailored to species-specific attributes (e.g., growth, plant cover, spatial extent, survivorship) by which to measure success of the plantings.
- Contingency measures to implement if the plantings are not successful (i.e., weed removal, supplemental plantings, etc.).

LSPGC/PG&E shall submit the Salvage and Replanting Plan to the CPUC for review and approval no less than 30 days prior to impacting or collecting special-status plants. At a minimum, the transplanted/created population(s) shall have approximately the same characteristics as the impacted population (within 10-percent density, total population number, and non-native/invasive). Seasonal population changes may be taken into account by identifying and documenting the characteristics of an appropriate representative reference site prior to impacting a population. Salvage of plants (seed) and replanting shall occur prior to impacts on the impacted plant communities. Reference sites that will be used must be identified and described in the Salvage and Replanting Plan.

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If CPUC or CDFW determines that the Salvage and Replanting Plan is not likely to be successful (due to the species' life form, habitat requirements, or other factors), then LSPGC/PG&E shall provide compensation lands consisting of habitat occupied by the impacted CRPR 1 or 2, 3, or 4 ranked plant occurrences at a 1:1 ratio of acreage for any occupied habitat affected by the project. Occupied habitat will be calculated on the project site and on the compensation lands as including each special-status plant occurrence. If compensation is required as a means of mitigating special-status plant impacts, it may be accomplished by purchasing credit in an established mitigation bank, acquiring conservation easements, or direct purchase and preservation of compensation lands. Compensation for these impacts may be "nested" or "layered" with compensation for habitat loss, which describes the practice of utilizing compensation lands for multiple different mitigation requirements (e.g., special-status plant habitat and special-status wildlife habitat) (Gardner and Fox 2013).

Annual reporting: Annual salvage and replanting monitoring reports shall be submitted to CPUC for a period of 3 years after transplanting to ensure success of the transplanted populations. Where transplantation has not been successful under the criteria set forth in the performance standards below, compensation shall be provided on an acreage basis at a 1:1 ratio to offset the loss of transplanted special-status plant populations. Annual reports shall include, details of plants or propagules salvaged, stored, and transplanted (salvage and transplanting locations, species, number, size, condition, etc.); adaptive management efforts implemented (date, location, type of treatment, results, etc.); and evaluation of success of transplantation. Salvage status and success will be described in the annual report.

Performance Standards: Where impacts on special-status plants are unavoidable, the transplanted/created population(s) must have approximately the same characteristics as the impacted population (within 10-percent density, total population number, and non-native/invasive species).

L-1-65 LSPGC requests removal of CRPR 3 and 4 plants from MM BIO-1.

Consistent with the analysis in the EIR, MM BIO-1 is intended to mitigate impacts on special status plant species where impacts were determined to be significant. The EIR determined that the Proposed Project would have a potentially significant impact on plants ranked CRPR 1 and CRPR 2. The text of MM BIO-1 is revised as shown in L-1-64.

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L-1-66 LSPGC states MM BIO-2, as written, is inconsistent and requests that the measure be revised to require an annual survey during the growing period as dictated by climate conditions. The comment requests changing “blooming period” to “growing period”.

The text of MM BIO-2 is revised as shown in response to comment L-1-67 as the growing period is more applicable to monitoring for restoration.

L-1-67 LSPGC requests revisions to the timing of restoration versus the timing of meeting restoration criteria in MM BIO-2.

The text of MM BIO-2 is revised to clarify the intent of the measures as follows:.

MM BIO-2: Habitat Restoration

LSPGC/PG&E shall prepare and implement a Revegetation, Restoration, and Monitoring Plan that addresses procedures for revegetation and/or restoration. The plan shall also address the requirements for restoration in MM BIO-1: Special-Status Plant Populations and MM BIO-21: Sensitive Natural Plant Communities.

The plan shall be developed upon completion of final design and submitted to the CPUC for review and approval no less than 60 days before commencement of construction.

All temporarily disturbed areas shall be restored to near pre-construction conditions to ensure permanent impacts do not occur in areas of temporary impacts as a result of the project. Pre-construction conditions, including vegetation cover estimates and percentage of Cal-IPC list invasive weeds (plants rated as “High” and “Moderate”), shall be documented for each project work area as described below in the Pre-Construction Report. The goal of the restoration shall be that habitat functions and values and species composition of the restored vegetation are comparable to those of nearby comparable vegetation within 3 years.

The plan shall identify corrective actions to implement (e.g., removal of invasive weeds, supplemental planting, etc.) if the performance standards defined in this measure are not achieved. Work sites that have been proven to meet the performance standard defined in this measure shall not require further monitoring and reporting.

Monitoring procedures: A qualified biologist or botanist shall monitor vegetation resources that are impacted annually until performance standards have been met. Monitoring shall be conducted once a year during the ~~blooming period~~ growing season to verify species composition and cover within all areas of temporary disturbance.

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Pre-construction report(s): Prior to construction, a qualified biologist or botanist shall survey all final work areas and overland access routes to identify the vegetation resources that may be impacted, including their location, composition, condition, and extent of planned project disturbance. Survey efforts may be conducted in conjunction with focused surveys required for special-status species, as described in applicable APMs and mitigation measures. Anticipated impacts on vegetation resources shall be quantified and documented in the report, such as special-status plant individuals or the characteristics of populations (i.e., estimated size and cover estimates), the types and numbers of shrub individuals, and restoration acreages for sensitive natural communities. The baseline conditions for adjacent and comparable vegetation resources shall also be documented in the report. Such areas may be used as a control for post-construction monitoring to determine relative restoration performance and account for seasonal fluctuations in invasive species composition, general growth rates, and overall coverage.

The report shall include maps (1: 3,000 scale) that identify the types and locations of the vegetation resources that may be impacted, the limits of the planned work areas, and project access routes. An initial report shall be submitted to the CPUC no less than 30 days before construction. Separate reports may be submitted for each project segment, if necessary. If new impacts or restoration procedures are identified, the plan shall be updated and submitted in track changes to the CPUC.

Post-construction reports: LSPGC/PG&E shall prepare and submit Post-Construction Reports to the CPUC on an annual basis until construction is complete. Post-Construction Reports shall include table summaries of actual project impacts, and maps of the areas that identify the limits of actual impacts. The summary table shall include the location name/ID for each impact area, anticipated impact acreage from the Pre-Construction Report, and actual impact acreage during construction. The report shall include a brief statement about revegetation, restoration, and monitoring procedures that would be implemented where impacts occurred, as defined in the approved plan.

Annual monitoring reports: Once revegetation and restoration begins, LSPGC/PG&E shall conduct surveys during the growing season and submit Annual Monitoring Reports to the CPUC. The reports shall summarize revegetation and restoration efforts for each applicable impact area, provide data on how the restoration is performing relative to the performance standards, and detail any corrective actions necessary to meet performance standards. Once the performance standards have been

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achieved for each location, monitoring and reporting would no longer be required for the location.

LSPGC/PG&E shall provide written updates to CPUC upon request regarding seasonally dependent restoration and corrective actions prior to submission of the annual monitoring reports.

Applicable locations: Areas of temporary impact.

Performance standards: Habitat restoration shall match the pre-impact vegetation community composition/cover of the affected sensitive vegetation communities with 10 percent variability. Non-native or other vegetation communities shall have at least 70 percent of the pre-impact total vegetative cover and shall be revegetated with vegetation community composition matching surrounding unaffected areas with an allowed variance of 10 percent. Invasive species cover shall not exceed pre-project coverage.

Timing: Restoration of temporary impact areas shall ~~occur~~ be initiated within one year following completion of temporary disturbance. Monitoring to occur during blooming periods and reporting to occur annually and submitted to CPUC within 30 days of monitoring.

L-1-68 LSPGC requests revisions to MM BIO-3 (Invasive Plant Management) to differentiate the responsibility to manage new invasive plant infestations rather than existing infestations.

The text of MM BIO-3 is revised to clarify the intent as follows:

MM BIO-3: Invasive Plant Management

Invasive plants include plants that (1) are invasive and rated high or moderate for negative ecological impact in the California Invasive Plant Inventory Database (Cal-IPC, 2006), or (2) aid and promote the spread of wildfires (such as *Bromus tectorum* [cheatgrass], *Brassica tournefortii* [Sahara mustard], and *Bromus madritensis* spp. *Rubens* [red brome]). Invasive plants shall be managed throughout project pre-construction, construction, and restoration phases.

Pre-construction invasive plant inventory. LSPGC shall inventory invasive plants of concern in areas subject to project-related vegetation removal/disturbance, overland travel (drive and crush), and ground-disturbing activity. The invasive plants inventory area shall also include vehicle and equipment access routes and all project staging and storage yards. Invasive plants of concern shall be mapped by area of occurrence and percent cover.

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Pre-construction invasive plants treatment. Invasive plant infestations identified in the pre-construction invasive plants inventory shall be evaluated to identify potential for project-related spread and potential benefits (if any) of pre-construction treatment. Pre-construction treatment will consider the specific invasive plants, potential seed banks, or other issues. Pre-construction treatment shall be conducted under the direction of a licensed pest control advisor.

Prevention. Vehicles and equipment shall be inspected at entry points to the project work area and before leaving work sites where invasive plants must be contained locally. Construction equipment shall be inspected to ensure it is free of any dirt or mud that could contain invasive plant seeds, roots, or rhizomes, and the tracks, outriggers, tires, and undercarriage will be carefully washed, with special attention being paid to axles, frame, cross members, motor mounts, underneath steps, running boards, and front bumper/brush guard assemblies. Other construction vehicles (e.g., pick-up trucks) that will be frequently entering and exiting the site will be inspected and washed on an as-needed basis. Tools such as chainsaws, hand clippers, pruners, etc., shall be cleaned of dirt and mud before entering project work areas.

All vehicles shall be washed off-site when possible. If off-site washing is infeasible, on-site cleaning stations (including air washing) will be set up at specified locations to clean equipment before it enters the work area. Wash stations will be located away from native habitat or special-status species occurrences. Wastewater from cleaning stations will not be allowed to run off the cleaning station site. When vehicles and equipment are washed, a daily log must be kept stating the location, date and time, types of equipment, methods used, and personnel present. The log shall contain the signature of the responsible crewmember. Written or electronic logs shall be available to CPUC monitors on request.

Erosion control materials (e.g., straw bales) must be certified free of invasive plant seed (“weed-free”) before they are brought onto the site. The IPMP must prohibit on-site storage or disposal of mulch or green waste that may contain invasive plant material. Mulch or green waste will be removed from the site in a covered vehicle to prevent seed dispersal and transported to a licensed landfill or composting facility.

Monitoring. Surveying and monitoring for invasive plant infestations shall occur at least two times per year, to coincide with the early detection period for early season and late season invasive plants.

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Control. New invasive plant infestations, or the spread of existing infestations beyond their original extent, must be controlled or eradicated as soon as possible upon discovery, and before they go to seed, or when appropriate with the goal to prevent further spread. All proposed invasive plant control methods must minimize disturbance to native vegetation, limit ingress and egress to defined routes, and avoid damage to any environmentally sensitive areas (ESAs) identified within or adjacent to the ROW. New infestations by invasive plants of concern will be treated at a minimum of once annually until eradication, suppression, or containment goals are met. Invasive plant occurrences can be considered eradicated when no new seedlings or resprouts are observed for three consecutive years, or a single season where new seedlings or resprouts are observed in reference populations but not at the control site. Invasive plant control efforts may cease when eradication is complete.

Manual control methods shall include removal of invasive plants or their seed heads with hand tools during the appropriate season to prevent spread of the seed; seed heads and plants must be disposed of in accordance with guidelines from the relevant County Agricultural Commissioners, if such guidelines are available.

The focus of weed abatement will be manual control where reasonable to contain weed populations. Chemical control methods shall avoid drift or residual toxicity to native vegetation or special-status plants, consistent with the National Invasive Species Management Plan (National Invasive Species Council 2008). All herbicide applications will follow U.S. Environmental Protection Agency label instructions and will be in accordance with federal, state, and local laws and regulations. Only state-approved herbicides may be used. Herbicide treatment will be implemented by a Licensed Qualified Applicator. Herbicides shall be applied in accordance with product labels and applicator licenses. Herbicides shall not be applied during or within 24 hours of high confidence predicted rain. Only water-safe herbicides shall be used where they could run off into downstream areas. Herbicides shall not be applied in high wind conditions.

Reporting schedule and contents. An annual monitoring report documenting the invasive plant monitoring results shall be submitted to the CPUC annually for three years following construction.

Performance standards. Invasive plant populations shall be controlled to pre-construction levels.

L-1-69

LSPGC requests revisions to MM BIO-4 (Special-Status Amphibians and Vernal Pools) to clarify where burrow surveys should be required.

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The text on page 4.4-206 of the Draft EIR is revised as follows to clarify where burrow surveys would be required:

MM BIO-4: Special-Status Amphibians and Vernal Pools

Within 7 days prior to ground disturbance in each work area, a qualified biologist shall investigate each work area for the presence of burrows suitable for California tiger salamander and California red-legged frog within suitable habitat (including the known dispersal range from suitable habitat) for these species. If burrows suitable for California tiger salamander or California red-legged frog are present, the burrows shall be investigated by a biologist who holds a valid scientific collection permit for California tiger salamander and California red-legged frog. In the event that there is a burrow within the work area that is occupied by California tiger salamander or California red-legged frog, no activity shall be allowed to commence within 250 feet of the occupied burrow until an incidental take permit has been obtained in compliance with the California Endangered Species Act or federal Endangered Species Act, as applicable.

Construction within 250 feet of Vernal Pools: Where construction activities are proposed within 250 feet of vernal pools or suitable breeding habitat for special-status amphibians (pools with sufficient hydroperiod), the project shall be designed to avoid the pool to the extent feasible. The limits of the pool shall be staked for avoidance where avoidance is feasible. All activities within 250 feet of a vernal pool shall be conducted outside of the rainy season (October 15 to April 15) and within 72 hours following any rain event.

Construction within 0.25 mile of Special-Status Amphibian Habitat: If construction within 0.25 mile of suitable breeding habitat cannot be avoided, a survey for California tiger salamander in accordance with *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (October 2003), and a survey for California red-legged frog in accordance with *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog* (August 2005) shall be conducted within the season prior to construction. Focused surveys for western spadefoot shall be conducted in accordance with a USFWS approved method. If California tiger salamander, California red-legged frog or western spadefoot are determined to be present based on the results of focused surveys, PG&E shall obtain an incidental take permit from CDFW or USFWS as applicable for construction in proximity to occupied habitat. If the species is determined to be absent, construction may proceed with all other

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measures implemented including biological monitoring as specified in MM BIO-5.

- L-1-70 LSPGC requests that the discussion of pre-construction surveys in MM BIO-5 be revised to apply only to special-status species with a moderate or higher potential to occur.

The measure addresses pre-construction surveys that are conducted within 14 days prior to the start of construction and not focused species surveys. The measure is intended to generally apply to all special-status species by requiring a biologist survey the work area immediately prior to the start of ground disturbance in each area. This is a common practice and is feasible. No changes to the EIR are needed to address the comment.

- L-1-71 LSPGC requests revisions to MM BIO-5 (Pre-Construction Surveys and Biological Monitoring) in paragraph 3 to allow flexibility for construction.

The measure does not state that all biologically sensitive areas will be avoided; rather, it is saying that the biologist will mark the limits of these areas so that they can be avoided. MM BIO-5 has been changed to clarify the purpose of the marking in the revised Draft EIR. The following is the complete revised text of MM BIO-5, which includes additional revisions to address other comments and clarifications as applicable.

MM BIO-5: Pre-Construction Surveys and Biological Monitoring

Biologist approval and qualifications: A qualified biologist(s) will be pre-approved by the CPUC prior to conducting biological surveys and monitoring for the project. Qualified biologists are defined as individuals with a bachelor's degree or above in a biological science field and demonstrated field experience. Approved and qualified biologists shall conduct required surveys and monitoring for special-status species and active nests. Qualified avian biologists are defined as individuals with demonstrated field expertise in ornithology, in particular, nesting behavior and nest detection. Monitoring biologists conducting avian nest checks shall have demonstrated experience surveying or monitoring nesting birds. Qualified botanists are defined as individuals with demonstrated field expertise in botany. Qualified herpetologists are defined as individuals with demonstrated experience with California reptile and amphibian species. Biologists qualified for construction monitoring shall hold at minimum 1 to 2 years of construction-related biological monitoring experience. Biologists qualified as a lead biological monitor shall have 5 or more years of related experience.

Pre-construction surveys: A CPUC-approved qualified biologist (i.e., a biologist with the requisite education and experience to address special-

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status species and biological resources with potential to occur in the project area) shall conduct a pre-construction survey for special-status wildlife species known to occur or with the potential to occur in all work areas located within suitable habitat for special-status species. In those situations where the qualified biologist cannot make a definitive species identification, the qualified biologist shall make a determination based on the available evidence and professional expertise. The pre-construction survey shall be conducted no earlier than 14 days prior to surface disturbance in each work area. The results of the pre-construction survey will be documented by the qualified biologist in a pre-construction survey report(s). The pre-construction survey report(s) shall be submitted to the CPUC for review and approval and the results shall be submitted to CDFW and USFWS as required by any other regulatory permits or approvals. The pre-construction survey report(s) will include the following:

- Special-status species encountered, including potential breeding sites such as dens, burrows, nests, or aquatic habitat
- Type, location, and size of project impact areas
- Date, time, and weather conditions during survey, and surrounding land uses
- Evaluation of type and quality of habitat
- Map or GIS of *biological study area* and of work area

Monitoring: Where pre-construction surveys indicate the presence of sensitive species within 200 feet of a work area or sensitive habitats within 50 feet of a work area, a CPUC approved biologist(s) shall conduct biological monitoring during construction activities in proximity to the sensitive species or habitats. Extended monitoring buffers for sensitive species may be applied per the conditions of other APMs or mitigation measures. Where special-status species (e.g., amphibians, reptiles, birds, mammals, reptiles), sensitive natural communities, riparian areas, or wetlands may occur, unless otherwise determined absent through pre-construction surveys, a qualified biological monitor shall monitor construction activities to ensure that any unplanned or unpermitted impacts to special-status species, sensitive natural communities, riparian habitat, and wetlands are avoided.

Resource delineation for avoidance: Prior to construction or access in any work area containing or potentially containing special-status species habitats, sensitive natural communities, riparian areas, or wetlands, the biological monitor shall mark or otherwise delineate the limits of special-status species habitat, sensitive natural communities, riparian areas, and

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wetlands ~~that are proposed for avoidance in the project design for so that work crews are able to see and avoid these areas. avoidance, and w~~Where necessary, the biological monitor shall post signs at access route entrances to inform workers of special access considerations (i.e., seasonal restrictions, biological monitor escort, etc.). Resource markings and signs shall be maintained and repaired as needed and as directed by the biological monitor. All stakes and flagging are removed no later than 30 days after construction is complete.

The biological monitor shall have full authority to halt construction, once safe to do so, if a sensitive resource/species has or may be impacted. The biological monitor may relocate wildlife out of harm's way, if appropriate to protect the species (additional protections or permits would be required prior to relocation of any state or federally listed threatened or endangered species). The biological monitor shall revisit each active work site at least once a week to inspect the work area for the presence of biological resources and verify that all avoidance measures (e.g., flagging or fencing) are in place.

L-1-72 LSPGC requests revisions to MM BIO-7 (Nesting Bird Management) in paragraph 2 to clarify when pre-activity nest surveys would be conducted. MM BIO-7 has been modified to clarify the types of activities requiring pre-activity clearance surveys during the breeding season. The following is the complete revised text of MM BIO-7, which includes additional revisions to address other comments and clarifications as applicable.

MM BIO-7: Nesting Bird Management

Avoidance of work during nesting/breeding season. Whenever possible, LSPGC/PG&E will avoid vegetation removal, vegetation maintenance (including trimming and mowing), and ground disturbing activities during the migratory bird nesting/breeding season, which is defined as February 1 through September 30 for this area.

Pre-activity nest surveys. Pre-activity nest surveys will be conducted prior to any ground disturbance or vegetation removal ~~construction~~ activities within suitable habitat scheduled during the breeding period. For this project, the breeding period will be defined as February 1 through September 30. The avian biologists conducting the surveys shall be experienced bird surveyors and familiar with standard nest-locating techniques such as those described in (Martin and Geupel 1993). Nest surveys will focus on visual searches for nest locations and observations of bird activities and movement to detect nesting activity (e.g., carrying nest materials or food, territorial displays, courtship behavior). Surveys shall be conducted in accordance with the following guidelines:

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Surveys shall cover all potential nesting habitat within the work areas and within 1,000 feet of these areas for California black rail, California Ridgway's rail, and tricolored blackbird, 500 feet of these areas for raptors, and 300 feet for non-raptors.

Pre-activity surveys shall be conducted for each work area, no longer than 14 days prior to the start of the activity. On the first day of construction at any given site, a qualified Avian Biologist will perform a pre-activity "sweep" to identify any bird nests or other resources that may have appeared since the 14-day survey.

LSPGC/PG&E shall provide the CPUC a report describing the findings of the pre-activity nest surveys, including the time, date, and duration of the survey; identity of the surveyor(s); a list of species observed; and electronic data identifying nest locations and the boundaries of buffer zones. The electronic data set will be updated following each pre-activity nest survey throughout the nesting season.

Nest Buffers and Acceptable Activities. Nest buffers shall be delineated on the work site, to consist of clearly visible marking and signage. Buffer locations shall be communicated to the construction contractor and shall remain in effect until formally discontinued (when each nest is no longer active). Measures to ensure nesting buffers are observed shall include direct communication and decision protocol to stop work within buffer areas. In some cases, active nests may be found while work is underway. Therefore, a protocol shall be implemented for stopping ongoing work within the buffer area, securing the work site, and removing personnel and equipment from the buffer.

