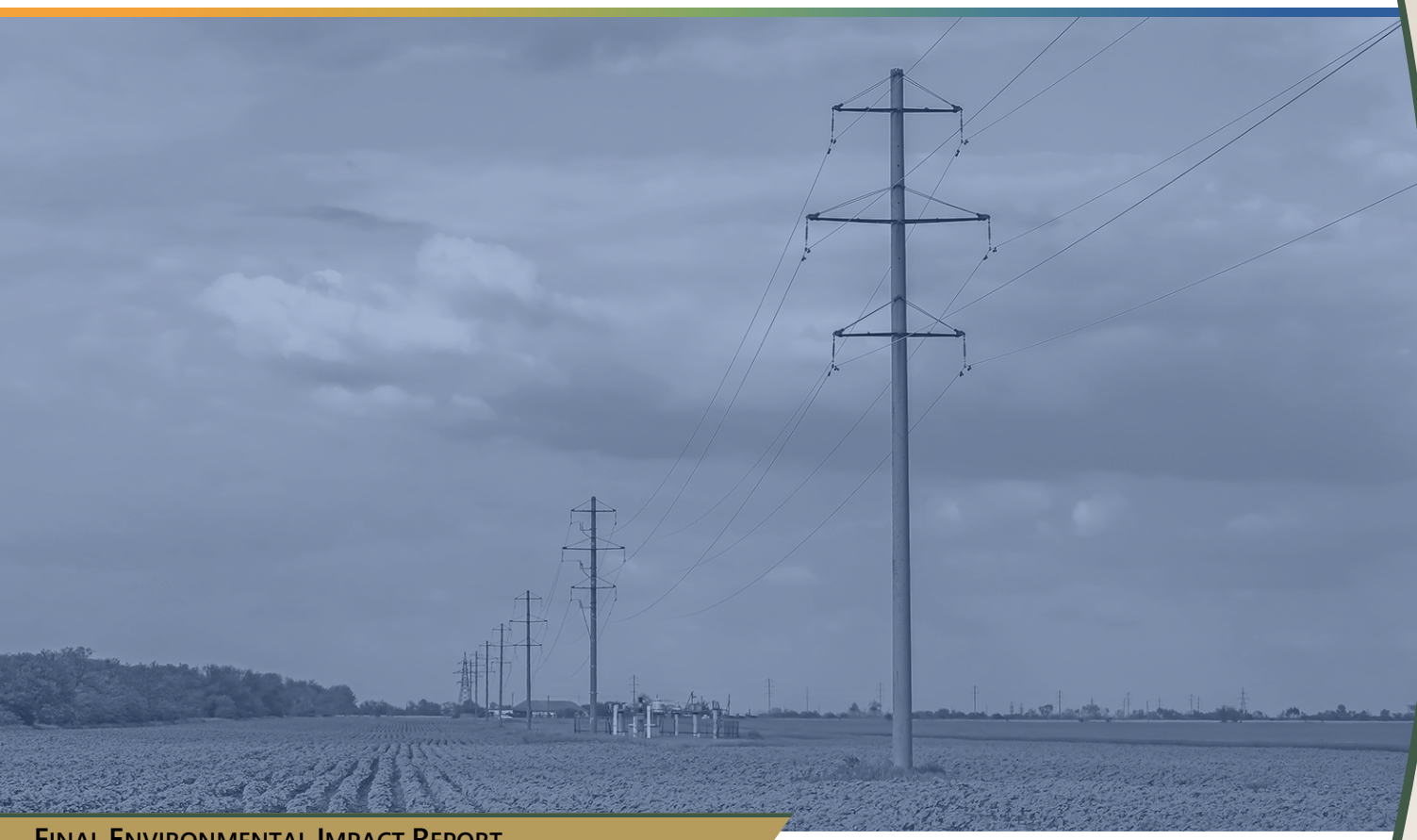

FINAL ENVIRONMENTAL IMPACT REPORT

Northern San Joaquin 230 kV Transmission Project

SCH # 2024010207

Prepared for:

California Public Utilities Commission
Energy Division – Infrastructure and Permitting

June 2025

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Prepared for:

California Public Utilities Commission
Energy Division – Infrastructure and Permitting
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June 2025

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LIST OF ABBREVIATIONS

AMM	avoidance and minimization measure
APM	applicant-proposed measure
BESS	Battery Energy Storage Solutions
BMP	best management practice
BSA	biological study area
CAISO	California Independent System Operator
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CPUC	California Public Utilities Commission
DERI	distribution energy resources improvement
Draft EIR	draft environmental impact report
EBMUD	East Bay Municipal Utility District
Final EIR	final environmental impact report
HRA	health risk assessment
kV	kilovolt
LEU	Lodi Electric Utility
$MTCO_2e$	metric tons of carbon dioxide equivalent
NERC	North American Electric Reliability Corporation
NOP	notice of preparation
NO_X	nitrogen oxides
NSJTP	Northern San Joaquin Transmission Project
PEA	programmatic environmental assessment
PG&E	Pacific Gas and Electric Company
PM	particular matter
ROW	right of way
SJVAPCD	San Joaquin Valley Air Pollution Control District
SR	State Route
TAC	toxic air contaminant
TSP	tubular steel pole

1 INTRODUCTION

This final environmental impact report (Final EIR) has been prepared by the California Public Utilities Commission (CPUC), as lead agency, in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15132). This Final EIR contains responses to comments received on the draft environmental impact report (Draft EIR) for the proposed Northern San Joaquin 230 kilovolt (kV) Transmission Project (project). The Final EIR consists of the Draft EIR and this document, which includes comments on the Draft EIR, responses to those comments, and revisions to the Draft EIR.

1.1 PURPOSE AND INTENDED USES OF THIS FINAL EIR

CEQA requires a lead agency that has prepared a Draft EIR to consult with and obtain comments from responsible and trustee agencies that have jurisdiction by law with respect to the project, and to provide the public with an opportunity to comment on the Draft EIR. The Final EIR is the mechanism for responding to these comments. This Final EIR has been prepared to respond to comments received on the Draft EIR, which are reproduced in this document; and to present corrections, revisions, and other clarifications and amplifications to the Draft EIR, including project updates, made in response to these comments and as a result of the applicant's ongoing planning and design efforts. The Final EIR will be used to support CPUC's decision regarding whether to approve the Northern San Joaquin 230 kV Transmission Project.

This Final EIR will also be used by CEQA responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve or permit project elements over which they have jurisdiction. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the project or that have jurisdiction over portions of the project.

Lodi Electric Utility (LEU) is a publicly owned municipal utility operated by the City of Lodi and is not regulated by CPUC; LEU does not need authorization from CPUC to construct and operate its components of the project. However, because the Pacific Gas and Electric Company (PG&E) components and the LEU components are intended to be constructed together and are interconnected, the actions by both constitute the "whole of the action" for purposes of CEQA review. As a public agency, the City of Lodi must comply with CEQA, and is considered a responsible agency under CEQA. In this role, the City of Lodi intends to rely on this EIR prepared by CPUC to comply with CEQA before making any discretionary approvals related to its construction of LEU's new proposed 230/60 kV substation and related proposed work on LEU's 60 kV system.

Other responsible, trustee, and interested agencies may include:

Federal

- Federal Aviation Administration

State

- Central Valley Regional Water Quality Control Board
- California Department of Transportation
- Central Valley Flood Protection Board

Regional

- San Joaquin Valley Air Pollution Control District

Local

- San Joaquin County Public Works Department
- San Joaquin County Community Development Department
- City of Lodi Public Works Department
- City of Lodi Community Development Department
- Union Pacific Railroad
- Central California Traction Company

1.2 PROJECT LOCATION

The project area spans unincorporated areas of northeastern San Joaquin County and an industrial area in the city of Lodi. Northeastern San Joaquin County is predominantly used for agricultural production, with associated retail wineries, rural and semirural residential development outside of Lodi, and small concentrated areas of industrial and commercial business along transportation corridors.

1.2.1 Background and Need for the Project

Beginning in 2012, the California Independent System Operator (CAISO) identified system reliability issues that did not meet certain thermal and voltage performance requirements established by the North American Electric Reliability Corporation (NERC)[1] in the project area. In the CAISO 2012-2013 Transmission Planning Process assessment, five Pacific Gas and Electric Company (PG&E) 60 kV lines between the PG&E Lockeford and PG&E Lodi substations (Lockeford/Lodi, or 230/60 kV system) in northern San Joaquin County (Northern San Joaquin area) were identified as having existing overload and high voltage deviation. To address these reliability issues, CAISO selected a 230 kV reinforcement for the 230/60 kV system.