Buffer distances from active nests shall be implemented to avoid take or adverse effects to nests. Buffers shall be based on the specific nature of the bird species and conservation status, and other pertinent factors. Buffer distances shall be defined specific to each species relative level of tolerance of human activity. If no information is available to specify a buffer distance for a species, then a 300-foot buffer shall apply as a standard buffer distance for migratory birds, and 500 feet of active nests of raptors and 1,000 feet of active nests of California black rail, California Ridgway's rail, and tricolored blackbirds. All applicable avoidance measures, including buffer distances, must be continued until nest monitoring (below) confirms that the nestlings have fledged and dispersed, or the nest is no longer active.

The qualified biologist shall identify acceptable work activities within nest buffers (e.g., pedestrian access for inspection or BMP repair)

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including conditions and restrictions. Monitoring shall be conducted during any activities within the buffers.

Nest Buffer Modification or Reduction. At times, LSPGC/PG&E or its contractor may propose buffer distances different from those included in this mitigation measure. Buffer adjustments shall be reviewed and recommended by a qualified avian biologist, who has been approved by CPUC in consultation with the CDFW and USFWS. CPUC shall be notified of any planned adjustments to nest buffers. Separate and distinct procedures will be provided for special-status birds as defined in MM BIO-10, MM BIO-11, and MM BIO-12.

Nest deterrents. Any proposed measures or deterrents to prevent or reduce bird nesting activity on project equipment or facilities, such as buoys, visual or auditory hazing devices, bird repellents, securing of materials, vehicles, and equipment shall be submitted to the CPUC for review and approval at least 30 days prior to use. The proposed timing for installation of nest deterrents and field confirmation to prevent effects to any active nest; guidance for the contractor to install, maintain, and remove nest deterrents according to product specifications; and periodic monitoring of nest deterrents to ensure proper installation and functioning and prevent injury or entrapment of birds or other animals shall be part of the nest deterrent request. In the event that an active nest is located on project facilities, materials or equipment, LSPGC/PG&E will avoid disturbance or use of the facilities, materials, or equipment (e.g., by red-tag) until the nest is no longer active.

Communication. Nest information and potential adverse impacts to nesting birds shall be promptly communicated from nest monitors to work activity monitors, so that any needed actions can be taken immediately.

The CPUC and CDFW shall be notified in the event of accidental disturbance of nests. Approaches to address the accidental disturbance shall be recommended by a qualified avian biologist and proposed to the CPUC and CDFW. CPUC shall be notified regarding removal of inactive nests, including steps taken to verify that the nest is inactive.

Monitoring. LSPGC/PG&E shall be responsible for monitoring the implementation, conformance, and efficacy of the avoidance measures (above). Monitoring shall include tracking any active bird nest within or adjacent to project work areas, bird nesting activity, project-related disturbance, and outcome of each nest. For nests with reduced buffers, LSPGC/PG&E shall monitor each nest until nestlings have fledged and

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dispersed or until the nest becomes inactive. Nests with default buffers do not require further monitoring once construction work is completed in the area. New nests discovered after work completion in an area will not require monitoring. In addition, monitoring shall include pre-activity surveys, daily sweeps of work areas and equipment, and any special monitoring requirements for particular activities (e.g., tree trimming, vegetation removal) or particular species (e.g., noise monitoring). Nest monitoring shall continue throughout the breeding season during each year of the project's construction activities; nests monitored during operation and maintenance activities do not require further monitoring once the activities are completed.

Reporting. Throughout the construction phase of the project, nest locations, project activities in the vicinity of nests (including helicopter routes), and any adjustments to buffer areas shall be updated and available to CPUC monitors on a daily basis in the Field Reporting Environmental Database (FRED). All buffer reduction notifications and prompt notifications of nest-related non-compliance and corrective actions will be made via email to CPUC monitors. At the end of each year's nest season, LSPGC/PG&E will submit an annual nesting bird report to the CPUC, CDFW, and USFWS.

L-1-73 LSPGC suggests edits to the Nest Buffers and Acceptable Activities section of MM BIO-7 that address protocols for nests discovered during construction.

The measure as written does not prescribe a set buffer distance for active nests found while construction is underway. The measure allows flexibility for the qualified biologist to establish an appropriate buffer distance around nests based on multiple factors, including whether the nest was established during active construction suggesting that the bird was acclimated to the construction activity when it chose the nest site. In the paragraph following the one identified by the comment, the measure states, "Buffers shall be based on the specific nature of the bird species and conservation status, and other pertinent factors. Buffer distances shall be defined specific to each species relative level of tolerance of human activity." This language allows the qualified biologist to prescribe a smaller distance to a nest established during construction, if appropriate. There is no need to add more detailed language to the measure requested by LSPGC because the measure already allows for this procedure if the qualified biologist determines it is an appropriate course of action. Therefore, no changes are needed in the EIR to address this comment.

L-1-74 LSPGC suggests revising the nest buffer radius presented in MM BIO-7 from 300 feet to 150 feet for most migratory birds.

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The sentence preceding the buffer states “Buffer distances shall be defined specific to each species relative level of tolerance of human activity.” A 300-foot buffer is defined as a standard only for those species where no information is available to specify a narrower buffer. The 300-foot starting point for a buffer is a reasonable starting point and the buffer could be reduced to reflect species tolerance as stated in the measure. No changes are needed in the EIR to address this comment.

- L-1-75 LSPGC states that an additional habitat assessment for burrowing owl described in MM BIO-8 is not required and may require access outside of the proposed right-of-way.

Additional habitat assessments and protocol-level presence/absence surveys are warranted if construction occurs during the wintering season (September 1 to January 31) because a protocol-level survey has not been conducted during this season, and also if construction spans multiple years because habitat conditions and utilization by burrowing owls can change annually. As stated in the measure, “Habitat assessments and surveys shall occur each year of project construction, as conditions may change annually and suitable refugia for burrowing owl, such as small mammal burrows, can be created within a few hours or days.” Therefore, the habitat assessment and breeding-season protocol-level survey that were already conducted for the project are not sufficient to cover all construction periods. These factors are covered by MM BIO-8 as written and, as such, the language of the measure needs to remain unchanged. No changes are needed in the EIR to address this comment.

- L-1-76 LSPGC requests edits to MM BIO-8 in paragraph 3 on page 4.4-211 to address temporal constraints.

The text of MM BIO-8 is revised to address the timing of construction as provided in the response to comment AS-1-8.

- L-1-77 LSPGC requests MM BIO-8 be revised to specify a 150-meter buffer zone. The measure states “up to 500 meters,” which allows for smaller buffer sizes.

If a 150-meter buffer was implemented for a habitat assessment per the protocol, it would not conflict with this measure. Therefore, no changes are needed in the EIR to address this comment.

- L-1-78 LSPGC states that there are inconsistencies between MM BIO-13 (Crotch’s Bumble Bee Avoidance Procedure) and the current CDFW guidance document on Crotch’s bumble bee surveys: *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023)*; LSPGC also notes there are conflicts within MM BIO-13 related to the collection of bees and surveys

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using non-take methods. LSPGC request the measure be revised for consistency with the referenced CDFW guidelines

In LSPGC's following comment (L-1-79 below), LSPGC also requests to replace language in MM BIO-13 (previously MM BIO-12 as part of the Draft EIR) with language from a mitigation measure used in a CPUC-prepared IS/MND for the Manning 500/230 kV Substation Project IS/MND (June 2025). Upon review of the measure included in the Manning 500/230 kV Substation Project IS/MND, the CPUC has decided to replace the measure with the comparable measure language as it would also address the project impacts on crotch's bumble bee

Page 4.4-219 of the Draft EIR is revised as follows:

MM BIO-12: Crotch's Bumble Bee Avoidance Procedure

Crotch's Bumble Bee Habitat Assessment: ~~A thorough habitat assessment for Crotch's bumble bee shall be conducted within areas that may be impacted by project construction and operations(CDFW 2023). The assessment shall be conducted by a qualified entomologist knowledgeable with the life history and ecological requirements of Crotch's bumble bee, and include all areas of suitable overwintering, nesting, and foraging habitats.~~

~~Suitable habitat includes areas of grasslands and upland scrub that contain requisite habitat elements such as small mammal burrows and forage plants. Potential nest habitat (late February to late October) could contain underground abandoned small mammal burrows, perennial bunch grasses and/or thatched annual grasses, brush piles, old bird nests, dead trees, or hollow logs. Overwintering sites (November through early February) utilized by mated queens in self-excavated hibernacula could be present in soft, disturbed soil, sand, well-drained, or loose soils, under leaf litter or other debris with ground cover requisites such as barren areas, tree litter, bare patches within short grass in areas lacking dense vegetation.~~

Crotch's Bumble Bee Surveys: ~~Pre-construction surveys shall be conducted within suitable habitat that may be impacted by project construction and/or operations. Pre-construction surveys shall follow the guidance outlined in the California Bumble Bee Atlas Habitat Surveys—Cali Bumble Bee Atlas—California Bumble Bee Atlas ((CDFW 2023).~~

~~The peak flying time for Crotch's bumblebee is March to August, but bees could be flying any time between February 1 and October 31. Surveys between March and June are expected to have highest detection probability (CDFW 2023)and are therefore the period recommended for~~

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preconstruction surveys. Surveys shall be conducted no more than 30 days prior to the start of project construction activities, assessing all areas of suitable habitat for overwintering, nesting and foraging at, and within 100 feet of the proposed work area. Surveys should include a minimum of three survey efforts, over a three-day period within a temperature range of 15C and 30C although bumblebees can fly and forage at near freezing temperatures.

Goals of the surveys shall be to identify the bee species through non-take methods (close lens photography), foraging plants, and potential ground nest sites on-site. Surveys shall include examining flowering vegetation, any potential preferred nectar plants, small mammal burrows, bunch grasses, thatch, brush piles, old bird nests, dead trees, or hollow logs. Survey results, after the protocol was followed, would be good for one year (until the next flying period season) but a pre-activity survey would still be needed prior to ground-disturbing activities.

Pre-activity survey: Nesting surveys shall be conducted with focus on detecting active nesting colonies within one week and 24 hours immediately prior to ground-disturbing activities. If an active Crotch's bumble bee nest is detected, an appropriate no-disturbance buffer zone (including foraging resources and flight corridors essential for supporting the colony) shall be established by a qualified biologist in consultation with CDFW around the nest to reduce the risk of disturbance or accidental take. Nest avoidance buffers may be removed at the completion of the flight season and/or once the qualified biologist deems the nesting colony is no longer active and CDFW has provided concurrence of that determination. If no nests are found but the species is present, a full-time qualified biological monitor shall be present during vegetation removal or ground-disturbing activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). LSPCC/PG&E may relocate Crotch's bumble bees out of the work area only if a CESA incidental take permit has been obtained and any relocation follows the terms of the incidental take permit.

MM BIO-13 Crotch's Bumble Bee Avoidance and Minimization

- Initial ground-disturbing work (e.g., grading, vegetation removal, staging) in grassland habitat or agricultural areas that contain grasses or forbs shall take place between August 15 and March 15, if feasible to avoid impacts on nesting Crotch's bumble bees.

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- If the above limited operating period is not feasible (i.e., if limiting ground disturbance to the period between August 15 and March 15 would preclude achieving most of all of the project objectives) as determined by LSPGC with concurrence from the CPUC, a qualified biologist approved by the CPUC, familiar with bumble bees of California and experienced using survey methods for bumble bees, shall conduct a habitat assessment and focused survey for Crotch's bumble bee before the start of any ground disturbing activities in grassland habitat or edges of agricultural areas that contain grasses or forbs. Surveys shall be performed when Crotch's bumble bee is most likely to be identified, typically from April through August (i.e., the colony active period) when floral resources and ideal weather conditions are present, and shall follow the methods in Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species and any relevant updates to these considerations (CDFW 2023). Surveys shall be conducted during the colony active period the same year as the start of planned construction activities.
- LSPGC shall submit a survey report to the CDFW and the CPUC within 1 month of survey completion and shall notify the CDFW and the CPUC within 24 hours if Crotch's bumble bees are detected.
- If Crotch's bumble bees are detected during the focused survey, appropriate avoidance measures shall be implemented. Avoidance measures shall include, but not be limited to, the following:
 - Protective buffers shall be implemented around active nesting colonies until these sites are no longer active. A qualified biologist, in coordination with the CDFW, shall determine the appropriate buffer size to protect nesting colonies.
 - If nesting colonies are detected, avoidance areas shall be implemented in areas near the colony location that contain significant floral resources for the colony, if present. A qualified biologist shall determine the appropriate avoidance area size to protect foraging resources.
 - If project activities involving temporary disturbance (e.g., staging) would occur where a nesting colony was detected after the nesting colony is no longer active, the area shall be restored to original conditions after the temporary

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disturbance is complete such that habitat for Crotch's bumble bee would be available.

- If take of Crotch's bumble bee cannot be avoided, LSPGC shall obtain an Incidental Take Permit (ITP) from the CDFW and shall implement all avoidance measures included in the ITP. The CDFW may also require compensatory mitigation through on-site habitat restoration or purchase of credits at an appropriate mitigation bank. Avoidance measures included in the ITP would reduce the likelihood of take of Crotch's bumble bees such that impacts on the species would be fully mitigated. These measures would include but not be limited to:
 - Specifications for construction timing and sequencing requirements to avoid impacts on nesting Crotch's bumble bees;
 - Pre-construction surveys conducted within 30 days prior to the start of ground-disturbing activities;
 - Establishment of seasonal no-disturbance buffers around nest sites;
 - Construction monitoring;
 - Restrictions associated with construction practices, equipment, or materials that may harm bumble bees (e.g., BMPs to minimize the spread of invasive plant species); and
 - Provisions to avoid Crotch's bumble bees or potential Crotch's bumble bees if observed away from a nest during project activity (e.g., ceasing of project activities until the animal has left the work area).

Documentation of compliance with this mitigation measure and any required coordination with the CDFW or acquisition of an ITP shall be provided to the CPUC before commencement of any project construction activities.

The references of Section 4.4 has been updated on page 4.4-223 to include an entry for the CDFW Candidate bumble bee guidance, as follows:

California Department of Fish and Wildlife (CDFW). 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline#page=5.48>

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L-1-79 LSPGC states that there is no overwintering habitat for Crotch’s bumble bee onsite and, therefore, there is no need for pre-construction/pre-activity surveys during the overwintering period. LSPGC requests to replace the text of MM BIO-13 (Crotch’s Bumble Bee Avoidance Procedure) with language from a mitigation measure used in a CPUC-prepared IS/MND for the Manning 500/230 kV Substation Project IS/MND (June 2025).

MM BIO-13 has been updated to remove language requiring surveys during the Crotch’s bumble bee overwintering period. The complete modified version of MM BIO-13 is included in the response to comment L-1-78.

L-1-80 LSPGC requests that edits to MM BIO-19 be made to clarify when the submittal of the Invasive Marine Species Control Plan to USACE, NMSF, and CDFW would be required. MM BIO-19 has been revised as follows to address the comment:

MM BIO-~~17~~19: Invasive Marine Species Control Plan

To reduce the risks of introducing or spreading invasive species during in-water work, LSPGC shall develop and implement an Invasive Marine Species Control Plan prior to initiating any in-water work for any vessels or equipment that are being imported from out of the San Francisco Bay. The Invasive Species Control Plan shall include measures designed to effectively limit the introduction and spread of invasive marine species and implement newly developed guidelines from the Marine Invasive Species Program to comply with current regulations to prevent the spread of golden mussel and any other target invasive species. Prevention measure shall include at a minimum removal of hull fouling through regular vessel maintenance, use of antifouling paints, frequent hull inspections, and overall general vessel maintenance. The Invasive Marine Species Control Plan shall include the following:

- Environmental training for all crew members working in marine areas
- Addressing invasive marine species and actions to be taken to prevent release and spread of invasive marine species
- Training procedures for safe removal and disposal of any invasive species found on project equipment

LSPGC shall submit this plan to CPUC for review and approval at least 60 days before the start of marine activities and shall submit the plan to USACE, NMFS, and CDFW for review if required by applicable regulations and/or permits. Vessels originating outside San Francisco Bay shall follow existing compliance measures established by the CSLC as

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part of the Marine Invasive Species Program, relating to hull fouling and ballast water control.

L-1-81 LSPGC requests edits to MM BIO-20 to include the use of concrete mattresses or builders for submarine cable protection to clarify that the compensatory mitigation to that activity.

The EIR applies MM BIO-20 specifically to the activity of concrete mattresses or permanent fill. MM BIO-20 has been revised for clarity as follows:

MM BIO-20 18: Compensatory Mitigation for Permanent Impacts to Benthic Habitat

If the project requires the use of concrete mattresses or builders for submarine cable protection (i.e., permanent fill), LSPGC shall implement compensatory mitigation for permanent impacts on benthic habitat at a ratio of 1:1 or greater, subject to approval by the appropriate resource agencies (e.g., U.S. Army Corps of Engineers, CDFW, and SWRCB). Acceptable mitigation options include:

- Habitat Restoration or Enhancement: Restore degraded benthic habitat within the same watershed through actions such as sediment removal, substrate stabilization, invasive species control, or re-establishment of native benthic communities.
- Habitat Creation: Construct or enhance off-site aquatic habitat features designed to support benthic communities, ensuring comparable ecological function and long-term viability.
- In-Lieu Fee or Mitigation Bank Credits: If on-site or off-site restoration is not feasible, the applicant shall purchase credits at a Corps-approved mitigation bank or pay an in-lieu fee to an approved conservation program with a demonstrated record of restoring aquatic habitat.

Prior to installing any structures or conducting activities that would result in permanent impacts on benthic habitat, the applicant shall prepare and submit a Benthic Habitat Mitigation and Monitoring Plan for review and approval by the lead agency and responsible resource agencies. The plan shall identify:

- The selected mitigation approach and location(s);
- Ecological function of the proposed mitigation method (i.e., must demonstrate equivalent or improved ecological functions to the impacted habitat);
- Implementation schedule;
- Long-term management and monitoring commitments (minimum of five years or until success criteria are met); and

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- Adaptive management measures to address any deficiencies in achieving performance standards.

The plan shall demonstrate compensation for permanent impacts on benthic habitat.

Performance standards

- The proposed compensatory mitigation provides restoration or replacement of impacted benthic habitat that has equivalent or improved ecological functions to the impacted habitat.
- Benthic habitat replacement shall support the species impacted by the Proposed Project permanent impacts (e.g., Delta smelt, longfin smelt)

L-1-82 LSPGC requests that the reference on page 4.5-2 of Section 4.5, Cultural Resources, to microwave tower height be revised from 200 feet to 199 feet consistent with the information presented in Section 2, Project Description.

The text on page 4.5-2 is revised as follows:

The tallest structure would be the microwave tower up to 199 ~~200~~-feet tall. The horizontal API (approximately 416 acres) extends to the limits of the right-of-way, which varies based on the project component as provided in Table 2-2 of Section 2: Project Description.

L-1-83 LSPGC requests clarification regarding the description of a paleo landform in paragraph 5 on page 4.5-18. The referenced paragraph in Section 4.5, Cultural Resources, has been revised to address the comment as follows:

Marine Remote Sensing Results

Analysis of the marine remote sensing data identified 74 magnetic anomalies, 15 side-scan sonar contacts, and 21 sub-bottom profile reflectors associated with 12 geomorphological features in the form of disparate relict channel landforms. Eleven of these sub-bottom profiler features were not indicative of intact relict landforms that contained the potential to possess cultural material. One paleo landform, however, was initially thought to cross seven survey transects within the API. Upon further analysis, it would seem this feature is indicative of a braided network of dynamic river channels. This being the case, there is a low probability for the potential for intact cultural material deposits.

Three resources referred to as Maritime Targets 1, 2 and 3 are in proximity to the proposed submarine cable. Maritime Targets 1 and 2 are likely structural components, and Maritime Target 3 is a wooden barge-like watercraft. Based on the current location of the submarine cables, the targets are 187, 146, and 103 feet from the submarine cables, respectively.

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~~The~~An underwater paleo landform described above was also located and determined to have low sensitivity for cultural deposits (ASM Affiliates and Insignia Environmental 2025).

L-1-84 LSPGC requests revision to paragraph 5 on page 4.5-18 to clarify that no village has been identified yet.

The statement in paragraph 5 on page 4.5-18 of the Draft EIR is accurate. There is a known Native American village site along the northern bank of the Sacramento River near the Proposed Project; however, it is not known if the village site extends into the Proposed Project area or not. The referenced text was revised in Section 4.5 for clarity to address the comment, as follows:

During consultations, the Native American representatives discussed the presence of significant tribal cultural resources including a potential historic Native American village site along the northern bank of the Sacramento River near the Proposed Project; however, it is not known if the village site extends into the Proposed Project area.

L-1-85 LSPGC proposes revisions to APM CUL-3 (Inadvertent Discoveries) to more clearly reflect the requests of the Confederated Village of Lisjan Nation and the Yocha Dehe Winton Nation regarding the reburial of discovered tribal cultural resources that could be discovered.

LSPGC's proposed revisions were incorporated into APM CUL-3 with slight modifications based on CPUC's consultations with Native Americans as follows:

APM CUL-3: Inadvertent Discoveries. In the event that previously unidentified cultural resources are uncovered during implementation of the Proposed P-project, all work within 100 feet of the discovery would be halted and redirected to another location. A qualified archaeologist(s) would inspect the discovery and determine whether further investigation is required. The qualifications of the archaeologist(s) would be approved by the CPUC and U.S. Army Corps of Engineers (USACE). If the resource is potentially Native American, the consulting Tribe(s) would also be given the opportunity to inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts would occur, the resource would be documented on California Department of Parks and Recreation cultural resource records, and no further effort would be required. If the resource cannot be avoided and may be subject to further impact, the significance and NRHP and CRHR eligibility of the resource would be evaluated and, in consultation with the CPUC and USACE, appropriate treatment measures would be determined. If the resource is potentially Native American, the significance of the resource as a tribal cultural resource

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pursuant to CEQA would be determined by the CPUC, with input requested from the consulting Tribe(s), and appropriate treatment measures would be determined. All work would remain halted until a Secretary of the Interior-qualified archaeologist approves the treatment measures and, if the resource is a tribal cultural resource, until all consulting Tribe(s) are afforded an opportunity to review and comment on the treatment measures. Preservation in place would be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3), if it is demonstrated that resources cannot feasibly be avoided, and if the unearthed resource is prehistoric or Native American in nature, a Native American representative, in consultation with the CPUC and USACE, would develop additional treatment measures, such as data recovery consistent with CEQA Guidelines 15126.4(b)(3)(C-D). ~~Archaeological materials recovered during any investigation would be curated at an accredited curation facility or transferred to the appropriate tribal organization.~~ Archaeological materials recovered during any investigation that are tribal cultural resources shall be reburied outside areas impacted by the project and stored temporarily during construction until reburial is feasible or transferred to the appropriate tribal organization. Archaeological materials that are not tribal cultural resources will be curated at an accredited curation facility.