CAISO's 2017-2018 planning cycle reevaluated the need for a 230 kV reinforcement project based on the latest system planning assumptions, which had changed since the 2012-2013 Transmission Planning Process because of grid-wide evolving load forecasts and distributed energy resource growth scenarios. Additional reliability assessments reaffirmed the need for a 230 kV reinforcement for the area to address reliability and forecasted need for capacity increases and approved a revised scope for the project that refined the original project components. The project is the solution identified in CAISO's 2017-2018 Final Transmission Plan (CAISO 2018). In its transmission planning documents, CAISO refers to the project as "Lockeford-Lodi Area 230 kV Development."

The purpose of PG&E's Northern San Joaquin 230 kV Transmission Project is to address reliability and capacity issues identified by CAISO on the existing PG&E 230 kV and 60 kV systems serving the area between the PG&E Lockeford and PG&E Lodi substations (Lockeford/Lodi, or 230/60 kV system) in northern San Joaquin County (Northern San Joaquin area). PG&E currently implements operational procedures to temporarily address the potential for 60 kV systemwide outages during peak-loading conditions over approximately 165 megawatts (MW) of load. This temporary operational procedure draws from a single strong PG&E 230 kV source and can serve up to approximately 180 MW of load. If the 60 kV system load exceeds 180 MW, or if the single PG&E 230 kV line has an issue and cannot provide transmission, then the area's power load needs are not met.

The project is necessary to address current and projected voltage issues and thermal overloads on PG&E's 230/60 kV system, as well as forecasted demand growth. The project would shift approximately 148 MW of load from the existing PG&E 60 kV system to a new PG&E 230 kV source. Moving the load to the PG&E 230 kV source would reduce demand on the PG&E 60 kV system, which would provide greater reliability to other existing PG&E customers within northern San Joaquin County. Adding the proposed new PG&E 230 kV source to the area would result in increased 230/60 kV system reliability and an expected normal load-serving capability of approximately 404 MW under normal operating conditions that would accommodate the forecasted power demand from agricultural, industrial, and residential growth in northern San Joaquin County.

[1] NERC's transmission system planning performance requirements for normal system operation include assessment and planning for events that could impact a system's stability and service.

1.3 PROJECT OBJECTIVES

1.3.1 CPUC's Project Objectives

As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from PG&E's and LEU's objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including Lodi; and
- separate PG&E's 60 kV system from LEU's 60 kV system.

1.3.2 Applicant's Project Objectives

PG&E stated in the Proponent's Environmental Assessment (PEA) that its basic project objective is to address voltage issues and thermal overloads on PG&E's Lockeford/Lodi system during normal operation (Category P0) and during Category P1 and P6 contingency scenarios with a 230 kV reinforcement and substation, as identified by CAISO in its 2017-2018 Transmission Plan.

The following specific project objectives were identified in the PEA for the project:

- Meet PG&E's legal obligation to implement the CAISO-approved project.
- Improve system reliability for PG&E's approximately 10,000 electrical customers, one of which is LEU, which itself serves approximately 28,000 customers.
- Increase capacity to accommodate projected growth in demand and minimize future reliability issues for Lodi, as well as for PG&E customers.
- Address thermal overloads and voltage concerns on PG&E's 60 kV transmission system identified during P1 contingencies[2] and maintain compliance with NERC standards.
- Address thermal overloads on PG&E's 60 kV transmission system identified during P6 contingencies[3] and maintain compliance with NERC standards.
- Reinforce the PG&E 60 kV system in the Lodi area by constructing a new 230 kV double-circuit line to provide an additional source of power.
- Construct a new 230 kV switching station to receive the new 230 kV double-circuit line and provide power to a new 230/60 kV substation to be constructed by LEU.
- Separate PG&E's 60 kV system at the LEU Industrial Substation from LEU's 60 kV system.
- Construct a safe, economical, and technically feasible project that minimizes environmental and community impacts.

[2] A single outage, or a NERC Category P1 contingency, is defined as the loss of a generator, the loss of one transmission circuit, the loss of one transformer, the loss of one shunt device, or the loss of a single pole of direct current lines (NERC 2018).

[3] NERC Category P6 contingency, or outage, is defined as two overlapping single outages (transmission circuit, transformer, shunt device, or single pole of a direct current line) (NERC 2018).