- L-1-86 LSPGC suggests that the significant and unavoidable impact conclusion for unanticipated discoveries of cultural resources be noted as a conservative determination.
- LSPGC's ability to potentially rebury artifacts is noted APM CUL-3 is revised as noted in response to comment L-1-85 and MM CUL-1 is revised as noted in response to comment T-1-1.
- L-1-87 LSPGC requests that all tribal monitoring measures include language consistent with that on paragraph 3 on page 4.5-54.
- The requirement for tribal monitoring is as indicated in MM CUL-1 as revised in response to comment T-1-1.
- L-1-88 LSPGC states that paragraph 4 on page 4.5-58 should reference MM CUL-5 (RP-03 and PR-04) instead of MM CUL-4 in its discussion.
- There is no paragraph 4 on page 4.5-58 of the EIR. Page 4.5-58 of the EIR is the reference section. This comment appears to be in error.
- L-1-89 LSPGC suggests revisions to MM CUL-1 and provides recommended language to be inserted regarding treatment procedures.

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The referenced text in the measure has been revised to address this comment and other comments from Native American tribes. The complete text of MM CUL-1 is provided in response to comment T-1-1.

L-1-90 LSPGC requests clarification of which provisions in MM CUL-5 would be applied during wet conditions versus all conditions.

The following changes have been made to MM CUL-5 (renumbered to MM CUL-6 in the revised Draft EIR) to clarify the implementation of protection measures:

MM CUL-56: RP-03 and RP-04 Avoidance (Alternatives 4 and 6a/6b)

LSPGC shall not conduct any ground disturbing construction activities (e.g., grading or excavation) within the limits of RP-03 and RP-04. LSPGC shall not travel on the unpaved access road within RP-03 and RP-04 when soil conditions are wet (e.g., after rain events) without the use of additional protection measures to avoid rutting. Additional measures shall be applied as needed to protect avoid disturbance of buried sediments such as use of matting or plating.

L-1-91 LSPGC suggests revisions to MM CUL-6 and provides recommended language to be inserted regarding treatment procedures (consistent with comment L-1-89 above).

The language in MM CUL-6 (now MM CUL-7) is revised as follows:

MM CUL-67: Subsurface Resource Testing, Worker Training, Monitoring, and Reporting (Alternatives 6a/6b)

Pre-Construction Testing: Prior to initiating construction, LSPGC shall conduct coring within the location of the Alternative 6a/Alternative 6b underground duct bank to investigate whether remains of a Native American village or habitation occur within the subsurface work areas. The coring shall include at least 20 cores to the depth of the proposed excavation at each core location. The exact locations of the cores shall be defined by a qualified geoarchaeologist with previous experience using this method in the San Francisco Bay Area to provide a representative sample of the subsurface area of potential impact (API) in consultation with the consulting Tribe(s). The coring shall be monitored by a qualified geoarchaeologist, and a tribal monitor shall be invited to participate in the monitoring. The results of the coring shall be reviewed by a qualified geoarchaeologist with previous experience using this method in the San Francisco Bay Area and the tribal monitor (Yocha Dehe Wintun Nation, ~~or Confederated Villages of Lisjan Nation, or Amah Mutsun Tribal Band of Mission San Juan Bautista [Tribes]~~) to determine whether there are subsurface tribal cultural resources (e.g., village or other evidence of past

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human habitation) within the location of the overhead segment and onshore submarine segment. If any significant cultural or tribal cultural resources, as determined by a qualified archaeologist and/or a tribal monitor, are documented within the location of the Alternative 6a/6b underground duct bank, the duct bank location shall be adjusted horizontally (realigned) to avoid the buried resource to the extent feasible.

Worker Training: All consulting Tribes shall be invited to assist in developing the cultural sensitivity and archeological awareness training provided to all project workers involved in ground disturbing activities. The training shall inform workers to be on the alert for evidence of potential archaeological and tribal cultural resources, how to identify the evidence of such resources, and of stop work, resource protection, and notification requirements in the event of suspected discovery of resources.

Preservation in Place and Treatment: The preferred treatment strategy for any cultural or tribal cultural resource shall be avoidance. If a historic resource that is not a tribal cultural resource cannot be avoided, additional treatment measures, such as curation at an accredited curation facility, will be employed to treat the resource. If a tribal cultural resource cannot be avoided, treatment may include reburial in the project vicinity at a location agreed upon between the Tribe and the proponent, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance or transfer to the appropriate tribal organization ~~transfer to the appropriate tribal organization, or reburial of the resource outside of the API.~~ Treatment of tribal cultural resources will be conducted in consultation with the consulting tribes. Treatment of all tribal cultural resources, including ceremonial items and archeological items will reflect the religious beliefs, customs, and practices of the Tribe(s). LSPGC shall waive any and all claims to ownership of Tribal ceremonial and cultural items, including archeological items, which may be found on the project site in favor of the Tribe(s). If any intermediary is necessary (e.g., an archaeologist retained by LSPGC), the intermediary shall not possess Tribal ceremonial and cultural items for longer than is reasonably necessary.

Cultural Resource-Archaeological and Tribal Monitoring: ~~Archaeological m-Monitoring will include monitoring~~ shall be conducted by a qualified archaeologist and a tribal monitor during ~~initial~~ disturbance of native sediments (e.g., overland travel, grading, and excavation) in areas that have moderate and high sensitivity for buried ~~cultural resources~~ archaeological and tribal cultural resources. If a tribal monitor is unavailable to support the monitoring effort, LSPGC shall

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provide documentation to the CPUC on outreach efforts to ~~AB 52 consulting the Tribes (Yocha Dehe Wintun Nation, Confederated Villages of Lisjan Nation, and Amah Mutsun)~~ regarding cultural resource tribal monitoring. Outreach shall include at least three attempts/requests for monitoring.

Reporting:

- After completion of the coring field work, LSPGC shall prepare and submit a confidential report documenting the results of the field work to the CPUC for review and approval. The report shall include maps, field notes, recordings, drawings or sketches, and analysis of any resources encountered, as appropriate.
- LSPGC shall submit a confidential monthly ~~annual~~ reports with the construction monitoring results to the CPUC. The report shall include maps, field notes, recordings, photographs, and analysis of any resources encountered during construction. The documentation of any inadvertent discoveries per APM CUL-3 shall also be included in the annual report.

Confidentiality: Unless otherwise required by law, the site of any reburial of tribal cultural resources or Native American human remains shall not be disclosed. The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribes may require that the location for reburial is recorded with the California Historic Resources Inventory System ("CHRIS") on a form that is acceptable to the CHRIS center.

L-1-92 LSPGC stated that the Energy section of the EIR should be updated to reflect the 2023 Integrated Energy Policy Report (IEPR).

The text on page 4.6-5 of the EIR is revised as follows:

PRC Section 25301(a) requires the CEC to develop an Integrated Energy Policy Report (IEPR) at least every 2 years for electricity, natural gas, and transportation fuels. The current 2023 IEPR identifies statewide energy policy priorities, including decarbonization of buildings and the agricultural sector, maintaining electricity reliability under changing climate conditions, reducing reliance on fossil gas systems, and improving electricity demand forecasting. ~~The current IEPR (2021 edition, updated in 2022) calls for the state to assist in the decarbonization of buildings and the agricultural sector, ensuring electricity reliability in a~~

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~~changing climate, decarbonizing the state's gas systems, and improving electricity demand forecasting.~~

- L-1-93 LSPGC suggests that paragraph 1 on page 4.6-14 be updated to reflect that LSTs provide additional perching and nesting options because they have multiple steel members and not because of crossarms.

The text on page 4.6-15 is revised for clarity as follows in response to this comment:

The proposed PG&E 500 kV interconnection lines would be installed on a combination of 10 LSTs and 4 TSPs. Both LSTs and TSPs include three crossarms per circuit; however, LSTs are constructed using multiple interconnected steel members, which can provide additional nesting and perching opportunities for avian species ~~LSTs have substantially more cross arms compared to TSPs, and the nature of their design creates nesting and perching habitat for avian species~~ (Steenhof et al. 1993).

- L-1-94 LSPGC suggests that the impact determination under Impact EN-2 should be revised to less than significant, citing failure to acknowledge the objectives of the Proposed Project.

The project's positive benefits for integration of renewable energy resources are noted. While the Proposed Project would have an overall positive benefit for integration of renewables, the EIR recognizes that the curtailment of wind energy would affect SMUD's ability to meet their own plans for integration of renewable energy in their plan. While this would not affect statewide goals for policy integration, the EIR impact analysis recognizes that curtailment of wind energy at the Solano Wind Project due to exceedance of a permit threshold would adversely affect SMUD's ability to meet their own plans for renewable energy integration.

- L-1-95 LSPGC suggests that the impact determination under Impact GHG-2 should be revised to less than significant, citing the net positive effect of the Proposed Project on greenhouse gas reduction plans and reliance on speculative analysis.

See response to comment L-1-194.

- L-1-96 LSPGC suggests that the odds of a blade throw colliding with the 230kV line is not a significant impact, as the transmission line is outside of the hazard throw zone.

Please refer to Draft EIR pages 4.9-10 and 4.20-8, and Figure 4.20-3 for the definition and size of the wind turbine hazard throw zone considered in the EIR. The Proposed Project alignment of the 230kV overhead segment (approximately 430 feet) considered in the Draft EIR was within the wind turbine hazard throw

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zone. Following a review of LSPGC's comment, the CPUC coordinated with LSPGC and requested the design adjustments to the Proposed Project (Data Request #15) related to this comment on the Draft EIR. LSPGC adjusted the 230 kV line alignment such that the Proposed Project would avoid locating any physical project features within a defined wind turbine hazard throw zone. The setting and analysis referencing wind turbine hazard throw zones in Section 4.9, Hazards, and Section 4.20, Wildfire, has been updated to reflect the changes to the Proposed Project made by LSPGC as follows:

On page 4.9-10:

~~Approximately 430 feet of~~ The proposed 230 kV overhead segment is in proximity to ~~within~~ a wind turbine hazard throw zone for one wind turbine located approximately 600 feet northeast; however, none of the ~~No other~~ Proposed Project components are within a wind turbine hazard throw zone, including the existing PG&E 500 kV Vaca Dixon-Tesla Transmission Line.

On page 4.9-13:

~~Approximately 430 feet of the proposed LSPGC 230 kV overhead segment is within the 1.1x wind turbine hazard throw zone identified for one wind turbine north of Stratton Lane.~~

On page 4.9-62:

The proposed LSPGC 230 kV overhead transmission line alignment (~~approximately 430 feet~~) is located in proximity to the hazard throw zone of a wind turbine located within the Solano 4 Wind project (refer to Figure 4.20-3 in Section 4.20: Wildfire). The hazard throw zone for wind turbines is a safety zone that should be avoided for any proposed facilities to avoid damage to those facilities and associated environmental impacts. ~~As the proposed LSPGC transmission line is located within the hazard throw zone for the wind turbine,~~ There is a low risk ~~reasonably foreseeable potential~~ for the turbine to come in contact with the conductor of the 230 kV overhead segment which would potentially start a wildfire because it is not within the hazard throw zone. ~~Although the probability of a turbine blade or component being thrown is low given modern turbine design and compliance with engineering standards, the possibility cannot be ruled out. Because the proposed LSPGC 230 kV overhead segment would be within the hazard throw zone of an existing turbine, this rare but reasonably foreseeable event could result in contact with the line, creating an electrical arc and potential ignition of vegetation. As such, this condition represents a significant hazard irrespective of the low likelihood of occurrence.~~ The impact from location

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of the 230 kV transmission line ~~within in proximity but outside of the~~ hazard throw zone would be less than significant.

MM FIRE-1 is revised as follows to remove the bullet with requirements related to wind turbine hazard throw zones:

~~Electrical equipment shall be located outside of existing wind turbine hazard throw zones (e.g., 230 kV overhead segment).~~

L-1-97

LSPGC has noted that Chapter 12 of the California Fire Code is not applicable to the Collinsville Substation as “It shall not apply to equipment associated with the generation, control, transformation, transmission, or distribution of energy installations that is under the exclusive control of an electric utility or lawfully designated agency” (per CFC Section 1201). Instead, the substation battery storage would be regulated under the National Electrical Safety Code (NESC) (Part1, Section 14, 140.F).

The text referring to the Fire Code has been removed, and the remaining text has been edited to rely on NESC regulations. As the analysis now relies on this regulation, a summary paragraph of the NESC regulation has been added to the Regulatory Setting on page 4.9-20 as follows:

National Electrical Safety Code

The National Electrical Safety Code (NESC) establishes safety requirements for the installation, operation, and maintenance of electric supply and communication facilities. The NESC is applicable to electric utility facilities under the jurisdiction of the CPUC and includes provisions addressing substation design, equipment clearances, grounding, and storage battery installations. Part 1, Section 14 (§140.F) of the NESC provides requirements for stationary storage battery systems, including design and safety considerations intended to minimize the risk of electrical hazards, chemical releases, and worker exposure.

And the Fire Code has been removed on page 4.9-25 as follows:

California Fire Code

~~The California Fire Code (CCR title 24 part 9) is based on the International Fire Code from the International Code Council and contains consensus standards related to establishing good practices to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new or existing buildings, structures, and premises.~~

L-1-98

LSPGC has noted that the "NI" significance determination is incorrect for impact HAZ-4 in summary table (Table 4.9-3).

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Table 4.9-3 has been revised to indicate "LTS" rather than "NI" for this impact.

- L-1-99 LSPGC states that the risk of a blade throw striking the 230 kV overhead transmission line would be less than significant, citing compliance with PUC § 8386 and proximity to hazard throw zone.
- See comment response L-1-96.
- L-1-100 LSPGC has requested that MM FIRE-1 be deleted, citing that California Public Utilities Code (PUC) § 8386 addresses wildfire impacts and would reduce the impact to less than significant.
- PUC § 8386 requires all electrical corporations to prepare and submit Wildfire Mitigation Plans (WMPs) annually. However, these plans apply to facilities that are within CPUC-designated High Fire Threat Districts (HFTDs), and the Collinsville Substation and associated transmission line is not within a CPUC-designated HFTD. As such, it is not known whether the LSPGC WMP would apply, which is why MM FIRE-1 would be required to reach a "less than significant" conclusion. This reasoning is explained in the impact discussion under Impact HAZ-7. Please refer to pages 4.9-59 through 4.9-64. MM FIRE-1 remains in Section 4.9.
- L-1-101 This comment is duplicative of L-1-100. See response to comment L-1-100.
- L-1-102 This comment is duplicative of L-1-100. See response to comment L-1-100.
- L-1-103 This comment is duplicative of L-1-100. See response to comment L-1-100.
- L-1-104 This comment is duplicative of L-1-100. See response to comment L-1-100.
- L-1-105 LSPGC asserts that because the Proposed Project is not considered a 'covered action' under the Delta Plan, they believe the Proposed Project would not result in a significant and unavoidable impact due to the reduction of lands within the Suisun Marsh Priority Habitat Management Area. LSPGC also makes the claim that if the Proposed Project were a covered action, they believe the Delta Plan should be interpreted as allowing energy infrastructure development and that the Delta Plan does not comprehensively account for energy infrastructure in its policies.
- Section 4.11, Land Use and Planning, details the Delta Plan policies including ER P3 which requires that, within the priority habitat management areas, any significant adverse impacts to the opportunity to restore habitat as described in section 5006 must be avoided or mitigated. The policy also states that impacts shall be mitigated to a point where the impacts have no significant effect on the opportunity to restore habitat as described in section 5006.

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In the case of the Proposed Project, the loss of approximately 12 acres of Suisun Marsh Priority Habitat Restoration Area lands covered under the Delta Plan would be considered a significant and unavoidable impact as restoration opportunities would be precluded in this area after development of the substation. While it is true that the DSC considers the Proposed Project a “regulatory action” and therefore not a “covered action” under the Delta Plan, as described in footnote 4 at pat 4.11-49, “in consideration of the intent and goals of the Delta Plan, the CPUC recognizes that the location of the LSPGC Collinsville Substation would create a significant and unavoidable impact by locating a substation in an area designated by the state for habitat restoration” No feasible mitigation measures for this impact exist because “the Delta Plan covers all equivalent habitat, and off-site areas would not mitigate the impacts of reducing specific delta habitats.”

The inconsistency LSPGC notes in the language on Draft EIR pages 4.11-30 to 31 is noted, and the text is revised as follows:

While DSC determined that the Proposed Project would not require a consistency analysis under the Delta Plan, the following land use policies from the Delta Plan are considered ~~for informational purposes only~~ in consideration of the intent and goals of the Delta Plan in this analysis:

Regarding the DSC's plans to add energy development considerations into their policies, the CPUC cannot make predictions or assumptions. DSC has not developed formal policies regarding where and under what circumstances development of energy infrastructure inside of habitat restoration areas would be consistent with the Delta Plan. Therefore, the conclusion that the Proposed Project would be inconsistent with the goals of the Delta Plan because it would result in a permanent loss of habitat restoration area is supported by substantial evidence. .

LSPGC's noted inconsistency within the Hydrology section is accurate. The text in Section 4.10 is revised as follows:

~~The Proposed Project is a regulatory action and is therefore not a covered action under the Suisun Marsh Protection Plan, as discussed further in Section 4.11: Land Use and Planning.~~

LSPGC also asserts that the SMPP and Suisun Marsh Local Protection Program (LPP) policies referenced in the Draft EIR as conflicting with the Proposed Project do not require maintaining agricultural uses consistent with protection of the Marsh. See response to comment L-1-37 regarding the conflict with agricultural zoning and comments from the Delta Protection Commission.

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- L-1-106 LSPGC requests revisions to paragraph 2 on page 4.11-50 to provide flexibility to account of significant overriding considerations.
- See response L-1-105.
- L-1-107 LSPGC states that any impacts related to conflict with the Delta Plan are less than significant as the Proposed Project is not a covered action under the plan.
- See response L-1-105.
- L-1-108 LSPGC requests paragraph 2 on page 4.12-11 be revised to state that LSPGC would obtain a consent agreement with the Suisun Associates and lease agreement with CSLC, rather than stating LSPGC would obtain a lease agreement and a lease encumbrance permit from the CSLC.
- The text on page 4.12-11 is revised as follows:
- ~~LSPGC would obtain a lease agreement from and a lease encumbrance permit from the CSLC and would reach a consent agreement with Suisun Associates.~~
- L-1-109 LSPGC asserts that the temporary restriction of sand mining during the lifespan of the submarine cables would not represent a permanent loss of mineral resource availability.
- As stated in Section 4.12.4, the dredging operator Suisun Associates has indicated that it would not continue sand and gravel mining operations in an approximately 52-acre area of the total 886-acre lease area after cable installation due to risk of cable strike, therefore the Draft EIR's analysis assumes a loss of 52 acres of area available for mining. No change to the analysis is required.
- L-1-110 LSPGC asserts that because no general plan, specific plan, or other land use plan delineates sand mining as a locally important mineral resource, that the impact analysis under Impact MIN-2 should be revised.
- The Draft EIR analysis discusses under Impact MIN-2 that " The San Francisco Bay and Delta Sand Mining Project delineate sand and gravel mineral resources within the proposed location of the LSPGC submarine cables." The Draft EIR considers the lease program detailed by CSLC under the San Francisco Bay and Delta Sand Mining Project to constitute a land use plan. No change to the analysis is required.
- L-1-111 LSPGC suggests that the temporary loss of 52 acres of available mining would not "contribute considerably" to cumulative impact due to the 834 remaining acres of mining.

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See response to comment L-1-109 and comments I-2-2 and I-2-3.

- L-1-112 LSPGC suggests that the temporary restriction of sand mining operations within the Lease No. 7781 mining area would not result in permanent loss of mineral resources. Additionally, LSPGC cites the lack of historical mining actions within the Lease No. 7781 area, therefore a significant impact would not occur.

See response to comment L-1-109.

- L-1-113 LSPGC comments that the “Solano County Noise Ordinance (Solano County 2017)” was published as a draft document but never adopted. LSPGC requests the removal of all references to the Solano County Noise Ordinance and reliance on the Solano County General Plan’s Public Health and Safety Element HS.1-67 as the relevant noise standard for construction. The comment also states that the relevant noise standard is found in Section 28.70.10.B.1 of the County Code and requests revisions to the noise discussion to reflect the adopted standards.

The noise analysis in the EIR is revised in response to this comment. As commented, the Solano County Noise Ordinance (Solano County 2017) was not adopted. All references to this code were removed from the EIR. The analysis of construction noise impacts has been updated to reflect Solano County General Plan Policy HS.1-67 and Solano County Code Section 28.70.10.B.1 as the applicable noise standards in Solano County for construction.