1.4 SUMMARY DESCRIPTION OF THE PROJECT

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double-circuit 230 kV transmission lines, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines, relocation or extension of two existing 12 kV lines, and upgrades at four remote-end substations and one repeater station.

The project would loop PG&E's existing overhead Brighton-Bellota 230 kV Transmission Line through the PG&E Lockeford Substation and install a new overhead double-circuit 230 kV transmission line between PG&E Lockeford Substation and a new PG&E switching station (PG&E Thurman Switching Station) at the City of Lodi's LEU's existing Fred M. Reid Industrial Substation (Industrial Substation) in Lodi, California. LEU would construct the LEU Guild Substation, a new 230/60 kV substation, between the existing LEU Industrial Substation and the new PG&E Thurman Switching Station. At LEU Guild Substation, the new PG&E 230 kV transmission line would terminate, and LEU transformers would step down the power to 60 kV to connect with the LEU Industrial Substation. When the new 230 kV system is operating, the existing local PG&E 60 kV system would be reconfigured within existing alignments, including disconnecting as a source to LEU at the LEU Industrial Substation. Existing LEU and PG&E 12 kV service/feeder lines and a third-party telecommunication line within Lodi would be modified during construction to allow reuse of an existing alignment, continuation of existing service, and construction of a new permanent secondary station service. PG&E would also perform proposed project-related work to update the system-protection scheme at four remote-end PG&E substations (Bellota, Brighton, Lodi, and Rio Oso), which are located in Linden, Sacramento, Lodi, and Rio Oso, California, respectively, and conduct project-related telecommunication work at the existing PG&E Clayton Hill Repeater Station (communication tower) in Contra Costa County to create a new digital microwave path allowing redundant communication into the PG&E Thurman Switching Station in support of PG&E's system-protection scheme.

1.5 MAJOR CONCLUSIONS OF THE ENVIRONMENTAL ANALYSIS

1.5.1 Environmental Impacts of the Project

As summarized in Table ES-1, "Summary of Impacts and Mitigation Measures," in the Draft EIR, the project would result in the following significant but mitigable environmental impacts:

- Archaeological, Historical, and Tribal Cultural Resources: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Archaeological Resources as Defined in State CEQA Guidelines Section 15064.5; and Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource.
- Biological Resources: Result in Disturbance to or Loss of Special-Status Wildlife and Habitat; Have A Substantial Adverse Effect on State or Federally Protected Wetlands; Interfere with Wildlife Movement Corridors or Impede the Use of Wildlife Nurseries; Conflict with the San Joaquin Multispecies HCP or the PG&E San Joaquin Valley HCP; and Create a Substantial Collision or Electrocution Risk for Birds or Bats.

As documented in the Draft EIR, after implementation of the recommended mitigation measures, all of the impacts associated with growth and development that would occur with implementation of the project would be reduced to a less-than-significant level. The project would not result in any significant and unavoidable adverse impacts.

1.5.2 Alternatives to the Project

The following reasonable range of alternatives was evaluated in detail in the Draft EIR.

- Alternative 1: No-Project Alternative assumes the continuation of baseline conditions. There would be no new 230 kV transmission lines or associated substation facilities, updates to PG&E's system protection scheme at four remote-end substations (Bellota, Brighton, Lodi, and Rio Oso), or new 6-foot dish antennas installed on an existing microwave tower. The project area would remain in its current condition.

- Alternative 2: Central Route Alternative would involve routing the western portion of the new 230 kV line to the north of the proposed project alignment between PG&E Lockeford Substation and LEU Industrial Substation. It would parallel portions of the existing PG&E Lockeford-Industrial 60 kV Power Line. For the eastern segment between PG&E Lockeford Substation and PG&E Brighton-Bellota 230 kV Transmission Line, this alternative would parallel the existing PG&E Lockeford-Bellota 230 kV Transmission Line, the same eastern alignment as the project. The total length of new PG&E 230 kV transmission lines would be approximately 10.04 miles. All other components of this alternative would be the same as the project.
- Alternative 3: Northern Route Alternative would involve routing the western portion of the new 230 kV corridor, between the PG&E Lockeford Substation and LEU Industrial Substation, to the north of the proposed project alignment. It would parallel portions of the existing PG&E Lockeford-Industrial 60 kV Power Line on the western segment. Most of the eastern portion of the Northern Route Alternative 230 kV transmission line would be the same as the project. Approximately 1 mile west of PG&E Brighton-Bellota 230 kV Transmission Line (approximately 0.25 miles west of North Linn Road), the corridor would turn north and then east on East Sargent Road. The total length of new PG&E 230 kV transmission line would be approximately 10.39 miles. All other components of this alternative would be the same as the project.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires an EIR to identify the environmentally superior alternative among those evaluated. As discussed above and in the Draft EIR, the proposed project would not result in any significant and unavoidable impacts, and all significant impacts related to archaeological, historical, and tribal cultural resources as well as biological resources would be reduced to less than significant with mitigation.