Pages 4.13-15 and 4.13-16 are revised as follows:

Solano County Noise Ordinance

~~The Solano County Noise Ordinance (chapter 28.1 of the County Code) sets out standards and provisions related to generation of noise within Solano County. Section 28.1 10 defines noise sensitive uses as “receiving premises used for nonresidential purposes that are sensitive to noise, such as hospitals, hotels, churches, community care facilities, and schools,” and section 28.1 20 makes it unlawful to cause noise in exceedance of the standards set out in the chapter or that is “offensive to persons of normal sensitivities,” including due to “proximity and timing in relation to any noise sensitive uses or sleeping areas within occupied dwellings.” Section 28.1 40 provides a residential and agricultural zoning exterior noise level standard of 55 dBA L_{eq} for daytime hours (7:00 a.m. to 7:00 p.m.) and 50 dBA L_{eq} for nighttime hours (7:00 p.m. to 7:00 a.m.) (see Table 4.13-8).~~

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Table 4.13-1— Solano County Noise Ordinance Permissible Exterior Noise Level by Land Use

Land use	Permissible noise level 7 a.m. to 7 p.m. ($L_{eq,dBA}$)	Permissible noise level 7 p.m. to 7 a.m. ($L_{eq,dBA}$)
Residential	55	50
Agricultural	55	50

Source: (Solano County 2017)

Section 28.1 50 of the Solano County Noise Ordinance sets out specific regulations for construction noise. Section 28.1 50(a)(1) restricts construction and demolition activities within 500 feet of a residential district to the hours of 7:00 a.m. and 6:00 p.m. on weekdays and Saturday between 8:00 a.m. and 5:00 p.m. and prohibits construction and demolition activities on Sundays and federal holidays. Section 28.1 50(a)(2) prohibits construction causing the noise level to exceed the permissible noise levels plus 20 dBA for more than 2 minutes or 90 dBA at any time for the land use where the measurement is taken. Additionally, section 28.1 50(3) states that any construction noise that does exceed the permissible noise levels set out in section 28.1 40 must only occur between the hours of 9 a.m. and 4 p.m., Monday through Friday. Per section 28.1 50(4), construction noise during times otherwise prohibited by the Noise Ordinance may be allowed if determined to be in the public interest by the noise control officer (Solano County 2017).

Table 4.13-2— Solano County Noise Ordinance for Construction Noise

Construction noise condition	Permitted timeframe
Construction noise within 500 feet of a residential district that does not exceed the noise standards	7:00 a.m. to 6:00 p.m. Monday – Friday; 8:00 a.m. to 5:00 p.m. Saturday
Construction noise that exceeds noise standards by up to 20 dBA	9:00 a.m. to 4:00 p.m. Monday – Friday
Construction noise that exceeds noise standards by >20 dBA, up to 90 dBA, for no more than 2 cumulative minutes per hour	9:00 a.m. to 4:00 p.m. Monday – Friday
Construction noise exceeding 90 dBA at the receiving property line	Never
Construction noise from emergency construction by public agencies	Exempt from restrictions

(Solano County 2017)

Page 4.13-31 is revised as follows:

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The Solano County Noise Ordinance permits construction noise to exceed the exterior noise standard of 55 dBA by 20 dBA (75 dBA total) when construction occurs during the hours of 9 a.m. to 4 p.m. Proposed Project construction is scheduled from 7 a.m. to 7 p.m. The Solano County General Plan policy HS.1-67 requires noise mitigation to reduce construction and other short-term noise impacts by applying the performance standards set in Table HS-5 of Chapter 5 Public Health and Safety (see Table 4.13-6). As shown in Table 4.13-15 construction of the Proposed Project would exceed the Solano County 55 dBA, L_{eq} daytime noise standard at NR2. ~~for all days when construction occurs before 9 a.m. and after 4 p.m.,~~ LSPGC has not proposed any measures to reduce noise levels at NR2 as required by Solano County General Plan’s Public Health and Safety Element HS.1-67, therefore, the impact from exceedance of local noise standards which would be a significant impact.

~~MM NOI 1 restricts the use of helicopters to the hours of 9 a.m. to 4 p.m., Monday through Saturday.~~ MM NOI-12 requires the installation of sound barriers (e.g., blankets attached to the substation fence or other acoustic barrier) to reduce noise levels at sensitive receptors. The resulting noise level after installation of acoustic barriers would exceed the 65 dBA L_{eq} noise standard included in Solano County General Plan’s Public Health and Safety Element HS.1-67 for up to 48 days as summarized in Table 4.13-14. ~~Reduction in the hours of substation construction to 9 a.m. to 4 p.m., Monday through Saturday would be infeasible because it would substantially extend the construction duration and would conflict with project objectives.~~

Table 4.13-14 Summary of Proposed Project Construction Noise Levels at NR2 with MM NOI-1

Category	Noise levels from 7 a.m. – 7 p.m., Monday–Saturday
<u>Maximum noise level (dBA, L_{eq})</u>	<u>68</u>
<u>Days above 65 dBA, L_{eq}</u>	<u>48</u>
<u>Percentage of days above 55 dBA, L_{eq}</u>	<u>27%</u>

While the ~~mitigation measures~~ MM NOI-1 would reduce noise levels at the nearest receptor, the noise level would still exceed 65 dBA L_{eq} ~~before 9 a.m. and after 4 p.m.~~ for up to 248 days based on the construction

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schedule and overlapping construction activities. The impact from exceedance of the Solano County construction noise standards (construction before 9 a.m. or after 4 p.m.) and exceedance of the daytime noise standard for at residential properties would remain significant and unavoidable.

Page 4.13-34 is revised as follows:

~~The Solano County Noise ordinance permits construction noise to exceed the exterior noise standard of 55 dBA when construction occurs during the hours of 9 a.m. to 4 p.m. The ordinance allows for a 20 dB exceedance of the exterior noise standard during this timeframe, which would be 75 dBA. Noises between 75 and 90 dBA would only be permitted for two minutes per hour. As shown in Table 4.13-21, noise levels resulting from Proposed Project construction activities at NR4, NR5, and NR6 would exceed the 55 dBA L_{eq} daytime noise standard outside of the Solano County construction hours of 9 a.m. to 4 p.m., Monday through Saturday. The impact from exceedance of the local noise standards would be significant. When noise generated by short-term construction activities exceeds the daytime standard of 55 dBA, L_{eq} Solano County General Plan Policy HS.I-67 requires that, where it is not possible to reduce noise levels to 60 dBA L_{eq} , the “practical application of the best-available noise reduction measures” be used, after which the allowable noise level is 65 dBA L_{eq} . For the Transposition Site construction, the noise levels that would be generated at the nearest receptor by foundation installation falls below the 60 dBA requirement. Exceedance of the 60 dBA requirement would only occur for structure and conductor installation. The greatest source of noise for structure and conductor installation would be use of helicopters (see Appendix I). There are no practical noise reduction measures available to mitigate noise generated by helicopter use. Furthermore, the noise generated by helicopter use would be very short term and of very short duration. Therefore, the local standard would not be exceeded. MM NOI 3 restricts construction activities at Transposition Sites A, B, and C to the hours of 9 a.m. to 4 p.m., Monday through Saturday. With implementation of MM NOI 3, construction would occur during the hours approved in the local noise standards and noise levels would not exceed the 75 dBA L_{eq} construction noise level at any receptor during approved construction hours. The construction impact from generation of noise in excess of local standards would be less than significant with mitigation.~~

L-1-114 LSPGC requests formatting fixes to Appendix I (Noise) to make the information easier to read.

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The text of Appendix I has been formatted in the Revised Draft EIR to address this comment.

- L-1-115 LSPGC requests revision of Table 4.13-14 to reflect a noise standard of 70 dBA daytime threshold in Solano County.

The daytime outdoor noise standard in Solano County for non-transportation noise sources in residential land uses is 55 dBA L_{eq} and 70 L_{max} as presented in Table 4.13-6 of the Draft EIR. The noise levels presented in Table 4.13-14 reflect the L_{eq} noise levels where the appropriate noise standard is 55 dBA. The noise level and impacts summarized in Table 4.13-14 are correct per the Solano County noise standard. No change to Table 4.13-14 is required.

- L-1-116 LSPGC asserts that daytime and nighttime construction noise impacts would be less than significant, citing noise levels below the Solano County daytime threshold.

See response to comment L-1-115 regarding daytime noise levels. Solano County General Plan Chapter 5, Policy HS.1-67 establishes a nighttime local standard for construction and other short-term noise at residential uses of 50 dBA L_{eq} and 65 dBA L_{max} . The 65 dBA noise standard cited by LSPGC is the L_{max} , which is for the maximum instantaneous noise level. Noise levels at sensitive receptors were modeled as the L_{eq} over the entire proposed nighttime construction period, not for the instantaneous L_{max} . The Solano County 50 dBA L_{eq} noise standard is applied as the local nighttime standard. Therefore, the modeled 55 dBA noise level at the nearest sensitive receptor for above grade construction exceeds the standard, and impacts were determined to be significant. In addition, LSPGCs estimated noise level at NR2 for commissioning and testing of 55.5 dBA at the nearest sensitive receptor would also exceed the nighttime standard of 50 dBA L_{eq} . The impacts would therefore be significant as described in the EIR. No change to the analysis is required.

- L-1-117 LSPGC asserts that daytime and nighttime construction noise impacts would be less than significant, citing noise levels below the Solano County nighttime threshold.

See responses to comments L-1-115 and L-1-116.

- L-1-118 LSPGC asserts that MM NOI-2 is not necessary as the Proposed Project would not create potentially significant impacts related to noise.

Noise levels resulting from project construction would exceed the Solano County noise standards. MM NOI-2 is required per Solano County General Plan Policy HS.1-67, under which an exterior noise level of up to 65 dB may be allowed

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provided that all available exterior noise level reduction measures have been implemented. No change to the analysis is required.

L-1-119 LSPGC requests that references to tables within the document be revised where applicable.

The reference to Table 4.13-20 is revised to reflect Table 4.13-17 in the revised Draft EIR.

L-1-120 LSPGC states that the noise threshold in Solano County is 70 dBA and daytime construction noise impacts from the Proposed Project would be less than significant, citing noise levels below the Solano County threshold.

See response to comments L-1-115.

L-1-121 LSPGC states that the noise threshold in Solano County is 70 dBA and daytime construction impacts noise from the Proposed Project would be less than significant.

See response to comments L-1-115.

L-1-122 LSPGC states that the noise threshold in Solano County is 70 dBA and daytime construction noise impacts from the Proposed Project would be less than significant, citing noise levels below the Solano County threshold.

See response to comment L-1-115.

L-1-123 LSPGC states that the noise threshold in Solano County is 70 dBA and daytime construction noise impacts from the Proposed Project would be less than significant, citing noise levels below the Solano County threshold.

See response to comment L-1-115.

L-1-124 LSPGC asserts that MM NOI-2 is not necessary, as the Proposed Project would not create potentially significant impacts on noise.

See response to comment L-1-118.

L-1-125 LSPGC states that MM NOI-4 is not necessary, as the Proposed Project would not create potentially significant impacts on noise.

As shown in Table 4.13-22 of the Draft EIR, construction of the LSPGC telecommunication interconnection lines within the City of Pittsburg would result in noise levels of up to 90 dBA, Leq at the nearest sensitive receptors and would exceed the City of Pittsburg 65 dBA noise standard. As discussed in the Draft EIR, the City of Pittsburg Municipal Code section 18.83.840 restricts construction resulting in noise levels above 65 dBA, Leq at the property line of

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residential land uses to the hours of 8 a.m. to 5 p.m., Monday through Friday. MM NOI-4 limits the construction hours for the telecommunication interconnection lines to 8 a.m. to 5 p.m., Monday through Friday consistent with City of Pittsburg Municipal Code. No change to the EIR is needed.

- L-1-126 LSPGC requests a clarification on page 4.14-8 that the Proposed Project would not induce population growth. LSPGC stated that the text could be misinterpreted to suggest that the Proposed Project may also directly induce population growth.

Draft EIR page 4.14-11 was revised to state:

The Proposed Project would not serve new users or expand service areas and would not directly or indirectly induce population growth.

- L-1-127 LSPGC requests that Alameda County-level responses be addressed in paragraph 2 on page 4.15-1.

See response to comment L-1-26.

- L-1-128 LSPGC requests Section 4.15, Public Services, be revised to account to the Sacramento County, Solano County, and Contra Costa County marine patrol departments.

The following text was added on Draft EIR page 4.15-8 with the appropriate heading of 'Marine Patrol' and subheading 'LSPGC 230 kV Submarine Segment':

The proposed LSPGC 230 kV submarine segment alignment falls within the jurisdiction of the Sacramento, Solano, and Contra Costa marine patrol departments, which are all under the purview of their respective county sheriff's department and serve to protect the navigable waterways (Sacramento County Sheriff's Office, n.d.; Solano County, n.d.; Contra Costa County Office of the Sheriff, n.d.).

- L-1-129 LSPGC requests Section 4.15.4, Public Services, be revised to make it clear that PG&E would be responsible for trimming or removing flammable vegetation surrounding PG&E project components. The commenter is correct. Draft EIR page 4.15-21 incorrectly referenced LSPGC when discussing PG&E vegetation trimming activities.

The text on page 4.15-21 has been revised as follows:

Accordingly, ~~LSPGC-PG&E~~ would need to trim or remove flammable vegetation in the area surrounding the Proposed Project facilities.

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L-1-130 LSPGC requests Section 4.15, Public Services, to be revised to discuss the presence of the Saint Peter Martyr School and how sensitive noise receptor impacts would be less than significant.

Potential noise impacts at a private school are not a Public Services impact. No change is required. Noise impacts, including impacts to Saint Peter Martyr School, are addressed in Section 4.13 Noise, which explains that APM PUB-1 would avoid noise impacts adjacent to the school in compliance with section 9.44.010 of the City of Pittsburg's Municipal Code.

L-1-131 LSPGC requests the analysis of Section 4.16, Recreation, discuss the modifications to the Vaca Dixon and Tesla Substations.

Section 4.16.2 of the EIR discusses that PG&E's proposed work at the PG&E existing Tesla Substation would occur within the substation fence line and would not impact recreational facilities. Therefore, recreational facilities in the vicinity of the substations were not analyzed as there would be no impact. LSPGC is correct that the Vaca Dixon PG&E substation was not discussed. The lack of discussion of the Vaca Dixon Substation was intention because no impact on recreational facilities would occur within the substation.

The following footnote was added to Draft EIR page 4.16-12:

PG&E's proposed work at the PG&E existing Vaca Dixon Substation located in Solano County would occur within the substation fence line and would not impact recreational facilities; therefore, recreational policies within Solano County are not relevant to this analysis.

L-1-132 LSPGC requests revisions to Table 4.16-1 to clarify the difference between the Delta and Delta waterways. The Sacramento San Joaquin Delta does cover 738,000 acres with approximately 1,200 miles of waterways.

Table 4.16-1 on Draft EIR pages 4.16-7 through 4.16-8 was revised to identify the correct 'Facility size' units as acres or miles.

L-1-133 LSPGC points out that impact criteria Impact REC-3 through Impact REC-5 are from the CPUC's Guidelines for Energy Project Applications Requiring CEQA Compliance, not Appendix G, and asks Section 4.16.3 to be revised accordingly.

Draft EIR page 4.16-14 was revised to include separation of the impact criteria with the following text:

Pursuant to the CPUC's Guidelines for Energy Project Applications Requiring CEQA Compliance, the following additional CEQA impact criteria are required for recreation (CPUC 2019). These criteria suggest

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that the impact of the Proposed Project would be significant if the Proposed Project would...

L-1-134 LSPGC requests the discussion of the barge and hydroplow that would be utilized to install the 230 kV submarine segment cables under Impact REC-3 and Impact REC-4 be made consistent.

Draft EIR page 4.16-20, under the discussion of Impact REC-4 is revised as follows:

While the barge would be ~~larger than~~ similar to typical boats other vessels utilizing the Delta,

L-1-135 LSPGC requests removal of any references to helicopter use during substation construction, as helicopter use is not anticipated.

There is no discussion of helicopter use at the substation site in the EIR. The analysis addresses helicopter uses for LSPGC project components generally, including the 230 kV overhead segment.

L-1-136 LSPGC requests the removal of the word “remove” in the last sentence of paragraph 2 on page 4.17-51, as the Collinsville Substation and 230 kV Transmission Line do not yet exist.

The language referenced and the word “remove” does not occur anywhere in the section. The comment appears to be in error. No change is required.

L-1-137 LSPGC requests the removal of the City of Pittsburg in the list of areas where helicopter use coordination would be required per APM HAZ-1 (on page 4.17-52), as helicopter use is not anticipated within the City of Pittsburg.

The sentence is revised as follows considering that no helicopters will be used in the City of Pittsburg:

APM HAZ-1 requires that LSPGC comply with all applicable FAA regulations regarding air traffic within 2 miles of the LSPGC project components in Solano County ~~and the City of Pittsburg~~, formally communicate all helicopter operations with local airports before and during Proposed Project construction, and manage helicopter use and landing zones to minimize impacts on residents.

L-1-138 LSPGC requests the removal of references to permanent access roads associated with the 230 kV transmission line.

The analysis is referring to a driveway entrance to the substation property, which has been classified as a permanent road. No change to the EIR is required.

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L-1-139 LSPGC requests the revision of MM TRA-3 to require that roadways are restored to pre-construction conditions following completion of construction. The intention of MM TRA-3 is to provide restoration of the road to meet pre-construction standards. MM TRA-3 is revised as provided in response to comment AL-3-3.

L-1-140 LSPGC requests the revision of the height of the tallest structure listed in paragraph 1 on page 4.18-2, from 200 feet tall to 199 feet tall.

Draft EIR page 4.18-4 has been revised to include the following text:

The tallest structure would be the microwave tower up to ~~200~~199 feet tall

L-1-141 LSPGC suggests that the significant and unavoidable impact determination under Impact TCR-1 to be highly conservative, and suggests that a less than significant with mitigation impact determination is supported in this case.

The analysis reflects the impact determination identified by the CPUC based on a review of substantial information and consultation with Native American tribes. See response to comment L-1-84.

L-1-142 LSPGC has noted that the listed 2008 Solano County General Plan policies need to be reviewed, as the policy number is incorrect and/or the listed policies are not applicable to wildfire.

The first four policies listed for the 2008 Solano County General Plan (HS.P-20 through HS.P-23) are from a different and/or outdated general plan and were included in this list by mistake. The remaining listed policies (HS.P-31 and on) are the correct policies relevant to wildfire and remain in the section.

Draft EIR page 4.20-25 was revised as follows to remove reference to HS.P-20 through HS.P-23:

~~HS.P 20: ——— Require that structures be built in fire defensible spaces and minimize the construction of public facilities in areas of high or very high wildfire risk.~~

~~HS.P 21: ——— Prohibit non farm related development and road construction for public use in areas of extreme wildfire risk.~~

~~HS.P 22: ——— Require new developments in areas of high and very high wildfire risk to incorporate fire safe building methods and site planning techniques into the development.~~

~~HS.P 23: Work with fire districts including the Sonoma Lake Napa Fire Unit, other agencies and property owners to ensure consistency with~~

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~~related plans including the Unit Fire Plan and the Solano County Emergency Operations Plan, and to coordinate efforts to prevent wildfires and grassfires through fire protection measures such as consolidation of efforts to abate fuel buildup, access to firefighting equipment, and provision of water service.~~

L-1-143 LSPGC states that the risk of blade throw striking the Proposed Project's 230 kV Transmission Line would be less than significant, citing compliance with PUC § 8386 and proximity to hazard throw zone.

See response to comment L-1-96.

L-1-144 LSPGC has asserted that the discussion of Alternative 5 includes text that incorrectly suggests that Alternative 5 involves changes to the overhead transmission facilities.

Upon review, this discussion does not mention that Alternative 5 involves changes to the overhead transmission line; the discussion correctly analyzes the alignment of the submarine cables. The following text is from Page 4.20-57, Paragraph 6: "This differs from the Proposed Project, which includes overhead 230 kV transmission facilities that traverse areas mapped as high and very high FHSZs..." It is possible that this sentence was misinterpreted; however, this sentence does not assert that Alternative 5 includes changes to the overhead transmission--it states that the Proposed Project includes overhead facilities and that this differs from Alternative 5. As such, no edits were made.

L-1-145 LSPGC suggests that the throw zone of the wind turbines are not a hazard for the proposed project.

Refer to response to comment L-1-96.

L-1-146 LSPGC suggests that the throw zone of the wind turbines are not a hazard for the proposed project.

Refer to response to comment L-1-96.

L-1-147 LSPGC suggests revising Section 5: Other CEQA Considerations, to include specific species that may perch or nest on LST.

The text in Section 5 states "The Proposed Project would construct LSTs within the SMUD Solano wind farm. During Proposed Project operations, the introduction of new structures that support avian perching and nesting in proximity to the wind turbines could result in increased avian collisions and mortality, which would be a significant impact. (Table 4.4-4, Section 4) No Mitigation can feasibly avoid special status avian species perching on the LSTs, as the impact would be a result of the LST structure form and location within a

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wind farm. Therefore, the impact from potential increases in special status avian injuries and mortality due to wind turbine interactions would remain significant and unavoidable.” The specific species that would nest on LSTs is broad and includes multiple raptors and birds of prey. It is unnecessary to list every species that could perch or nest on an LST.

L-1-148 LSPGC suggests emphasizing that BAAQMDs CAP emissions defer to fugitive dust control BMPs to reduce dust pollution to an acceptable degree.

LSPGC is correct that BAAQMD BMPs would reduce fugitive dust emissions to less than significant. The text referenced occurs in the discussion of Significant Environmental Effects that Cannot Be Avoided. Fugitive dust emissions are not significant and unavoidable. The text on Page 5-6 is revised as follows to only address the impact that would remain significant and unavoidable:

In year 2 of Proposed Project construction (2027) during submarine segment construction, NOx emissions would exceed SMAQMD and BAAQMD thresholds and would thereby result in a cumulatively considerable net increase of ozone for which the project region is in non-attainment. The exceedance of air emission standards would be caused primarily by the operation of marine vessels. While LSPGC would implement APM AIR-1 and PG&E would implement CM AIR-1, which requires the use of Tier 4 construction equipment on land, the primary source of NOx emissions would be from marine vessels. Therefore, emissions would continue to exceed significance thresholds with the implementation of APM AIR-1 and CM AIR -1. MM AQ-1 requires use of Tier 4 engines for marine vessels to the extent commercially available at the time of construction and the use of Tier 3 engines on all marine vessels where Tier 4 engines are not available. Due to the forecasted lack of Tier 4 engine availability in 2027, marine vessels with Tier 3 engines would be used, which are not capable of reducing NOx emissions below SMAQMD and BAAQMD thresholds. Therefore, the net increase of NOx, a criteria pollutant for which the project region is nonattainment, would be significant and unavoidable during the period of submarine cable installation (4.5 months). ~~MM AQ-2 requires use of BAAQMD recommended fugitive dust control BMPs. While the use of fugitive dust control BMPs would reduce fugitive dust emissions, the emissions would still exceed BAAQMD thresholds during Year 2 and the impact would be significant and unavoidable.~~

L-1-149 LSPGC suggests removing information regarding coordination efforts and effects on Suisun Associates sand mining lease area from Section 5, Other CEQA Considerations, page 5-8 due to their USACE federal permits requirement of an as-built survey and state that by sharing documents with USACE, Suisun

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Associates will likely receive required information. It is understood that during the permitting process Suisun Associates would likely be provided with additional documentation of cable location via USACE permitting, however the analysis must consider the potential impacts of the Proposed Project in the event of no coordination efforts, and therefore requires implementation of MM MIN-1 to reduce effects. No changes to the Draft EIR are required.

3.3 Individuals

3.3.1 Comment Letter I-1: Holland & Knight on behalf of California Forever LP

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December 15, 2025

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Re: Comments on Draft Environmental Impact Report for Collinsville 500/230 kV Substation Project

On behalf of California Forever LP (“CAF”),¹ Holland & Knight, LLP hereby submits the following comments on the Draft Environmental Impact Report (“DEIR”) for the Collinsville 500/230 kV Substation Project (the “Project”) proposed by LS Power Grid California, LLC (“LS Power”).

I. Background

LS Power has applied to the California Public Utilities Commission (“CPUC”) for a Certificate of Public Convenience and Necessity (“CPCN”) to construct and operate the Project. According to the DEIR’s Project Description, the Project will involve construction of a 500/230 kV substation, a 230 kV transmission line, telecommunication interconnection lines, 500 kV interconnection lines, 500 kV transposition sites, a 12 kV distribution line, a telecommunication yard, and modifications to three existing PG&E substations, as detailed in Figure 2-4 of the DEIR.²

¹ CAF is the largest landowner in Solano County, who owns nearly 70,000 acres in Solano County, including essentially all of the land that would be impacted by the project, as proposed, as well as included projects this would cause, such as the Humboldt transmission line. LS Power has already repeatedly threatened CAF with eminent domain proceedings to condemn CAF lands against its will. CAF previously submitted scoping comments on February 6, 2025 (“Scoping Comments”) in response to the Notice of Preparation (“NOP”), which are incorporated by reference herein.

² CPUC, Collinsville 500/230kV Substation Project, DEIR, Vol. 1, (Nov. 2025), at 2-1.

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II. The DEIR Improperly Rejects Project Alternatives Near Pittsburg Substation, Which are Feasible, Environmentally Superior and Achieve Project Objectives.

In its Scoping Comments, CAF recommended that the EIR consider and analyze a project alternative immediately adjacent to PG&E's Pittsburg Substation.³ CAF provided substantial evidence in its Scoping Comments that relocating the Project to pre-existing disturbed and industrialized lands would lead to substantially reduced environmental impacts compared to a greenfield development.⁴

Appendix C of the DEIR (Alternatives Screening Report) documents the CPUC's process of identifying project alternatives as well as the criteria used to screen potential alternatives from further consideration in the DEIR.⁵ According to Appendix C, the screening process culminated in the identification of fourteen potential alternatives, but only five were retained for detailed analysis in the DEIR. Of the nine alternatives screened out for further consideration, two included relocated project sites near the Pittsburg Substation: (i) Alternative 11 - Collinsville Substation North of Pittsburg Substation and (ii) Alternative 12 - Collinsville Substation South of Pittsburg Substation (collectively, the "Pittsburg Alternatives").

As discussed below, the DEIR improperly screened out the Pittsburg Alternatives based on improper criteria and erroneous assumptions in violation of CEQA Guidelines § 15126.6(c). To remedy this, the DEIR must be revised to include a detailed discussion of the Pittsburg Alternatives and their comparative environmental impacts and benefits.

a. Legal Standard Governing CEQA Alternatives Analyses and Screening

Under CEQA, an EIR must "describe a range of reasonable 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, and evaluate the comparative merits of the alternatives."⁶ The purpose of CEQA's alternative analysis is to foster informed decisionmaking and public participation.⁷ CEQA Guidelines § 15126.6, subdivision (c) governs the process by which the lead agency can identify, but reject from further analysis, project alternatives. It states, in pertinent part, that:

"[t]he EIR should ... identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are:

- (i) failure to meet most of the basic project objectives,
- (ii) infeasibility, or

³ Scoping Comments, Section V.

⁴ *Id.*

⁵ DEIR, Appendix C, Alternatives Screening Report, at 1.

⁶ CEQA Guidelines § 15126.6(a).

⁷ *Id.*

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- (iii) inability to avoid significant environmental impacts.”⁸

As demonstrated below, the Pittsburg Alternatives should not have been rejected from further consideration on any of these bases.

b. The Pittsburg Alternatives Achieve Most Basic Project Objectives

Appendix C confirms that both Pittsburg Alternatives are “potentially able to meet most basic project objectives.”⁹ However, Appendix C opines that because two seasonal windows would be required to install 12 submarine cables, which would occur a year later, neither alternative is capable of meeting the May 2028 CAISO operational date, which is another Project Objective of the DEIR. This conclusion is problematic for multiple reasons.

As a preliminary point, the DEIR provides no explanation as to why the Pittsburg Alternatives would require two seasonal windows and/or why it would be impossible to develop 12 submarine cables on a similar timeframe as the Proposed Project.

More importantly, the DEIR over-emphasizes the importance of achieving (or failing to achieve) commercial operation (or “COD”) by May 2028. CAISO’s 2024-2025 Transmission Plan contemplates that the Project has a “current expected in-service date” of May 2028.¹⁰ That is precisely what that date represents – an *expected* in-service date. There is no evidence to support the DEIR’s rigid treatment of the May 2028 date, nor any information suggesting the California transmission grid will be threatened with risks if COD is not achieved at that time, *especially* if an environmentally superior alternative is selected. In fact, CAISO’s 2023-2024 Transmission Plan assumed an expected in-service date for the Project by December 2027, offering further evidence that this COD target is not “set in stone.” Further, nothing in the CAISO Transmission Plans suggests the Project is needed to alleviate constraints on the transmission system by May 2028. The 2024-2025 Transmission Plan’s discussion of the “Greater Bay Area 500 kV Transmission Reinforcement” project (which the Project would support), indicates that “a major ramp-up in demand [for transmission capacity in the Greater Bay Area] is expected in the long-term, particularly in scenarios beyond 2034.”¹¹ Thus, the May 2028 *expected* in-service date is an artificially narrow project objective and improper basis to screen alternatives from further consideration.

Lastly, the DEIR’s core assumption that construction will commence in May 2026 in order to achieve COD by May 2028 is tenuous at best. The DEIR’s comment period closes on December 19, 2025, after which the CPUC must review and respond to all comments and prepare the Final EIR. Following release of the Final EIR, the CPUC must consider the project at a noticed public hearing, and any decision will be subject to a statute of limitations to challenge the decision. Construction of the Project is also contingent on LS Power obtaining a host of permits and

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⁸ CEQA Guidelines § 15126.6(c); emphasis added.

⁹ Appendix C, at 44, 46.

¹⁰ California ISO, 2024-2025 Transmission Plan, (approved May 30, 2025), at 190.

¹¹ California ISO, 2024-2025 Transmission Plan at 69 (“The latest long-term Local Capacity Requirement (LCR) study indicates a deficiency of nearly 5,000 MW in the 2039 scenario.”)

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clearances from federal, state, regional, and local agencies (See DEIR Table 2-11), including but not limited to, (i) a Section 7 Consultation (with both the U.S. Fish Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS)); (ii) a Section 404 Permit (from the U.S. Army Corps of Engineers); (iii) a state Incidental Take Permit and Lake and Streambed Alteration Agreement (from the California Department of Fish and Wildlife (CDFW)); (iv) an Encumbrance Agreement/Administrative Permit (from the San Francisco Bay Conservation and Development Commission (BCDC); and (v) grading, building and encroachment permits from local agencies. Furthermore, because at this time LS Power has no real property interests or rights of way to construct either the transmission or the substation itself, LS Power must initiate (and prevail in) eminent domain proceedings to condemn the Project Site before any work may commence. After project construction, the DEIR assumes that seven months of testing is required before the Project can become operational.¹² In light of the above, the May 2028 COD date is a wholly unrealistic benchmark and not a proper basis for eliminating the Pittsburg Alternatives from detailed consideration in the DEIR.¹³

I-1-2

c. The Pittsburg Alternatives Are Feasible, Contrary to the Unsupported Statement in the DEIR.

Appendix C opines that the Pittsburg Alternatives are not “technically feasible” because “[s]ubmerged 500 kV transmission cables are not commercially available.”¹⁴ The EIR provides no evidence for this statement. In fact, substantial evidence indicates that submarine 500 kV cables have been deployed at other high voltage transmission projects in the United States (the Neptune project connecting New Jersey and New York),¹⁵ United Kingdom (the Western HVDC Link connecting Scotland with Wales and England),¹⁶ China (500 kV submarine cable “connecting offshore installations, Ningbo and Zhoushan”¹⁷ and Scandinavia (the Skagerrak 4 HVDC Light link connecting Norway and Denmark).¹⁸ A 2024 report analyzing switching transients in the proposed 500 kV Java-Bali Connection submarine cable project¹⁹ in Indonesia observed that “[s]elf-contained fluid-filled and cross-linked polyethylene are the two technologies that can be employed for high-power submarine cable application.”²⁰ Thus, the DEIR’s elimination of the Pittsburg Alternative due to technological or commercial infeasibility is unsupported. To the extent

I-1-3

¹² DEIR, at 2-78.

¹³ This construction schedule for the Proposed Project (May 2026 - November 2027) also calls into question the seasonal and durational assumptions in the DEIR’s AQ and GHG impact analyses. CAF recommends that the DEIR be revised to include a more realistic and up-to-date construction schedule and revise the AQ and GHG qualitative analyses accordingly.

¹⁴ Appendix C, at 44, 46.

¹⁵ Neptune Regional Transmission System, The Project, (last visited Dec. 8, 2025), <https://neptunerts.com/project/>.

¹⁶ SP Energy Networks, Western HVDC Link, (last visited Dec. 8, 2025),

https://www.spenergynetworks.co.uk/pages/western_hvdc_link.aspx.

¹⁷ N. Flaherty, World’s Longest 500 KV AC Submarine Power Cable With No Factory Joints, EENews, (Apr. 18, 2018), <https://www.eenewseurope.com/en/worlds-longest-500kv-ac-submarine-power-cable-with-no-factory-joints/>.

¹⁸ ABB, Press Release, ABB Sets World Record in HVDC Light Voltage Level, (Dec. 1, 2015),

<https://new.abb.com/news/detail/13859/abb-sets-world-record-in-hvdc-light-voltage-level>.

¹⁹ <https://web.pln.co.id/en/stakeholders/larp-500-kv-jawa-bali-crossing-en>

²⁰ Nababan, B. et al, *Switching Analysis in Hybrid OHL-Submarine Cable 500-kV Transmission System*, in IEEE Open Access Journal of Power and Energy, vol. 11, available at <https://ieeexplore.ieee.org/document/10592028>

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submarine transmission cables are merely more costly to develop, additional costs are not proper basis to reject a project alternative as infeasible.

Separately, the screening analysis states that the South of Pittsburg Substation Alternative “would prevent any future lines from being able to access the Collinsville Substation, including any required upgrades, which would constrain operation and expansion of this substation.”²¹ This too is an invalid basis for elimination of the alternative. The purpose of CEQA is to analyze the environmental impacts and alternatives of the Project, not future, speculative expansions of said project. None of the Project’s Objectives in the DEIR pertain to future expansions or creating additional capacity of the Project. Indeed, if expansion of the Project is anticipated, which as discussed below is reasonably foreseeable due to the planned Humboldt-Collinsville transmission line,²² the DEIR must be materially revised to analyze the impacts of the whole project, including future expansions.

I-1-3

d. The Pittsburg Alternatives Are Environmentally Superior to the Project

Appendix C acknowledges that the Pittsburg Alternatives would “avoid development of the substation on areas zoned for agricultural use,”²³ and thus would result in less impacts on agricultural conversion (and not require agricultural mitigation under CEQA).

However, Appendix C ignores that the Pittsburg Alternatives would be environmentally superior to the Project in a host of other impact areas, including aesthetics, biological resources, geology and soils, cultural and tribal resources, land use/planning, and wildfire risks and public safety. Whereas Appendix C only references agricultural benefits, the body of the DEIR provides direct evidence that the Pittsburg Substation and adjacent lands are preferable development sites for other environmental reasons. See, e.g.:

I-1-4

- DEIR at 4.11-22 – “PG&E’s existing Pittsburg Substation **is in an industrial area** of the City of Pittsburg surrounded primarily by industrial activities, undeveloped lands to the west and southwest, and residential neighborhoods to the east and southeast. The Pittsburg Substation site **is designated as Industrial and zoned as Industrial General.**”
- DEIR at 4.1-32 – For purposes of aesthetic impacts, “a portion of the telecommunication interconnection lines would be installed near Pittsburg Substation is in a **heavily developed and industrialized area** where public access is restricted.”
- DEIR at 4.10-7 – “**No drainages, creeks, or streams** are located within the PG&E Pittsburg Substation site.”
- DEIR at 4.4-85, -90, -104, -109 – Areas around Pittsburg substation are developed areas that **do not contain habitat for special-status reptiles, invertebrates, or mammal species.**
- DEIR at 4.15-16 - “the existing Pittsburg Substation ... [is] **not located in areas of high risk for wildfires.** Construction activities within PG&E’s existing substations

²¹ Appendix C, at 46.

²² CAISO, 2024-2025 Transmission Plan, at 69.

²³ Appendix C, at 45, 47.

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- would not affect fire response as the existing substation has been cleared of all fuels/vegetation”
- DEIR at 4.12-5 – “The area surrounding the existing substations **have no known mineral resources** according to the MLC.”
 - DEIR at 4.5-34 – “PG&E project components are in areas with **low sensitivity for cultural resources**.”
 - DEIR at 4.7-32 – “None of the PG&E project components are located within an Alquist-Priolo fault zone or cross an active fault.”

To screen out each Pittsburg Alternative, Appendix C focuses on purported “disadvantages” that each alternative would entail, specifically, *greater* impacts on air quality/GHG emissions, biological resources, hazardous and hazardous materials, and mineral resources.²⁴ However, the conclusions in Appendix C not supported by factual evidence.

For example, the conclusion that each Pittsburg Alternative would increase in cut/fill values due to contamination at the site and therefore lead to greater air quality emissions has no supporting evidence. It is not clear whether the alternative sites are contaminated, and if so, to what extent. Online resources demonstrate that neither site is listed on the Department of Toxic Substance Control’s *EnviroStor* database,²⁵ and elsewhere the DEIR states that “[t]he existing PG&E Pittsburg Substation is identified in the [State Water Board’s] GeoTracker database for historical releases that have been remediated and are under regulatory oversight.”²⁶ In any event, even if increased emissions would occur due to increase in cut/fill values, Appendix C ignores the possibility that such emissions could be wholly outweighed by reduced emissions associated with reduced truck and construction worker trip lengths to a more urban, centrally-located site. It also overlooks the possibility that ground-disturbing activities at a pre-disturbed industrial site may be less intensive and involve fewer air quality emissions than a greenfield development. In a similar vein, the screening analysis states that increased cables crossing the Delta would have a greater potential for impacts on fish and marine mammals. Even if this were true, it is impossible to conclude on that assertion alone that a Pittsburg Alternative would not result in fewer impacts on biological species *overall* (including terrestrial species and migratory birds) by relocating the Project from a greenfield development to preexisting industrial land.

I-1-4

Thus, the Appendix C screening analysis prematurely rejects the Pittsburg Alternatives from further consideration, despite direct evidence in the DEIR that such alternatives are capable of reducing environmental impacts.

III. The DEIR’s Project Objectives Are Artificially Narrow and Do Not Comply With CEQA

I-1-5

CEQA requires an EIR’s Project Description to “[a] clearly written statement of objectives” to “develop a reasonable range of alternatives to evaluate in the EIR.”²⁷ A lead agency may not give

²⁴ Appendix C, at 45, 47.

²⁵ <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=pittsburg+california>

²⁶ DEIR at 4.9-53.

²⁷ CEQA Guidelines § 15124(b).

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a project’s purpose an artificially narrow definition.²⁸ In other words, an EIR’s project objectives may not be so narrow as to “ensure[] that the results of” the “alternatives analysis would be a foregone conclusion.”²⁹ Rather than set forth a suite of broad project objectives, the DEIR includes extremely specific and prescriptive goals that match like-for-like with the Proposed Project. Examples of overly particular project objectives include, among other things:

- “Meet the functional specifications set forth by CAISO for the Collinsville 500/230 kV Substation and 230 kV transmission lines located near or adjacent to the existing PG&E Vaca Dixon-Tesla 500 kV Line.”³⁰
- “Achieve commercial operation by June 2028 in order to address critical reliability issues within the transmission system, such as high voltage under non-peak conditions and voltage that varies significantly on a daily basis.”³¹
- “Improve and maintain the reliability of the transmission grid by addressing overloads on the Cayetano-North Dublin 230 kV Line, Lone Tree-USWP-JRW-Cayetano 230 kV Line, and Las Positas-Newark 230 kV Line”³²

I-1-5

Evidence of this artificially narrow suite of Project Objectives is the fact that the majority of feasible and environmentally beneficial alternatives were prematurely rejected from detailed consideration in the EIR. The only alternatives selected for detailed analysis in the EIR include a construction start date of May 1, 2026 and the only two relocated site alternatives (Alternative 1 - Collinsville Substation North of Talbert Lane and Alternative 2 - Collinsville Substation East of Wind Energy Substations) are within 3 miles of the Proposed Project Site (i.e., both are close to the existing Vaca-Dixon Tesla 500 kV Transmission Line).³³ The EIR must be revised to include a broader set of project objectives in order to foster a meaningful alternatives analysis.

IV. The DEIR Violates CEQA by Obscuring Project Features (or “Construction Measures”) and CEQA Mitigation Measures

I-1-6

California courts have distinguished project elements which are “an integral part of the overall project” and “subsequent actions by a project’s proponent to mitigate or offset alleged adverse environmental impacts” (i.e., mitigation measures).³⁴ Whereas project features or components that are integral to the project can incidentally reduce certain impacts (e.g., bike parking and bike lanes for transportation impacts, windows for noise attenuation), measures added by the lead agency or applicant to reduce or avoid impacts are properly characterized as CEQA mitigation measures. In *Lotus v. Department of Transportation*, a case involving a tree restoration program, the court noted

²⁸ *North Coast Rivers Alliance v. Kawamura* (2015) 243 Cal.App.4th 647, 668.

²⁹ *We Advocate Through Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 692 (ruling that objectives that are “so narrow[] as to preclude any alternative other than the Project”)

³⁰ DEIR at ES-3 to ES-4.

³¹ *Id.*

³² *Id.*

³³ Appendix C, at 32 and 34.

³⁴ *Save the Plastic Bag Coalition v. City & County of San Francisco* (2013) 222 Cal.App.4th 863, 882–83.

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that certain measures, such as restorative planting, invasive plant removal, and use of specialized construction equipment were “plainly mitigation measures not part of the project itself”³⁵ Subsequent cases confirmed that an EIR’s mischaracterization of project features and mitigation measures violates CEQA “if it precludes or obfuscates required disclosure of the project’s environmental impacts and analysis of potential mitigation measures.”³⁶

Here, the DEIR analyzes the environmental impacts of the Proposed Project, which incorporates at least forty-two (42) applicant proposed measures (“APMs”) and thirty-seven (37) PG&E proposed construction measures (“CMs”).³⁷ If the Project, *including all applicable APMs and CMs*, would result in a potentially significant impact, the DEIR then analyzes mitigation measures to avoid or substantially reduce potential significant impacts.³⁸ The DEIR explains that the purpose of APMs and CMs is to “avoid or minimize environmental impacts associated with the Proposed Project ...,” but that they are included as “part of the Proposed Project and considered in the evaluation of environmental impacts.”³⁹ In some cases, mitigation measures can “supersede, expand upon, or add detail to the APMs [and CMs] as necessary to *further* reduce or avoid potential impacts.”⁴⁰

The problem with the DEIR’s approach is that it completely obscures (for decisionmakers and the public alike) the true environmental impacts associated with the Project (i.e., construction and operation of a new substation and related transmission infrastructure). Here, the APMs and CMs do not resemble Project features, but are identified as measures to “avoid or lessen” environmental impacts. The APMs and CMs are common mitigation measures that other EIRs across the state routinely label as mitigation measures. To illustrate, a few examples of purported project features include:

- **APM AIR-1:** “Tier 4 Construction Equipment. Construction equipment with a rating between 100 and 750 horsepower (hp) would be required to use engines compliant with EPA Tier 4 non-road engine standards.”
- **APM BIO-11:** “Pre-Construction Wildlife Surveys. Prior to initial vegetation clearance and ground-disturbing activities within suitable habitat for special-status wildlife, a biologist would conduct pre-construction surveys within Proposed Project work areas for special-status wildlife. Within wetland habitats or other areas suitable for northwestern pond turtle occupation, a qualified biologist would examine potential basking sites for adult turtles, as well as potential nest sites in sandy or sparsely vegetated substrates; turtle nests would be flagged for avoidance ”
- **APM BIO-15:** “To the greatest extent feasible, work within wetland habitats suitable for California black rail or Ridgway’s rail occupation would be limited to a work

³⁵ (2014) 223 Cal.App.4th 645, 656, fn. 8

³⁶ *Mission Bay All. v. Off. of Cmty. Inv. & Infrastructure* (2016) 6 Cal.App.5th 160, 185.