As described in the Draft EIR, although the No Project Alternative would avoid impacts to all resource areas, it would not support the State's goals related to energy efficiency and greenhouse gas emissions reductions, nor would it meet any of the project objectives.

The two routing alternatives would result in a similar potential for impact as the proposed project and would require implementation of the same mitigation measures as the proposed project. The Central Route Alternative and Northern Route Alternative would result in less-than-significant impacts, and most impacts would be comparable to the proposed project given the similar lengths of the new transmission lines. For example, the quantified estimates for agricultural impacts and the potential biological impacts are similar. However, these two alternatives would have more noticeable aesthetic impacts due to the location of the lines as compared to the proposed project. Because of the potential for slightly greater impacts under the alternatives, the proposed project would be environmentally superior.

1.6 CEQA PUBLIC REVIEW PROCESS

1.6.1 Notice of Preparation

A notice of preparation (NOP) for the project was distributed on January 10, 2024, to responsible agencies, interested parties, and organizations, as well as private organizations and individuals who may have an interest in the project. During the 30-day public review period of the NOP, two virtual public scoping meetings were held on January 30, 2024. The purpose of the NOP and the scoping meetings was to provide notification that an EIR for the project was being prepared and to solicit input on the scope and content of the environmental document.

1.6.2 Draft EIR

On December 10, 2024, CPUC released the Draft EIR for a 60-day public review and comment period. The Draft EIR was submitted to the State Clearinghouse for distribution to reviewing agencies, posted on the CPUC project website (https://ia.cpuc.ca.gov/environment/info/ascent/NSJTP/index.html), and was made available at the Lodi Public Library (201 W. Locust Street, Lodi, CA 95240) and CPUC offices in Sacramento (300 Capitol Mall, Sacramento, CA) and San Francisco (505 Van Ness Avenue, San Francisco, CA). A notice of availability of the Draft EIR was published in the *Lodi News Sentinel* and distributed to entities on a project-specific mailing list.

Two virtual public hearings were held on January 15, 2025 (at 2 p.m. and 6 p.m.) to receive input from agencies and the public on the Draft EIR. The hearings were recorded and a transcript was prepared.

1.6.3 Final EIR

As a result of these notification efforts, written and oral comments were received from agencies, organizations, and individuals on the content of the Draft EIR. Chapter 2, "Responses to Comments," identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute "significant new information" by CEQA standards (State CEQA Guidelines CCR Section 15088.5).

As required by State CEQA Guidelines Section 15088(b), CPUC has provided to each public agency that submitted written comments on the Draft EIR a copy of written responses to that public agency's comments at least 10 days prior to certifying the Final EIR.

1.7 ORGANIZATION OF THE FINAL EIR

This Final EIR is organized as follows:

Chapter 1, "Introduction," describes the purpose of the Final EIR, summarizes the Northern San Joaquin 230 kV Transmission Project and the major conclusions of the Draft EIR, provides an overview of the CEQA public review process, and describes the content of the Final EIR.

Chapter 2, "Responses to Comments," contains a list of all parties who submitted comments on the Draft EIR during the public review period, copies of the comments received, and responses to each comment.

Chapter 3, "Revisions to the Draft EIR," presents revisions to the Draft EIR text made in response to comments, or to amplify, clarify, or make minor modifications or corrections.

Chapter 4, "References," identifies the documents used as sources for the analysis.

Chapter 5, "List of Preparers," identifies the lead agency contacts as well as the preparers of this Final EIR.

2 RESPONSES TO COMMENTS

This chapter contains reproduced comments from letters received during the public review period for the Draft EIR, which concluded on February 7, 2025, including transcribed comments received during the January 15, 2025 public hearings. The comment letters below are reproduced exactly as they were submitted. Spelling, grammatical, and other errors in the original letters have not been corrected.

In conformance with Section 15088(a) of the State CEQA Guidelines, written responses are provided to address comments on environmental issues received from reviewers of the Draft EIR. Where comments are not related to the Draft EIR or the analysis of environmental impacts, response is not required (Public Resources Code Section 21091[d]; CEQA Guidelines Sections 15088[c], 15204[a]). All comments are acknowledged for the record and will be forwarded to the decision makers for consideration.

2.1 LIST OF COMMENTERS ON THE DRAFT EIR

Table 2-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

Table 2-1 List of Commenters

Letter No.	Commenter	Date
	AGENCIES	
A1	California Department of Fish and Wildlife Zach Kearns, Senior Environmental Scientist	February 7, 2025
A2	San Joaquin Valley Air Pollution Control District Tom Jordan, Director of Policy and Government Affairs	January 31, 2025
A3	East Bay Municipal Utility District David J. Rehnstrom, Manager of Water Distribution Planning	January 27, 2025
A4	City of Lodi – Electric Utility Hasan Shahriar, Engineering & Operations Manager	January 29, 2025
	ORGANIZATIONS	
O1	Pacific Gas and Electric Company (PG&E) Mathew Swain, Senior Attorney, Paragon Legal, for PG&E	February 7, 2025
O2	California Farm Bureau Karen Norene Mills, Attorney for California Farm Bureau Federation and San Joaquin Farm Bureau Federation, and Andrew Genasci, Executive Director, San Joaquin Farm Bureau Federation	February 7, 2025
O3	Mettler Family Vineyards Nora Sheriff and Elisa Rivas, Buchalter, Counsel for Mettler Family Vineyards	February 7, 2025
	INDIVIDUALS	
I1	Jeff Jenner	December 13, 2025
I2	James J Grady and James J Grady III	January 9, 2025
I3	Dwight & Sharon Busalacchi	January 29, 2025
I4	David and Sandra Simpson	February 3, 2025
I5	James J Grady Jr. and James J Grady III (Letter 2)	February 1, 2025
I6	Andrea Kutlik	February 6, 2025
I7	Robert Batch Daniel Stein, Director, Fennemore Dowling Aaron, representing Robert Batch	February 7, 2025

Letter No.	Commenter	Date
PUBLIC HEARING ON THE DRAFT EIR (2 P.M. ON JANUARY 15, 2025)		
PH1	Katie Copeland	January 15, 2025
PH2	George Perlegos	January 15, 2025
PH3	Kathi Vaughn	January 15, 2025
PH4	Andi Kutlik	January 15, 2025
PUBLIC HEARING ON THE DRAFT EIR (6 P.M. ON JANUARY 15, 2025)		
PH5	California Farm Bureau Karen Mills, Vice President of Legal Advocacy	January 15, 2025
PH6	James J Grady	January 15, 2025
PH7	Lia McVicker	January 15, 2025
PH8	Andi Kutlik	January 15, 2025
PH9	Robert Batch	January 15, 2025
PH10	Gayle Oxford	January 15, 2025
PH11	James J Grady	January 15, 2025
PH12	David Simpson	January 15, 2025
PH13	Robert Batch	January 15, 2025

2.2 COMMENTS AND RESPONSES

2.2.1 Agencies

Letter A1 California Department of Fish and Wildlife

Zach Kearns, Senior Environmental Scientist
February 7, 2025

Comment A1-1

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Availability of a DEIR from California Public Utilities Commission (CPUC) for the Northern San Joaquin 230 kV Transmission Line Project (project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

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. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, 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 may also act 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 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.

Response A1-1
These introductory remarks are acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment A1-2
The project site is primarily located in northeastern San Joaquin County and is partially within an industrial area of the City of Lodi. The project traverses roughly northwest and southeast of Atkins Road in unincorporated San Joaquin County to an existing substation in eastern Lodi, approximately 9 miles to the west. The transmission alignment roughly follows East Kettleman Lane, crossing State Route (SR) 88, Bear Creek, and Paddy Creek.