³⁷ DEIR at ES-6.

³⁸ *Id.*

³⁹ DEIR at 3-1, 2-86, 2-97.

⁴⁰ *Id.*

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window of September 1 through January 15, which is outside of the breeding season for these species.”

- **APM PALEO-2:** “A professional paleontologist would be retained to monitor initial ground-disturbing activities in areas mapped as Pleistocene alluvial fan deposits (Qpf) and Montezuma Formation (Qmz). Monitoring would entail the visual inspection of excavated or graded areas and trench sidewalls. If a paleontological resource is discovered, the paleontological monitor would have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. ”
- **APM FIRE-1:** “Construction Fire Prevention Plan. A Proposed Project-specific CFPP would be prepared and submitted to the CPUC for review prior to initiation of construction. ”

I-1-6

The Project’s reliance and incorporation of numerous APMs and CMs makes it impossible for decisionmakers and the public to evaluate the true extent of the Project’s environmental impacts under unmitigated and mitigated scenarios.⁴¹ It is also impossible to determine whether other mitigation measures would be more effective and should have been considered.⁴² The DEIR must be revised to reallocate APMs and CMs as mitigation measures under CEQA, and include the required level of disclosure of Project impacts before and after imposition of mitigation measures.⁴³

V. The DEIR Fails to Identify Feasible Mitigation Measures for Certain Significant and Unavoidable Impacts

The DEIR concludes that the Project will result in certain significant and unavoidable (“S&U”) impacts, including those pertaining to air quality, cultural and tribal resources, energy, GHG, and land use and planning. However, California courts have confirmed that a S&U impact determination does not excuse a lead agency from analyzing and adopting all feasible mitigation measures,⁴⁴ even if mitigation measures are incapable of reducing impacts to less-than-significant

I-1-7

⁴¹ *Cf.*, *Mission Bay Alliance*, 6 Cal.App.5th at 185-86 (2016) (upholding EIR that analyzed impacts both with and without implementation of a SFMTA special event transit service plan and applied the same threshold standards to determine the significance of those impacts.)

⁴² *Id.*

⁴³ See also *People ex rel. Bonta v. Cnty. of Lake*, 105 Cal.App.5th 1222, 1235–36 (2024) (“the County presents no industry standard modeling tools, no methodology or analysis for its conclusory findings, nor any other discussion of how the Wildfire Plan proposes to address the existing baseline conditions other than the Project design proposal itself. This is insufficient. *Failure to separately identify and analyze the significant impacts of the fire risk to the Project area and its baseline existing conditions before proposing mitigation measures violates CEQA.*”) (emphasis added).

⁴⁴ CEQA provides that a “public agency shall mitigate or avoid the significant effect on the environment of projects that it carries out or approves whenever it is feasible to do so.” (Pub. Res. Code § 21002.1(b).) “If, after the feasible mitigation measures have been implemented, significant effects still exist, a project may still be approved if it is found that the ‘unmitigated effects are outweighed by the project’s benefits.’” *Sierra Club v. County of Fresno*

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levels. While lead agencies are not required to adopt every mitigation measure or project alternative imaginable, lead agencies must respond to specific mitigation measures proposed in public comments.⁴⁵

I-1-7

Here, CAF questions whether the DEIR complies with CEQA by considering all feasible mitigation measures for S&U impacts. CAF recommends that the DEIR be revised to analyze whether the following mitigation measures (which have been incorporated for similar projects elsewhere in California) are feasible and can be implemented at the Project:

S&U Impact	Recommended Mitigation Measure
<p>Impact AQ-2 (Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment).</p> <p>“[C]onstruction of the 230 kV submarine segment in BAAQMD and SMAQMD jurisdiction would exceed both BAAQMD and SMAQMD thresholds and the project contribution to a cumulative impact would be considerable. MM AQ-2 requires the use of marine vessels equipped with Tier 3 engines, at a minimum, and Tier 4 engines contingent upon availability to reduce emissions of the ozone precursor NOx to the extent feasible. However, even after mitigation, the Proposed Project contribution to a cumulative impact in BAAQMD and SMAQMD would remain significant and unavoidable.”⁴⁶</p>	<p>There are additional mitigation measures that the DEIR should analyze to reduce the significance of this environmental impact, including but not limited to:</p> <ul style="list-style-type: none"> • Use of 2010 and newer truck models (e.g., material delivery trucks and soil import/export) or the use of trucks that meet EPA 2007 Model NOx emissions requirements if 2010 model year or newer diesel trucks cannot be obtained. <i>(Source: MM AQ-3 of the MESA 500-kv Substation Project.)</i>⁴⁷ • Offset NOx emissions that exceed applicable thresholds through the purchase of Emission Reduction Credits (ERC).⁴⁸ The total amount of NOx ERCs to be purchased determined by the CPUC after the construction schedule and operating conditions are finalized, based on estimates provided by the applicant as described above. <i>(Source: MM AQ-4 of the MESA 500-kv Substation Project.)</i>⁴⁹
<p>Impact BIO-1D (Have substantial adverse effects, either directly or through habitat modifications, on any bird species identified as candidate, sensitive, or special status species in</p>	<p>There are additional mitigation measures that the DEIR should analyze to reduce the significance of this environmental impact, including but not limited to:⁵¹</p>

I-1-8

I-1-9

(2018) 6 Cal.5th 502, 524.) Even if a project’s benefits outweigh its unmitigated environmental effects, CEQA requires agencies to implement all mitigation measures unless those measures are truly infeasible. *Id.* at 524–525.

⁴⁵ *League to Save Lake Tahoe v County of Placer* (2022) 75 Cal.App.5th 63, 160; *Los Angeles Unified Sch. Dist. v City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1029.

⁴⁶ DEIR at 4.3-51.

⁴⁷ https://ia.cpuc.ca.gov/environment/info/ene/esa/Docs/2017-08_Mesa_MMCRP_ver1_AttBCD.pdf

⁴⁸ See, e.g., Sacramento Metropolitan Air Quality Management District, *Current ERC Certificate Holders* (Oct. 16, 2025); available at

https://www.airquality.org/ProgramCoordination/Documents/Current_ERC_Certificate_Holders.pdf

⁴⁹ https://ia.cpuc.ca.gov/environment/info/ene/esa/Docs/2017-08_Mesa_MMCRP_ver1_AttBCD.pdf

⁵¹ See, e.g., Mulqueeny Ranch Wind Repowering Project, Final Subsequent Environmental Impact Report, Alameda County (Apr. 2021), available at

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S&U Impact	Recommended Mitigation Measure
<p>local or regional plans, policies, or regulations, or by the CDFW or USFWS).</p> <p>“PG&E’s proposed 500 kV lattice steel towers (LSTs) would be located within the SMUD Solano wind farm. LSTs have cross bars and framing that raptors and birds have been observed using for perching and nesting (Steenhof et al. 1993). Introduction of structures, like LSTs, that support raptor and avian perching and nesting in proximity to the existing wind turbines could result in increased avian collisions with the surrounding wind turbines, including potential special-status avian species mortality. The wind farm itself is already a significant source of avian mortality. <i>Because the impact on special-status birds is due to the nature/design of the proposed transmission structures within the wind farm, no mitigation is feasible to avoid special-status avian perching or nesting on the proposed LSTs.</i> Therefore, the impact from potential increased special-status avian interactions with the wind turbines from the use of LSTs within the windfarm would remain significant and unavoidable.”⁵⁰</p>	<ul style="list-style-type: none"> • Post-construction avian mortality monitoring. • Constructing additional nesting structures or platforms at sufficient distances away from the proposed LSTs and wind turbines. • Use of tubular steel poles for proposed overhead transmission lines instead of LSTs, to avoid new perching and nesting habitat. • Where feasible, siting LSTs on land not immediately adjacent to the upwind sides of ridge crests. • Rocks unearthed during the excavation process to be used during construction of foundations or hauled off site and disposed of properly, and not be left in piles near turbines. • Discourage small mammals and reptiles from burrowing under or near LST bases by placing gravel at least 5 feet around each tower foundation. • Reduced lighting of LSTs and related infrastructure unless required by FAA.

I-1-9

VI. The DEIR’s Climate Analysis Improperly Compartmentalizes GHG Emissions for Project Components to Reach a Less-Than-Significant Impact Determination

Climate change is inherently a cumulative problem. Climate change is not caused by any individual emission source but by a large number of sources emitting GHGs that collectively create a significant cumulative impact.⁵² Unlike other environmental media which are localized in nature (e.g., noise, dust), GHGs are emitted into the atmosphere where they absorb heat radiating from Earth’s surface, preventing it from being emitted into space. Indeed, the California Supreme Court has recognized that:

I-1-10

https://www.acgov.org/cda/planning/landuseprojects/documents/MulqueeneyRanch/Mulqueeney_FinalSEIR_ELECTRONIC.pdf; Mitigation Monitoring Program –Pacific Wind Energy Project Certified Final Environmental Impact Report, Kern County (2011), available at https://psbweb.kerncounty.com/planning/pdfs/eirs/PacWind/pac_wind_add4_keyhole_wind_appA.pdf

⁵⁰ DEIR at 4.4-102.

⁵² BAAQMD 2022 CEQA Guidelines at 3-5, available at https://www.baaqmd.gov/~/_media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqa-guidelines-chapter-3-thresholds_final_v2-pdf.pdf?rev=a976830cce0c4a6bb624b020f72d25b3&sc_lang=en.

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“... the fact that carbon dioxide and other greenhouse gases, once released into the atmosphere, are not contained in the local area of their emission means that the impacts to be evaluated are also global rather than local. *For many air pollutants, the significance of their environmental impact may depend greatly on where they are emitted; for greenhouse gases, it does not.*”⁵³

CEQA Guidelines Section 15064.4 requires lead agencies to consider the following factors, among others, when determining the significance of impacts from greenhouse gas emissions on the environment: “(i) [t]he extent to which *the project* may increase or reduce greenhouse gas emissions as compared to the existing environmental setting; (ii) [w]hether *the project* emissions exceed a threshold of significance that the lead agency determines applies to the project; [and] (iii) [t]he extent to which *the project* complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.”⁵⁴ Clearly, CEQA requires a EIR to analyze and disclose climate impacts from the entire project, not portions thereof.

I-1-10

Impact GHG-1 analyzes whether the Project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The DEIR acknowledges that construction of the Project would involve use of heavy equipment, vehicles, helicopters and watercraft, which would generate GHG emissions. Table 4.8-5 provides estimated annual construction-level GHG emissions for the Project, both in terms of total emissions and emissions for project components located in the jurisdiction of one of three air quality management districts: Bay Area Air Quality Management District (“BAAQMD”), Sacramento Metropolitan Air Quality Management District (“SMAQMD”), and Yolo Solano Air Quality Management District (“YSAQMD”).

Table 4.8-5 Proposed Project Construction Estimated Annual GHG Emissions by Jurisdiction

	CO ₂ (metric tons)	CH ₄ (metric tons)	N ₂ O (metric tons)	Total CO ₂ e (metric tons)
BAAQMD	10,159.33	0.30	0.36	10,274.71
SMAQMD	955.74	0.04	0.01	959.14
YSAQMD	46.15	<.01	0.00	46.76
Total combined	11,161.22	0.33	0.37	11,280.61

Although neither BAAQMD nor YSAQMD have adopted quantitative GHG emissions thresholds, the DEIR notes that:

“SMAQMD recommends an annual emissions threshold of 1,100 MTCO₂e per year for the construction. As shown in Table 4.8-5, construction activities

I-1-10

⁵³ *Ctr. for Biological Diversity v. Dep't of Fish & Wildlife*, 62 Cal. 4th 204, 219–20 (2015), as modified on denial of reh'g (Feb. 17, 2016)

⁵⁴ CEQA Guidelines Section 15064.4(b).

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within the SMAQMD (LSPGC submarine segment construction) are anticipated to generate approximately 959.14 MTCO_{2e}, which falls below the applicable significance threshold. Therefore, impacts would be less than significant.”⁵⁵

The DEIR unlawfully bifurcates GHG emissions on a location- and jurisdictional-basis to conclude that impacts will be less-than-significant. While it may be reasonable for the DEIR to analyze climate impacts using both quantitative (SMAQMD) and qualitative thresholds (BAAQMD and YSAQMD), nowhere does CEQA or the CEQA Guidelines allow an EIR to compartmentalize impact determinations for Project *components*. CEQA (including CEQA Guidelines Section 15064.4) concerns itself with climate impacts *of the Project*, i.e., the “whole of the action.” **Accordingly, the DEIR must be revised to disclose that the Project’s total annual construction emissions (11,280.61 metric tons of CO_{2e}) exceed SMAQMD’s quantitative threshold of significance (1,100 MTCO_{2e} per year).** The DEIR must also analyze feasible mitigation measures to reduce that potentially significance GHG impact, and revise its alternatives screening analysis to reflect this correction.

I-1-10

VII. The DEIR Engages in Improper Piecemealing by Foregoing Environmental Review of the Humboldt to Collinsville 500 kV Transmission Line

In its Scoping Comments,⁵⁶ CAF advised the CPUC that it would be engaging in piecemeal CEQA review if it does not treat the proposed 500 kV Transmission Lin between the Project and planned 500 kV Humboldt Substation (the “HVDC Line”) as a component of the Project. The DEIR disregards that admonishment by including the HVDC Line in the DEIR’s list of cumulative projects.⁵⁷

I-1-11

Under CEQA, lead agencies are prohibited from engaging in piecemeal environmental review (*i.e.*, chopping up a project into small pieces to under-emphasize the collective environmental impacts of the project).⁵⁸ CEQA requires a lead agency to consider “the whole of an action” when determining whether the action will have a potentially significant impact on the environment. Further, “[w]here 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

⁵⁵ *Id.* at 4.8-19

⁵⁶ See, Scoping Comments at 4.

⁵⁷ DIER at 4.0-8.

⁵⁸ CEQA requires a lead agency to consider “the whole of an action” when determining whether the action will have a potentially significant impact on the environment. CEQA Guidelines § 15378; see also *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214, 1223 (“the requirements of CEQA cannot be avoided by chopping up proposed projects into bite-size pieces which, when taken individually, may have no significant adverse effect on the environment.”) Improper piecemealing occurs “when the purpose of the reviewed project is to be the first step toward future development,” or “when the reviewed project legally compels or practically presumes completion of another action.” *Banning Ranch Conservancy*, 211 Cal.App.4th at 1223.

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address itself to the scope of the larger project.”⁵⁹ Improper piecemealing occurs “when the reviewed project legally compels or practically presumes completion of another action.”⁶⁰

Here, the HVDC Line proposes to interconnect the Project with the proposed 500 kv Humboldt Substation. The location of the Project inherently pre-determines the distance and path of the HVDC Line. Indeed, the CAISO 2024-2025 Transmission Plan refers to the HVDC Line (as Project 13 – “New Humboldt 500 kV Substation *with 500 kV line to Collinsville*”) and confirms the Line will span approximately 274 miles.⁶¹ The HVDC Line *cannot operate independently* from the Substation project, and the Substation’s location in Collinsville predetermines the corridor of the HVDC line. Therefore, the Project is “the first step towards future development,” and practically “presumes completion of” the HVDC Line. Accordingly, the EIR must analyze the Collinsville Substation and the HVDC Line together as a single “project” for purposes of CEQA.

I-1-11

VIII. The CPUC Has Failed to Consult With All Agencies Having Jurisdiction Over the Project

The CEQA Guidelines include specific and mandatory requirements for lead agencies to consult with responsible and trustee agencies.⁶² Immediately after a lead agency determines that an EIR is required for a project, the lead agency must prepare and circulate a NOP stating that an environmental impact report will be prepared. The NOP must be sent to each responsible and trustee agency and be filed with the county clerk’s office.⁶³ Within thirty (30) days of receiving an NOP, responsible and trustee agencies must provide the lead agency with “specific detail about the scope and content of the environmental information related to the responsible or trustee agency’s area of statutory responsibility that must be included in the draft EIR.”⁶⁴ Lead agencies must also consult with and request comments on the draft EIR from responsible agencies, trustee agencies, and agencies having jurisdiction with respect to the project or affected resources.⁶⁵

I-1-12

According to the Scoping Report (DEIR, Appendix B), the CPUC has not fully complied with these mandates by failing to consult with the following agencies:

- Alameda County – the Project Description expressly defines the Project as a 500/230 kV Substation Project located in Solano, Sacramento, and Alameda counties. Specifically, modifications to PG&E’s existing Tesla Substation in Alameda County would occur within

⁵⁹ CEQA Guidelines § 15165.

⁶⁰ *Banning Ranch Conservancy*, 211 Cal.App.4th at 1223 (citations omitted)

⁶¹ CAISO, 2024-2025 Transmission Plan at 190.

⁶² A “responsible agency” includes any agency which proposes to carry out or approve a project, for which a lead agency is preparing or has prepared an EIR or negative declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the lead agency which have discretionary approval power over the project. “Trustee agency” means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.

⁶³ CEQA Guidelines § 15082(a).

⁶⁴ CEQA Guidelines § 15082(b).

⁶⁵ CEQA Guidelines § 15086(a).

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the substation fence line.⁶⁶ Yet, the record does not demonstrate that the CPUC has satisfied its obligation to consult with the County.⁶⁷

- YSAQMD - As noted above, the DEIR's GHG analysis evaluated Project climate impacts against thresholds of significance for three AQMDs (BAAQMD, SMAQMD and YSAQMD), given the Project spans across the jurisdiction of each. However, according to Table 2-2 of the Scoping Report, only BAAQMD and SMAQMD were sent a copy of the NOP. The CPUC is required to consult with YSAQMD, an agency with jurisdiction with respect to resources impacted by the Project.⁶⁸

I-1-12

IX. Conclusion

CAF appreciates the opportunity to submit comments on the DEIR, and respectfully requests that the CPUC and LS Power take these comments into consideration to achieve a legally adequate environmental document under CEQA.

Sincerely yours,

HOLLAND & KNIGHT LLP



Jennifer L. Hernandez
Kevin J. Ashe

⁶⁶ DEIR at ES-1, 1-3.

⁶⁷ DEIR Appendix B at 6-7.

https://ia.cpuc.ca.gov/environment/info/panoramaenv/collinsville/DEIR/Collinsville_Draft%20EIR_Appendix%20B_Scoping%20Report.pdf

⁶⁸ *Id.*

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Response to Letter I-1: Jennifer L. Hernandez and Kevin J. Ashe, Holland and Knight LLP, on behalf of California Forever LP

I-1-1 Holland and Knight LLP, on behalf of California Forever LP (CAF) states that the Draft EIR does not adequately consider the alternatives immediately adjacent to PG&E's Pittsburg Station collectively referred to as the "Pittsburg Alternatives," which CAF deems environmentally superior to the Proposed Project. CAF notes their scoping comment letter, which the CPUC considered when preparing the Alternatives Screening Report (Appendix C) and Draft EIR. CAF claims the Pittsburg Alternatives were improperly screened and rejected by the CPUC and calls for revisions to the Draft EIR including a complete analysis of the Pittsburg Alternatives.

CAF's comment regarding the CPUC's alternative selection process and analysis are addressed in response to comments I-1-2 and I-1-3.

I-1-2 CAF questions whether the CPUC incorrectly screened Collinsville Substation North of Pittsburg Substation (Site D) and Collinsville Substation South of Pittsburg Substation (Site E) (the Pittsburg Alternatives) from detailed evaluation in the Draft EIR, particularly with respect to the duration of submarine cable installation. CAF also questions how the project objectives were considered during the screening process, as well as information presented about the project schedule.

Detailed information about the process the CPUC used to screen potential alternatives is included in Alternatives Screening Report, included as Appendix C to the Draft EIR. Notably, both of the Pittsburg Alternatives were developed in response to scoping comments from CAF, which requested consideration of an alternative substation location south of the Delta near the existing Pittsburg Substation site. The Alternatives Screening Report provides a thorough discussion of the rationale for eliminating the Pittsburg Alternatives from further consideration in the Draft EIR due to technical infeasibility.

Subsequent to publication of the Draft EIR, the CPUC conducted additional coordination with LSPGC and PG&E to evaluate, clarify, and update the alternatives screening information for the Pittsburg Alternatives (see CPUC Data Request #14, which is available through the project website at <https://ia.cpuc.ca.gov/environment/info/panoramaenv/collinsville/index.html>). The information provided by LSPGC and PG&E has been incorporated into these responses to comments and the Revised Draft EIR to provide additional details clarifying the infeasibility of the alternative in accordance with the CEQA Guidelines.

CAF asserts that the CPUC over-emphasized the importance of achieving a commercial operation date of "May [sic] 2028." While one of the basic project

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objectives includes achieving commercial operation by June 2028, as stated in the Alternatives Screening Report (page 7), “Alternatives that would result in delays, but would otherwise meet project objectives, are determined to meet most project objectives.” Further, as stated on pages 44 and 46 of the Alternative Screening Report, both of the Pittsburg Alternatives were “considered potentially able to meet most basic project objectives by providing a new source of 500 kV power into the Bay Area.” Thus, the CPUC did not over-emphasize the importance of achieving a June 2028 commercial operation date in rejecting the Pittsburg Alternatives. The duration of cable installation was also not a basis for rejecting either of the Pittsburg Alternatives. Therefore, CAF’s questions regarding the duration of construction are irrelevant to the alternative screening analysis, and no changes to the EIR are required.

I-1-3

CAF challenges the CPUC’s assertion that the Pittsburg Alternatives are not technically feasible and claims the Draft EIR provides no evidence that supports this conclusion. CAF claims there is “substantial evidence” which indicates that submarine 500 kV cables have been deployed at other high voltage transmission projects. CAF also notes that the screening analysis states that the South of Pittsburg Substation Alternative “would prevent any future lines from being able to access the Collinsville Substation, including any required upgrades, which would constrain operation and expansion of this substation.” CAF claims this too is an invalid basis for elimination of the alternative, and none of the project objectives specify goals related to future expansion or creating additional capacity.

As a preliminary matter, most of the example 500 kV submarine cable projects CAF lists are high voltage direct current (HVDC) submarine cables, which are fundamentally different from high voltage alternating current (HVAC) systems like the Proposed Project in terms of design, operation, equipment, requirements, conversion terminals, and commercial availability. The Collinsville Substation Project is an AC transmission project and would require HVAC submarine cables to cross the Delta. The only project from CAF’s list that is relevant is the Ningbo-Zhoushan 500 kV submarine cable project in China. The project has only been in operation since 2019 and is recognized as the first-of-its kind of 500 kV HVAC submarine cable technology. Publicly available information indicates that this cable type has only been installed by Zhejiang Electric Power Corporation and operated by the State Grid Corporation of China⁵ thus far, reflecting very limited global capability. While this demonstrates that a 500 kV HVAC submarine cable does exist, the technology has extremely limited deployment history, minimal supplier availability, and no track record of commercial use at scale. Accordingly, the existence of the Ningbo-Zhoushan 500 kV submarine cable

⁵ <https://www.power-technology.com/marketdata/ningbo-zhoushan-line-china/?cf-view>

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project does not overcome the CPUC's conclusion that the Pittsburg Alternatives are technologically infeasible.

PG&E as the owner of the existing 500 kV line would be responsible for constructing the interconnection to the Collinsville Substation. Under both of the Pittsburg Alternatives, the 500 kV submarine cable would be constructed and owned by PG&E. In response to CPUC Data Request #14, PG&E stated "The usage of 500kV AC lines are limited due to power losses and complexity. As far as PG&E could determine, there is only one 500 kV submarine cable in the world, and that is the one in China...PG&E knows of no 500 kV AC submarine cables in the U.S. that would be similar." Due to the very limited potential market for 500 kV AC submarine cables (one installation in the world) and lack of any domestic experience installing 500 kV submarine cables, the alternative is considered commercial nonviable and technically infeasible. Pages 44 through 48 of the Alternative Screening Report have been updated to reflect the single example of a 500 kV AC submarine cable in China and lack of any 500 kV AC submarine cables in the U.S.

The CPUC's decision to reject the Pittsburg Alternatives based on technical infeasibility remains valid. The Alternatives Screening Report in the Revised Draft EIR (Appendix C) has been revised as follows on pages 44 through 48, with similar revisions to the descriptions for both Pittsburg Alternatives (Sites D and E) but shown here for Site D:

Collinsville Substation North of Pittsburg Substation (Site D)

Description

The alternative substation site D involves a different location for the Collinsville Substation, approximately 4.1 miles southwest of the proposed substation site on the south side of the Delta (Figure 11). The alternative substation site D would be located at an abandoned PG&E power plant immediately north of the existing Pittsburg Substation. The 500 kV interconnection lines would extend from PG&E's existing Vaca Dixon-Tesla 500 kV Transmission Line for a total corridor distance of roughly 6.5 miles, with approximately 1.6 miles in the overhead position and 5.9 miles in the submarine position.⁶ The 230 kV underground segment would extend from the alternative substation site to the southwest side of Pittsburg Substation for approximately 0.8 mile. This alternative was developed in response to scoping comments from California Forever, which requested consideration of an alternative

⁶~~Under the alternative substation site D scenario, the total length of the 500 kV overhead lines would be at least two times greater than the corridor length. Each circuit of the 500 kV submarine lines would include 6 cables; therefore, the total length of the 500 kV submarine cables would be approximately 12 times greater than the corridor length.~~

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substation location south of the Delta near the existing Pittsburg Substation site.

Consideration of CEQA Criteria

Project Objectives

The alternative proposes a new substation site. It is expected that two seasonal windows would be required to install at least 6 and up to 10, 500 kV submarine cables, which would cause the cable installation to occur at least a year later and after the May 2028 CAISO operational date.⁷ ~~However, the~~ alternative is considered potentially able to meet most basic project objectives by providing a new source of 500 kV power into the Bay Area.

Technical, Legal, and Regulatory Feasibility

Submerged 500 kV transmission cables are not commercially ~~available~~ viable. There is evidence of a single 500 kV AC submarine cable installed in China; however, neither LSPGC nor PG&E have any experience with the technology, and there are no domestic examples of a 500 kV AC submarine cable; therefore, there is unlikely to be any U.S. capacity or worker experience to support such an installation and this unproven technology is considered technically infeasible in the U.S. Due to the need for dual landing points on the north shore, two separate 500 kV corridors would be required to avoid the wind turbine throw-distance buffers. ~~Further, the combination of 500 kV and 230 kV duct banks needed for the Proposed Project and the existing Transbay duct banks would completely encircle the substation due to spacing needed between each of the duct. This would prevent any future lines from being able to access the Collinsville Substation, including any required upgrades, which would constrain operation and expansion of this substation. Accordingly, this alternative would not meet the technical feasibility criteria as the technology for a buried submarine 500 kV AC line is not commercially viable.~~

~~Planning for a housing development the Bay Walk Mixed Use Project at alternative substation site D is in progress by Lennar Homes-Integral Communities and is supported by the City of Pittsburg (refer to EIR Section 4.0). Development of a substation at this location would conflict with the proposed development plans; however, for purposes of this~~

⁷ For example, the installation of the 4, 230 kV submarine cables for the Proposed Project is expected to take approximately 3 months, which would occur during a 4-month regulatory work-window (between July 1 and October 31) when listed fish are least likely to be present. Therefore, installing 6 cables or more would exceed the annual work window duration.

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analysis it is possible the alternative could meet legal feasibility criteria due to CPUC overriding jurisdiction.

As similar to the Proposed Project, LSPGC or PG&E would obtain any necessary permits, licenses, or certifications required prior to construction and operation of the Proposed Project. Accordingly, this alternative would meet regulatory feasibility criteria.

Environmental Feasibility

Environmental Advantages

The environmental advantages of this alternative by resource area topic are as follows:

- **Agriculture:** The alternative would avoid development of the substation on areas zoned for agricultural use.

Environmental Disadvantages

The potential disadvantages of this alternative by resource area topic are as follows:

- **Air Quality/GHG:** This alternative would require an increase in cut/fill values due to the likely contamination at this site, which would lead to an increase in emissions during construction.
- **Biological Resources.** The increased number of cables crossing the Delta would have greater potential for impacts on fish and marine mammals. The alternative would also require more LSTs, which would result in greater potential for avian interactions with wind turbines.
- **Hazards and Hazardous Materials:** Under this alternative, the proposed LSPGC Collinsville Substation would be developed on the abandoned PG&E Power Plant site; accordingly, there is a high probability of contamination at the site, which would require remediation.
- **Mineral Resources:** Additional submarine cables would have a significantly greater impact on sand mining lease areas.

Conclusion

ELIMINATED. Alternative substation site D is eliminated from further analysis because it would not be technically feasible. This alternative has therefore been eliminated from full analysis in the EIR.

I-1-4

CAF states the Alternatives Screening Report acknowledges the Pittsburg Alternatives would avoid significant impacts on agricultural resources of the Proposed Project, but ignores other impact areas including aesthetics, biological

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resources, geology and soils, cultural and tribal resources, land use/planning, and wildfire risks and public safety.

The environmental feasibility discussion of alternatives considered in the Alternatives Screening Report was based on a preliminary screening of environmental impacts identified prior to the completion of the full environmental impact analysis presented in the Draft EIR. Only the Proposed Project and the selected alternatives are analyzed in the Draft EIR, and the Pittsburg Alternative was rejected by the CPUC due to technical infeasibility. See the response to comment I-1-3. Furthermore, the comment suggests that all of the referenced impacts associated with the Proposed Project would be avoided by the Pittsburg Alternatives; however, the overhead portion of a 500 kV interconnection line on the north side of the Delta would result in similar impacts as the Proposed Project including migratory bird impacts within the wind farm. With the two Pittsburg Alternatives, the Proposed Project substation site and the 230 kV overhead segment would be replaced with a substantially expanded 500 kV line. Terrestrial impacts north of the Delta would be avoided only at the proposed substation site where no significant and unavoidable impacts were documented in the Revised Draft EIR. Impacts along the proposed 230 kV overhead segment would roughly double because the single set of 230 kV structures would be replaced with two sets of 500 kV transmission structures. In addition, a 500 kV submarine segment interconnection would involve approximately 6 to 10 cables whereas the Proposed Project would involve 4 cables. Therefore, the Pittsburg Alternatives would result in greater significant and unavoidable impacts on cultural and tribal cultural resources at the on land transition point as well as impacts on fish and marine mammals and significant and unavoidable impacts on sand and gravel mining areas within the Delta. In addition, there is evidence of contamination immediately south of the Pittsburg Substation (refer to Table 4.9-1 in revised Draft EIR Section 4.9). Substantial excavation as required to construct a new substation would have a much greater potential to encounter contaminated soils or groundwater at the Pittsburg Alternative sites. No changes to the EIR are required.

- I-1-5 CAF claims that the Draft EIR includes artificially narrow project objectives that do not comply with CEQA. In so doing, CAF cites only to LSPGC's project objectives and ignores the fact that the Draft EIR includes a separate list of CPUC-developed project objectives, which were exclusively used to evaluate the feasibility of alternatives, as explained below.

Section 3.2 of Alternatives Screening Report and the Draft EIR (Section 1 among other locations) clearly defines the detailed project objectives identified by LSPGC ("LSPGC Project Objectives") and also "Basic Project Objectives" the CPUC developed from LSPGC's project objectives. These same objectives are set forth in Draft EIR Section 1.1. The basic project objectives are appropriately

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broad and focused on the core objectives associated with the CAISO's determination that the project is needed. The CPUC considered these objectives when screening alternatives consistent with the CEQA guidelines. As described in the Alternatives Screening Report, 14 alternatives were considered and 5 were selected representing a range of meaningful alternatives that met the CPUC's screening criteria. See also response to comment I-2. Both Pittsburg Alternatives (Sites D and E) were found to meet the basic objectives but were rejected from additional consideration in the DEIR on technical infeasibility grounds. No changes to the EIR are required.

I-1-6

CAF asserts that the Draft EIR's discussion of LSPGC's applicant proposed measures ("APMs") and PG&E's construction measures ("CMs") results in confusion for decisionmakers and the public. CAF relies, in part, on *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645 ("*Lotus*") and *Mission Bay Alliance v. Off. Of Cmty. Inv. & Infrastructure* (2016) 6 Cal.App.5th 160 ("*Mission Bay Alliance*") to support the comment's contention that incorporating the APMs and CMs into the Proposed Project "completely obscures" the project's "true" environmental impacts. As explained below, the Draft EIR's discussion of APMs, CMs, and mitigation measures is fundamentally different from the approach the court in *Lotus* critiqued in several critical ways. Ultimately, the Draft EIR's approach is transparent and clearly sets forth the impacts of the Proposed Project before and after mitigation.

In *Lotus*, the court of appeal found two basic flaws with Caltrans' CEQA analysis of the impacts of a highway construction project. First, the EIR did not include any significance thresholds or standards by which to measure the significance of the impacts. This resulted in a failure to include "any information that enables the reader to evaluate the significance of" the project's impacts. (*Lotus, supra*, 223 Cal.App.4th at p. 654.) Second, in *Lotus*, the EIR failed to identify the significance of the project's impacts before mitigation; instead, it simply assumed incorporation of all "avoidance, minimization and/or mitigation measures" together to conclude that impacts would be less than significant. (*Id.* at p. 655.) The court found that this "structural deficiency" subverted CEQA by precluding "identification of potential environmental consequences arising from the project and also thoughtful analysis of the sufficiency of measures to mitigate those consequences." (*Id.* at p. 658.)

Here, by contrast, the Draft EIR includes clear significance thresholds by which the significance of project impacts are measured. CAF does not allege otherwise. Moreover, the EIR clearly identifies the significance of the project's impacts both before and after mitigation. For example, the Draft EIR's analyzes Impact AQ-2 (whether the Proposed Project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard) by showing,

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first, the Proposed Project's uncontrolled construction emissions, in Table 4.3-16. Next, in Table 4.3-17, the analysis provides project emissions with the implementation of APM AIR-1 and CM AIR-1. Finally, because average daily construction emissions of NO_x would still exceed thresholds in 2027, the Draft EIR prescribes two mitigation measures, MM AQ-1 and MM AQ-2, and presents emissions after implementation of mitigation in Tables 4.3-19 and 4.3-20. The Draft EIR also includes a summary table at the beginning of every impact analysis that identifies the threshold of significance, which APMs/CMs apply, the significance of the impact before mitigation, and the significance of the impact after mitigation, e.g., Table 4.3-15.

Unlike in *Lotus*, characterizing the APMs and CMs as part of the Proposed Project does not, as the commenter suggests, interfere with the Draft EIR's characterization of the environmental impact or the analysis of measures to mitigate those impacts. In fact, the court in *Mission Bay Alliance*, which the commenter cites, recognized that characterizing certain features as part of a project does not violate CEQA where, as here, the analysis clearly explains impacts with and without those project features and with and without mitigation measures. (*Mission Bay Alliance*, *supra*, 6 Cal.App.5th at pp. 185-186.)

Further, the fact that the EIR distinguishes APMs and CMs from mitigation measures is not a structural deficiency; it is a CEQA requirement. Section 15126.4(a)(1)(A) of the CEQA Guidelines provides that an EIR's "discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project..." In compliance with this guidance, the EIR first identifies those measures proposed by LSPGC and PG&E – the APMs and CMs, respectively. Next, the EIR analyzes the significance of the project impacts assuming implementation of those APMs and comes to a clear conclusion based on the articulated thresholds. Finally, if the impact would be significant, the EIR identifies mitigation measures to avoid or reduce the impact to the extent feasible. This is not a "mischaracterization of project feature and mitigation measures" as the commenter contends, nor does it obscure the project's true environmental impacts. It is clear from the EIR's structure, as well as its analysis, that the EIR appropriately assumes implementation of measures that were proposed by the project proponent(s) as part of the project. Then, after coming to a conclusion about the project's significance with implementation of the APMs and CMs, the EIR identifies additional mitigation measures, if required, that would be included as conditions of approving the project. Additionally, as explained in section 2.13, "APMs that are not superseded will be incorporated into the Mitigation Monitoring and

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Reporting Plan (MMRP) and will become conditions of project approval.” This is precisely what CEQA requires.

Finally, and unlike in *Lotus*, none of the comments received on the Draft EIR suggest any confusion about the project’s impacts before or after mitigation.

In addition, as stated on page 2-91 of the EIR “APMs that are not superseded will be incorporated into the Mitigation Monitoring and Reporting Plan (MMRP) and will become conditions of project approval.” Therefore, APMs will be enforced in the same manner as mitigation measures and are binding on the Applicant.

For all of the reasons above, the Draft EIR’s discussion of APMs, CMs, and mitigation measures complies with CEQA.

I-1-7 CAF states that the Draft EIR has not analyzed all feasible mitigation measures that could be used to address significant and unavoidable impacts presented in the Draft EIR. CAF recommends that the Draft EIR be revised to analyze whether the mitigation measures described in comment I-1-8, below, which CAF states have been incorporated for similar projects elsewhere in California, are feasible and can be implemented.

The Draft EIR considered all potentially feasible mitigation measures before determining any impact was significant and unavoidable. Refer to the response to comments I-1-8 and I-1-9 below regarding the CAF-recommended mitigation measures.

I-1-8 CAF recommends additional mitigation measures for Impact AQ-2 (cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment) to reduce NO_x emissions during construction, including restricting the use of on-road diesel trucks to 2010 model year or newer vehicles and purchasing Emission Reduction Credits (ERCs). The CPUC has reviewed these suggestions and determined that they are not appropriate or warranted for this project, for the following reasons:

First, the primary source of NO_x emissions during construction is marine vessel operations, not overland haul trucks. As explained in the Draft EIR on page 4.3-30:

As shown in Table 4.3-16, uncontrolled emissions of NO_x would exceed thresholds in 2027. LSPGC has proposed APM AIR-2, and PG&E has proposed CM AIR-1, which requires use of off-road construction equipment equipped with Tier 4 engines. Table 4.3-17, below, provides project emissions in BAAQMD with the implementation of APM AIR-1 and CM AIR-1. While APM AIR-1 and CM AIR-1 would reduce Project emissions within BAAQMD,

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average daily emissions of NO_x would still exceed thresholds in 2027, which would be a significant impact. The most significant source of NO_x emissions in 2027 is marine vessels used for installation of the 230 kV submarine segment, and peak emissions during 2027 are concentrated in the 122 workdays during which the 230 kV submarine segment would be installed. Table 4.3-18, below, provides the Proposed Project emissions during and outside of this 122-day peak emissions period.

The Proposed Project emissions would only exceed the NO_x threshold during the installation of the LSPGC 230 kV submarine segment. To reduce the impact from NO_x emissions, MM AQ-2 (refer to Section 4.3.14) requires use of marine vessels equipped with Tier 4 or, at minimum, Tier 3 engines, depending upon availability at the time of construction⁸. Table 4.3-19 presents the average daily emissions from operation of marine vessels for submarine segment construction (exclusive of other construction activities) before mitigation (uncontrolled) and after MM AQ-2 (controlled) averaged over the 122 days of LSPGC 230 kV submarine cable installation. The emissions from the submarine segment construction alone would exceed the BAAQMD NO_x threshold of 54 lbs./day.

This analysis clearly demonstrates that the exceedance is due to the submarine cable alone and the measures recommended by CAF are already included in APM AIR-1 and CM AIR-1. The NO_x exceedance involves tugboats and barges operating on the Sacramento River. These vessels are regulated under different federal standards, and their emissions profiles cannot be mitigated through on-road fleet restrictions. As such, the suggestion to require only 2010+ model year diesel trucks would not address the primary source of emissions and the use of Tier 4 engines was already incorporated as an APM and CM for the project.

Second, appropriate and feasible mitigation is already included in the EIR. Marine emissions are mitigated through implementation of the cleanest available U.S. EPA Tier 3 and Tier 4 engines and construction scheduling designed to limit

⁸ While marine vessels with Tier 4 engines are commercially available, they are operational in California to a limited extent (CARB 2024, tbl. ES-2), and LSPGC's inquiries have indicated there is currently one marine vessel equipped with a Tier 4 engine in the greater San Francisco Bay Area. Additionally, availability of Tier 4 marine vessels for Proposed Project activities would be limited by the need to avoid introduction of invasive marine species into the Delta (see Section 3.4 Biological Resources). The analysis therefore conservatively assumes use of Tier 3 engines as marine vessels with Tier 4 engines may not be available at the time of construction.

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operating time and idling. These measures directly target the actual emissions sources and are enforceable through construction contracts.

Third, in response to Sacramento Metropolitan Air Quality Management District (SMAQMD) comments, MM AQ-2 is revised as noted in response to comment AL-2-2.

In the Bay Area Air Quality Management District (BAAQMD), which covers the majority of the project area, there is no regulatory requirement or available off-site mitigation program for temporary construction-related NO_x emissions. CEQA does not require a project to adopt mitigation beyond what is necessary to reduce impacts to a less-than-significant level or beyond what is feasible under current regulatory frameworks. CAF's suggestion to require the purchase of ERCs—used primarily for long-term stationary sources—is not applicable here and would impose an excessive and unsupported mitigation burden. (See CEQA Guidelines § 15041, subd. (a) [“A lead agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus” and “rough proportionality” standards established by case law”].)

Finally, while the commenter cites mitigation used in the MESA 500-kV Substation Project, CEQA requires project-specific analysis, not rote application of measures from unrelated projects. The MESA project differs in location, regulatory context, emissions sources, and construction methods. Copying its mitigation approach without regard to these differences is neither appropriate nor required.

In summary, the project's emissions sources have been accurately identified and mitigated to the extent feasible and required by law. The additional measures suggested by the commenter have been considered and rejected on the basis of ineffectiveness, infeasibility, and lack of regulatory support. No changes to the EIR are warranted in response to this comment.

I-1-9

CAF recommends mitigation measure concepts to address significant and unavoidable impacts identified in the Draft EIR associated with the PG&E 500 kV LSTs for Impact BIO-1D (substantial adverse effects, either directly or through habitat modifications, on any bird species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS). CAF provides an additional mitigation measure for the Proposed Project aimed at reducing impacts to biological resources. The proposed mitigation measure concepts are listed below (*in italics bold text*) with a response to each:

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- ***Post-construction avian mortality monitoring.*** Monitoring avian mortality would not reduce or avoid the impacts described in the Draft EIR, nor are there feasible actions that could be applied to the operation of LSTs to reduce mortality. The impact identified involves a potential increase in avian activity near existing wind turbines, and potential for mortality is due to wind turbine strike which could be reduced by temporarily suspending wind turbine operations. Because avian mortality caused by the Project would be due to stationary structures, there is no way to temporarily avoid the Projects impacts. Separately SMUD is required to conduct avian mortality monitoring for operation of the Solano Wind Farm and duplicative monitoring of avian mortality would not reduce impacts. The potential for increased avian mortality within the windfarm and effects to windfarm operation are already discussed in the Draft EIR impact analysis.
- ***Constructing additional nesting structures or platforms at sufficient distances away from the proposed LSTs and wind turbines.*** There is a lack of available land, as well as rights to land, in the vicinity of the wind farm to attempt such mitigation. Creating additional nesting opportunities in the area could result in additional avian activity in the area, and the movement range of avian species varies widely with the range of raptors extending up to several miles. Further, creating additional artificial nesting sites may not be effective and would not remove the created nesting and perching habitat created by the transmission structures.
- ***Use of tubular steel poles for proposed overhead transmission lines instead of LSTs, to avoid new perching and nesting habitat.*** This suggestion to replace LSTs with tubular steel poles is addressed in full in Alternative 3, as described in the Draft EIR. The CPUC typically does not consider significant changes to proposed structure types suitable for a mitigation measure because the change in structure types in this case would result in substantially more poles; therefore, this concept was evaluated as an alternative. As discussed in Table 6.4-4, “Alternative 3 avoids introduction of LSTs and would avoid the significant and unavoidable indirect impact from special-status bird mortality within the adjacent wind farm. Impacts on biological resources would be less than significant with mitigation.”
- ***Where feasible, siting LSTs on land not immediately adjacent to the upwind sides of ridge crests.*** Similar to the prior response, the CPUC typically does not consider significant changes to proposed project feature locations suitable for a mitigation measure. Instead, such considerations are addressed as alternatives when appropriate. The reduction in the total LSTs and the relocation of the 500 kV interconnection is already addressed by the alternatives analyzed in the

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Draft EIR, including Alternatives 1, 2, and 3, which do not include any LSTs.