The project would be partially constructed and operated by Pacific Gas and Electric (PG&E), and partially constructed by Lodi Electric Utility (LEU). The project would loop the existing overhead PG&E Brighton-Bellota 230 kV Transmission Line through an expanded PG&E Lockeford Substation and install a new overhead double-circuit 230 kV transmission line between PG&E Lockeford Substation and the proposed PG&E Thurman Switching Station adjacent to LEUs existing Fred M. Reid Industrial Substation. When the new 230 kV system is operating, the existing local PG&E 60 kV system would be reconfigured within existing alignments, including disconnecting as a source to LEU at the LEU Industrial Substation.

The project description should include the whole action as defined in the CEQA Guidelines section 15070 and should include appropriate detailed exhibits disclosing the project area, including temporary impacted areas such as equipment staging areas, spoils areas, adjacent infrastructure development, and access and haul roads if applicable.

Response A1-2
Chapter 2, "Project Description," in the Draft EIR describes the whole of the action and includes figures identifying the project area and proposed features of the project. See Figures 2-1 through 2-10. Potential staging areas are identified in Table 2-4 and Appendix B of the Draft EIR. Appendix B also identifies the network of existing roads that are expected to be used during construction. The Draft EIR is consistent with the suggestions made in the comment and no revision of the Draft EIR analysis or further response is required.

Comment A1-3
CDFW Comments and Recommendations

CDFW recommends the following items be addressed in the future planning of the project:

> **Comment 01.** Nesting Season, Avoid and Protect Nesting Birds from PG&E Impact, Applicant-Proposed Measure and Best Management Practices, page 3.6-28.
>
> > **Issue:** APM BIO-2 indicates that surveys will be conducted during the nesting season between March 1 and August 15.
> >
> > **Recommendation:** APM BIO-2 should be adjusted to include the full estimated nesting bird season within San Joaquin County to ensure it avoids significant effects to nesting birds. CDFW recommends that nesting bird surveys be conducted if project activities are scheduled to occur between February 1 and August 31, to fully encapsulate the potential nesting season. The survey should take place no more than 15 calendar days prior to ground disturbing activities. CDFW typically recommends a minimum of a 500-foot radius for migrating birds, and a ½ mile radius for nesting raptors.

Response A1-3
APM BIO-2 in the Draft EIR was replaced by Mitigation Measure BIO-2b, which required surveys for nesting birds to be conducted for activities conducted between February 1 and August 31, within 0.25 miles for Swainson's hawk and white-tailed kite (which is the standard buffer required for these species by CDFW), 500 feet for non-listed raptors

and non-raptor special-status birds, and 100 feet for other, common native birds. In response to this comment, Mitigation Measure BIO-2b has been revised to increase the minimum search radius to 500 feet for all migratory birds. See Chapter 3, "Revisions to the Draft EIR," which provides the amended text. These modifications improve the protections afforded by the mitigation and do not affect the enforceability or effectiveness of the mitigation. No changes to the analysis or conclusions in the Draft EIR are required.

Comment A1-4

Comment 02. Preconstruction Survey Radius, Avoid and Protect Nesting Birds from PG&E Impact, Applicant-Proposed Measure and Best Management Practices, page 3.6-28.

> **Issue:** APM BIO-2 states the survey radius will be 200 feet for non-listed raptors, ¼-mile for Swainson's Hawk (Buteo swainsoni, SWHA), and 100 feet for non-listed passerines. CDFW does not believe these radii will be sufficient to ensure there are not significant effects on nesting birds.
>
> **Recommendation:** APM BIO-2 should be adjusted to include survey radius sufficient to avoid significant impacts to nesting and migrating birds. CDFW believes the radius should be a minimum radius of 500-feet for migrating birds and 1/2-mile for raptors.

Response A1-4

See Response A1-3. Mitigation Measure BIO-2b has been revised to reflect the recommendation provided in the comment.

Comment A1-5

Comment 03: Increased Perching for Predators, Appendix F: Habitat Figures for Northern San Joaquin 230 kV Transmission Project, pages 1-26.