- ***Rocks unearthed during the excavation process to be used during construction of foundations or hauled off site and disposed of properly, and not be left in piles near turbines.*** A mitigation measure addressing this topic is not applicable to the project nor impacts on avian species related to LSTs raised by the comment. No significant impacts would occur from encountering rocks during excavation, and during construction as all excavation waste material would either be used or hauled off site.
- ***Discourage small mammals and reptiles from burrowing under or near LST bases by placing gravel at least 5 feet around each tower foundation.*** A mitigation measure addressing this topic is not applicable to impacts on avian species related to LSTs raised by the comment. The impact associated with LSTs is related to a potential increase in avian activity near wind turbines by creating nesting and perching habitat on the LSTs. The recommended measure would have no effect on nesting or perching.
- ***Reduced lighting of LSTs and related infrastructure unless required by FAA.*** A mitigation measure addressing this topic is not applicable to impacts on avian species related to LSTs raised by the comment, and no lighting of LSTs is proposed nor required by FAA. The impact associated with LSTs is related to a potential increase in avian activity near wind turbines by creating nesting and perching habitat. The recommended measure would have no effect on nesting or perching.

As described above, the CAF-recommended mitigation measures are either not applicable, are infeasible, would not address the impact identified, or have already been addressed in the Draft EIR, such as through the development and analysis of alternatives. No changes to the EIR are needed to address this comment.

I-1-10

CAF asserts that the analysis of greenhouse gas emissions presented in the Draft EIR are compartmentalized per Proposed Project component in order to reach a less than significant impact determination. CAF asserts that the Draft EIR improperly “compartmentalizes” greenhouse gas (GHG) emissions by project component in order to reach a less than significant impact determination and further argues that CEQA requires analysis of the project’s total GHG emissions using a single quantitative threshold. CAF contends that because the project’s total annual construction emissions are estimated at 11,280.61 metric tons of CO₂e, the Draft EIR must apply SMAQMD’s 1,100 MTCO₂e/year threshold to the project as a whole and conclude that impacts are significant.

This assertion is based on an incorrect characterization of the Draft EIR’s methodology. The GHG analysis does not compartmentalize emissions by

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project component, applicant, utility, or contractor. Rather, the Draft EIR quantifies and discloses total construction-related GHG emissions for the entire project, including emissions from all equipment types, construction activities, and project elements, consistent with CEQA Guidelines section 15064.4(a)(1), which requires consideration of the extent to which a project may increase GHG emissions relative to the existing environmental setting.

After disclosing total project-wide construction emissions, the Draft EIR evaluates the significance of those emissions by applying the thresholds and analytical frameworks applicable to the air quality management district *in which the emissions would occur* because the project spans multiple air districts with differing regulatory guidance. This approach reflects regulatory reality, not project segmentation. Specifically:

- For construction activities occurring within the SMAQMD, the Draft EIR applies SMAQMD's recommended construction threshold of 1,100 MTCO₂e per year.
- For construction activities occurring within the Bay Area Air Quality Management District (BAAQMD) and the Yolo Solano Air Quality Management District (YSAQMD), which have not adopted quantitative thresholds for construction-related GHG emissions, the Draft EIR appropriately relies on a qualitative consistency analysis, evaluating whether the project would conflict with applicable statewide GHG reduction plans and policies, including the CARB Scoping Plan and the targets established by SB 32.

This approach is consistent with CEQA Guidelines section 15064.4(a)(2) and (3), which allows lead agencies to determine significance using a combination of quantitative thresholds, where available, and consistency with adopted plans and regulations. CEQA does not require a single numeric threshold to be applied to an entire project when such a threshold has been developed by a specific air district for use in evaluating emissions occurring within its own jurisdiction.

To apply SMAQMD's construction threshold to all project emissions regardless of where those emissions occur, as suggested by the commenter, would be inappropriate and inconsistent with CEQA as the majority of the emissions would occur within BAAQMD jurisdiction. Applying a district-specific threshold outside the geographic and regulatory context for which it was developed would disregard the discretion afforded to lead agencies and the expertise of the air districts themselves.

In addition, consistent with CEQA practice and guidance from the California Air Pollution Control Officers Association (CAPCOA), construction-related GHG emissions may be amortized over the expected life of the project to provide a

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more meaningful basis for comparison to long-term GHG-emissions reduction goals. Amortization reflects the fact that construction emissions are temporary and nonrecurring whereas statewide targets such as those established by SB 32 and the CARB Scoping Plan are framed in terms of annual emissions. The total project emissions amortized over a 30-year project lifespan would result in an annual contribution of approximately 376 MTCO₂e per year, which is well below the 1,100 MTCO₂e/year threshold recommended by SMAQMD even if the SMAQMD numeric threshold were applied.

In summary, the Draft EIR fully discloses total project construction GHG emissions and evaluates their significance using the appropriate thresholds and analytical frameworks applicable to each jurisdiction. The analysis complies with CEQA, and no revisions to the EIR are required in response to this comment.

I-1-11

CAF states that the CAISO-identified 500kV transmission line connecting the Humboldt Station and the Collinsville Station (HVDC line) should have been analyzed as a component of the Proposed Project. CAF goes on to assert that the Draft EIR analysis is committing “piecemealing” by including analysis of the HVDC line as a cumulative project.

As a preliminary matter, “piecemealing” occurs when an agency splits a project into multiple segments to avoid analyzing the impacts that would occur from the “whole of the action.” (CEQA Guidelines, § 15378, subd. (a).) CEQA requires that a project description include all relevant parts of a project, including future expansion or later phases of the project that will foreseeably result from project approval. The test for determining whether a future activity must be included in an EIR’s project description is (1) whether the environmental effects of future expansion or other action is “a reasonably foreseeable consequence of the initial project;” and (2) whether the future expansion or action “will likely change the scope or nature of the initial project or its environmental effects.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 396.)

However, “where the second activity is independent of, and not a contemplated future part of, the first activity, the two activities may be reviewed separately.” (*Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 699.) There is also no piecemealing when projects “serve different purposes or can be implemented independently.” (*Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209,1223 (“*Banning Ranch*”).) For example, “two projects may properly undergo separate environmental review (i.e., no piecemealing) when the projects have different proponents, serve different purposes, or can be implemented independently.” (*Id.*, citing *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 99 [refinery upgrade and construction of pipeline exporting excess hydrogen from upgraded

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refinery were “independently justified separate projects with different project proponents”].) Similarly, in *Planning & Conserv. League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 237, the court found a water transfer had “significant independent or local utility” from a broader water supply agreement. And in *McCann v. City of San Diego* (2021) 70 Cal.App.5th 51, 85, the court rejected a piecemealing claim to a series of utility undergrounding projects, finding they were “independently functional and did not rely on any other undergrounding project to operate.”

As the court in *Banning Ranch* explained, the key to determining whether a future activity must be analyzed as part of the first activity is whether the future activity is a “consequence” of the first activity. Where the first activity is merely a “baby step” toward the future activity and is not being built to induce the future activity, and where the future activity would likely occur in one form or another regardless of the first activity, there is no piecemealing. (See *Banning Ranch*, *supra*, 211 Cal.App.4th at 1226.) In that case, an EIR may accurately define a project without inclusion of the future activity.

Here, the Humboldt 500 kV Substation, with 500/115 kV Transformer, and a 500 kV line to Collinsville [HVDC operated as AC] Project is appropriately analyzed as a cumulative project in the EIR. CAISO’s determination of the need for the Humboldt substation and a HVDC line connecting to the Collinsville Substation is independent of CAISO’s determination of the need for the Proposed Project. For example, the Humboldt project features would support future offshore wind energy development and delivery, whereas the Proposed Project is separately needed in the near term for the reasons stated in the EIR and documented in the CAISO Transmission Plans. Each project has independent utility. Furthermore, the assumption that the HVDC line would connect to the Collinsville Substation is based on CAISO’s long-term planning and grid development projections. If the Collinsville Substation were not constructed, the Humboldt project could still be constructed and the HVDC line could be connected to an alternate substation. Therefore, the Humboldt substation project is not a consequence of the proposed Project, and it would be inaccurate to include it in the Draft EIR as part of the proposed Project. The Draft EIR appropriately analyzes the potential for combined impacts from the two projects in the context of the cumulative impacts analysis.

I-1-12 CAF asserts that the CPUC has not fulfilled its legal obligation to consult with all required responsible and trustee agencies by not consulting Alameda County and the Yolo-Solano Air Quality Management District.

Neither Alameda County nor Yolo-Solano Air Quality Management District are responsible or trustee agencies. The only project activities within Alameda County consist of modifications within the existing Tesla Substation fence. The

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only activity within the Yolo-Solano Air Quality Management District jurisdiction is installation of a single transposition structure within PG&E's existing right-of-way. These activities are similar to on-going maintenance activities and have no significant environmental effects.

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Comment Letter I-2: Erika Guerra, Martin Marietta Materials, and William H. Butler, Lind Marine (Suisun Associates)



February 2, 2026

California Public Utilities Commission
Collinsville 500/230 Kilovolt Substation Project
c/o Panorama Environmental, Inc.
717 Market Street, #400
San Francisco, California 94103
collinsville@panoramaenv.com

Re: Comments on the Collinsville 500/230 Kilovolt Substation Project (SCH No. 2025010149)

Dear California Public Utilities Commission,

Martin Marietta Marine Operations, LLC, Lind Marine, Inc., and their joint venture Suisun Associates (collectively, “Lessees”) hold leases from the California State Lands Commission (“CSLC”) to mine construction-grade sand from discrete and limited areas in Central San Francisco Bay and in the Suisun Bay area of the western Sacramento-San Joaquin Delta. Lessees and their predecessors have helped develop the State’s critical mineral resources for decades, providing sand to a diverse set of public and commercial uses including public infrastructure, roadways, hospitals, schools, and housing, as well as coastal resilience, wetland restoration, and beach replenishment projects. We are writing to provide comments on the Draft Environmental Impact Report (“DEIR”) and Collinsville 500/230 Kilovolt Substation Project (“Collinsville Project”) proposed by LS Power Grid California, LLC (“LSPGC”), which is expected to cross portions of the Suisun Lease Area (PRC 7781.1).

Lessees have reviewed the DEIR and support the currently proposed alignment of the LSPGC 230 kV submarine segment. Lessees and LSPGC have been working cooperatively to facilitate the Collinsville Project while seeking to minimize its impacts on Lessee’s operations and important mineral resources of the State of California. The currently proposed alignment minimizes such impacts.

Although Lessees support the currently proposed alignment of the 230 kV submarine segment, any modification to that alignment that would further encroach and overlap the existing mineral lease area and increase the severity of this already significant and unavoidable impact would be inconsistent with the California Environmental Quality Act (“CEQA”) mandate that public agencies not approve projects if feasible alternatives are available that would substantially lessen the significant environmental effects.¹ The Draft EIR confirms that the currently proposed alignment is feasible and minimizes impacts to the State’s important mineral resources. Lessees submit these comments on the Collinsville Project and DEIR to emphasize the regional and statewide importance of its mining operations and the public

¹ Pub. Resources Code, §§ 21002, 21092.1; CEQA Guidelines, § 15088.5, subds. (a), (c).

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policies they advance.

BACKGROUND

The California Legislature declared through enactment of the Surface Mining and Reclamation Act of 1975 (“SMARA”), that “the extraction of minerals is *essential* to the continued economic well-being of the state and to the needs of the society.”² The Legislature has further emphasized that “the production and development of local mineral resources that help maintain a strong economy and that are *necessary* to build the state’s infrastructure are *vital* to reducing transportation emissions that result from the distribution of hundreds of millions of tons of construction aggregates that are used annually in building and maintaining the state.”³ For these reasons, it has remained “the continuing policy of the State . . . to foster and encourage private enterprise in . . . [t]he orderly and economic exploration, development, and utilization of the state’s mineral resources. . . .”⁴

In furtherance of these long-held state policies, Lessees’ operations foster the use of State mineral resources, supplying a local source of construction aggregate essential to the regional economy and infrastructure, and reducing transportation distances and associated greenhouse gas and other air emissions. Alluvial sand and gravel mined by Lessees is a high-quality construction-grade aggregate used throughout the Bay Area in concrete and fill for hospitals, schools, affordable housing, major transportation improvements, and utility infrastructure. Bay sand is also utilized for shoreline resilience and beach restoration projects that help combat the adverse effects of sea-level rise and climate change. In addition, Lessees’ operations generate significant revenues for the State and local agencies through annual royalties and rent, contributing to the State’s economic well-being.

PROJECT APPROVAL

The DEIR correctly recognizes that installation of the LSPGC 230 kV submarine segment would intersect with Lessees’ active sand mining operations in Suisun Bay, conducted under CSLC Lease No. PRC 7781.1 (Suisun Bay/Western Delta).⁵ Specifically, the submarine segment would prohibit sand mining activities in an approximately 52-acre portion of the lease area.⁶ This area includes a buffer on either side of the segment cable to minimize any risk of cable strike.⁷ Preliminary calculations indicate that this restriction would render approximately 1,762,000 to 5,117,000 cubic yards of construction-grade sand—a critical mineral resource of the State—

I-2-1

² Pub. Resources Code, § 2711(a), emphasis added.

³ Pub. Resources Code, § 2711, subd. (d).

⁴ Pub. Resources Code, § 2650, subd. (a).

⁵ DEIR, p. 4.12-3.

⁶ DEIR, p. 4.12-9.

⁷ *Ibid.*

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I-2-1

permanently unavailable for mining.⁸

As long recognized, “it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .”⁹ Generally, “the lead agency must adopt feasible mitigation measures or project alternatives to reduce the effect to insignificance.”¹⁰ If such measures or alternatives are insufficient to render the environmental impact insignificant, the lead agency may still approve the project if it adopts a statement of overriding considerations.¹¹ However, adopting such a statement does not negate the statutory obligation to implement feasible measures or alternatives.¹²

In addition to the requirement to adopt feasible mitigation measures or alternatives, CEQA obligates a lead agency to recirculate an EIR when, prior to certification, “significant new information is added. . . .”¹³ New information may be “significant” when that information includes a change resulting in a “substantial increase in the severity of an environmental impact” or when the project proponent declines to adopt “a feasible project alternative . . . that clearly would lessen the environmental impacts of the project. . . .”¹⁴ Further, an EIR must contain an “accurate, stable, and finite project description,” including a description of the project’s “precise location and boundaries. . . .”¹⁵ Thus, if a project is changed in a manner that substantially increases the severity of a significant impact, the EIR must be recirculated for public review.¹⁶

⁸ According to Lessees, sand reserves within Suisun are estimated to extend from current grade down to at least a depth of between minus fifty feet (-50’) and minus ninety feet (-90’). At these depths and based on current bathymetry in the area, available sand resources expected to be lost range between 33,880 cubic yards per acre (1,762,000 cubic yards total) to roughly 98,413 cubic yards per acre (5,117,000 cubic yards total).

⁹ Pub. Resources Code, § 21002; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564–565.

¹⁰ *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 231; *Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336, 1356–1357 [warehouse EIR failed to include sufficient facts supporting conclusion that reduced-size alternative was infeasible].

¹¹ Pub. Resources Code, § 21081, subd. (b).

¹² *King & Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 852; *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 524–525 [“Even when a project’s benefits outweigh its unmitigated effects, agencies are still required to implement all mitigation measures unless . . . truly infeasible.”].

¹³ Pub. Resources Code, § 21092.1; CEQA Guidelines, § 15088.5, subds. (a), (c).

¹⁴ *Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1129–1130; *East Oakland Stadium Alliance v. City of Oakland* (2023) 89 Cal.App.5th 1226, 1266 [recirculation required when added information reveals substantial increase in environmental impact].

¹⁵ CEQA Guidelines, § 15124.

¹⁶ *Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655, 193; *Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1267 fn.12.

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Lessees provide this context to highlight that the Collinsville Project’s removal of approximately 1,762,000 to 5,117,000 cubic yards of construction-grade sand from the State’s available mineral resources has implications that extend beyond the lease area itself. For example, by supplying aggregate close to where it is needed, Bay sand mining reduces transportation distances and associated emissions, directly supporting California’s climate and air-quality objectives. In contrast, importing aggregate from distant sources would increase fuel consumption, greenhouse gas emissions, air pollution, and traffic congestion. Lessees’ operations also support and preserve local jobs—particularly for tug and barge crews and other workers integral to mining, transport, and handling—that would otherwise be at risk if local sources were displaced by distant imports. Lastly, the loss of this resource could hinder the State’s ability to achieve its infrastructure, climate, and economic-development objectives.

I-2-2

Lessees recognize that the currently proposed alignment of the LSPGC 230 kV submarine segment may be necessary to fulfill the objectives of the Collinsville Project. Thus, the Lessees remain committed to working with LSPGC to facilitate the Collinsville Project and support its currently proposed alignment while minimizing impacts on important mineral resources to the extent feasible. Conversely, Lessees oppose and caution against any adjustment in the alignment that may expand its footprint in the mineral lease area or otherwise reduce the volume of minerals available for extraction, as doing so would result in even greater significant and unavoidable impacts on the availability of important mineral resources under Impacts MIN-1 and MIN-2.¹⁷

I-2-3


CONCLUSION

We appreciate the opportunity to comment on the Collinsville Project and DEIR. Lessees look forward to working with LSPGC, the California Public Utilities Commission, and the CSLC to ensure that the implementation of the Collinsville Project can proceed while ensuring that impacts on Lessee’s operations and California’s critical mineral resources are avoided or minimized to the maximum extent feasible.

Sincerely,



Erika Guerra
Martin Marietta Materials



William H. Butler
Lind Marine

cc: Nicole Dobroski, Chief, Division of Environmental Science, Planning, and Management
Christopher Huitt, Senior Environmental Scientist
Joseph Fabel, Senior Attorney
California State Lands Commission

¹⁷ DEIR, pp. 4.12-9–4.12-11.

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Response to Letter I-2: Erika Guerra, Martin Marietta Materials, and William H. Butler, Lind Marine (Suisun Associates)

I-2-1 Martin Marietta Marine Operations, LLC, Lind Marine, Inc., and their joint venture Suisun Associates (Suisun Associates) states the Draft EIR correctly recognizes how the project would intersect active sand and mining operations in Suisun Bay. The comment notes the LSPGC 230 kV submarine segment would prohibit sand mining activities in an approximately 52-acre portion of the lease area held by Suisun Associates, which includes a buffer on either side of the submarine cables to minimize any risk of cable strike during mining operations. According to Suisun Associates' preliminary calculations, they estimate the Proposed Project would restrict the extraction of approximately 1,762,000 to 5,117,000 cubic yards of construction-grade sand.

As described in the Draft EIR on page 4.12-10, the 230 kV submarine segment would result in a loss of 52 acres of the mining lease area which includes a total area of 886 acres. The preliminary estimate of the range of cubic yards is noted.

I-2-2 Suisun Associates suggests the project will result in the loss of sand availability for projects in the region, thus requiring projects to obtain sand resources from elsewhere, which could result in greater transportation distances, traffic, fuel consumption, and associated air quality and GHG emissions. Suisun Associates also states the mining operations support the local jobs that would otherwise be at risk if local sources were displaced by distant imports. Suisun Associates suggests the loss of approximately 1,762,000 to 5,117,000 cubic yards of construction-grade sand could hinder the State's ability to achieve its infrastructure, climate, and economic-development objectives.

The suggestion that the loss of sand mining availability at the affected lease area would result in the regional demand for sand being obtained from elsewhere is speculative. As described in the Draft EIR on page 4.12-10, the 230 kV segment would result in a loss of 52 acres of the mining lease area which includes a total area of 886 acres. This represents an approximately 6 percent loss of the total mining lease area, and 834 acres of the lease area would remain to supply local demand for the materials. Furthermore, there are other regional mining areas and existing suppliers of such materials that could supply the amount of sand that would not be extracted, if required at all.

I-2-3 Suisun Associates opposes and cautions against any adjustment in the 230 kV submarine segment alignment that may extend its footprint in the mineral lease area or otherwise reduce the volume of minerals available for extraction to avoid greater significant and unavoidable impacts on the availability of important mineral resources under Impact MIN-1 and Impact MIN-2.

The comment is noted. No revisions were made to the Revised Draft EIR.

4 Other Revisions to the Draft EIR

In addition to revisions made in response to comments (Section 3), the CPUC has incorporated other minor revisions to the Draft EIR. This section summarizes the categories of revisions incorporated in the revised Draft EIR. It does not provide an itemization of every textual edit made to the Draft EIR. Rather, complete revisions are shown in the Revised Draft EIR using underline to indicate added text and ~~strikethrough~~ to indicate deleted text.

Revisions to the Draft EIR that were not listed in the response to comments generally consist of clarifications, corrections, conforming edits, and other minor changes made to improve the accuracy, consistency, and readability of the document. Examples of the types of revisions reflected in the Revised Draft EIR include the following:

- Correction of typographical, grammatical, formatting, and other minor editorial errors.
- Minor text revisions made to improve clarity, readability, internal consistency, and precision of explanation.
- Conforming edits made to maintain consistency among sections, tables, figures, appendices, and cross-references as a result of the revisions in the response to comments (Section 3).
- Renumbering of measures, tables, figures, section references, and other document elements.
- Revisions made to address confidential AB 52 consultation with Native American tribes, including revisions to text and measures applicable to cultural resources and tribal cultural resources.
- Other minor clarifications, corrections, or organizational revisions identified during preparation of the Final EIR.

These revisions clarify, amplify, or make insignificant modifications to the Draft EIR and do not alter the Draft EIR in a manner that would constitute significant new information requiring recirculation pursuant to CEQA Guidelines section 15088.5.