> **Issue:** Project implementation could increase availability and use by raptors through an increase in perching locations and could significantly reduce fossorial animal populations adjacent to the new line. According to the habitat figures, much of the habitat surrounding the new line locations will be agricultural or open fields. This reduction in fossorial animals could significantly reduce available burrows in potential Burrowing Owl (Athene cunicularia, BUOW) habitat. Burrowing Owls do not dig their own burrows, so an increase in predator perches could result in further extirpation of the species and limit BUOW fecundity in the area, for the duration of the transmission line's life.
>
> **Recommendation or Recommended Mitigation Measure:** CDFW recommends conducting an analysis on the indirect effects of long-term project impacts on BUOW. Additionally, the DEIR references, Suggested Practices for Avian Protection on Power Lines (2006), which warns of increased predation risk from larger raptors on BUOW. If nesting platforms for raptors are included in the design and/or raptors are allowed to perch on the poles, CDFW recommends the CPUC consider the use of anti-perch devices or balance their use with associated refugia for BUOW (e.g., onsite habitat enhancement or artificial burrows) to reduce predation risk and potential habitat loss.

Response A1-5

The project does not propose nesting platforms for raptors, although there is potential that raptors could use the infrastructure to perch. The degree to which these perching opportunities would increase ground squirrel predation, resulting in fewer burrows, and the subsequent connection to burrowing owl populations, is not well established. For example, one study of this hypothesis experimentally constructed supplemental perches to determine whether additional perches would result in reduction of rodent (i.e., vole) populations. While use of the perches by one raptor species (American kestrel) increased in the experiment, rodent populations were unaffected (Wolff et al. 1999). While this is one study focused on different rodent and raptor species than mentioned in this comment, it highlights the fact that installation of poles as part of the project may not result in effects on California ground squirrel populations. For the same reasons, installing anti-perching devices, as suggested in this comment, would be premature and potentially unnecessary. An analysis that speculates on the potential for indirect effects on burrowing owl is not

required by CEQA and would not further the information disclosure purposes of CEQA or foster informed decision making.

The project area does not contain large areas of intact natural habitat and is surrounded by agricultural and residential land uses. Agricultural uses involve routine ground disturbance (i.e., likely regularly crushing California ground squirrel burrows) and routine use of rodenticides or other rodent control measures (e.g., fumigants, traps) to manage squirrel populations. California ground squirrels are known agricultural pests. Because ground squirrel populations are likely substantially affected by agricultural activities, it would be difficult for any study to tease out these confounding effects when attempting to determine the impact of additional poles in the project area on squirrel populations.

The comment recommends that habitat on site be enhanced with artificial burrows for burrowing owls. While there is potential for burrowing owls to occur in the project area, and the species can occur in agricultural areas and near disturbance sources, the project area is not a high-quality candidate for onsite habitat enhancement and could become an ecological "sink" (i.e., low quality habitat, survival rate and productivity likely low).

Therefore, the potential impact of additional power transmission poles on burrowing owl populations is too speculative to provide a meaningful analysis or establish a reasonable nexus to mitigation including anti-perch devises and burrowing owl habitat enhancement. Because the potential impact raised in this comment is speculative and for the other reasons stated above, no revision of the Draft EIR analysis or further response is required.

Comment A1-6

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the project. Written notifications may be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670, or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the project and recommends the CPUC address CDFW's comments and concerns in the forthcoming CEQA document. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Zach Kearns, Senior Environmental Scientist (Specialist) at (916) 358-1134 or zachary.kearns@wildlife.ca.gov.

Response A1-6

CDFW is on the mailing list for project notifications and will receive future public notifications, including a copy of the Final EIR for review.

Letter A2 San Joaquin Valley Air Pollution Control District

Tom Jordan, Director of Policy and Government Affairs
January 31, 2025

Comment A2-1

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the California Public Utilities Commission (CPUC) for the Northern San Joaquin 230 kV Transmission Project proposed by PG&E and Lodi Electric Utility. Per the DEIR, the project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double-circuit 230 kV transmission lines, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines, relocation or extension of two existing 12 kV lines, and upgrades at four remote-end substations and one repeater station (Project). The Project is located primarily in northeastern San Joaquin County and partially within the City of Lodi.

Response A2-1
These introductory remarks are acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment A2-2
The District offers the following comments at this time regarding the Project:

1) Construction Related Emissions

1a) Construction Emissions

The District recommends, to reduce further impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

Response A2-2
Construction-related diesel exhaust emissions are addressed in the Draft EIR in Impact AIR-3 (pages 3.4-20 through 3.4-22). As described therein, construction-related activities would result in temporary, intermittent emissions of diesel PM from the exhaust of off-road, heavy-duty diesel equipment. An health risk assessment (HRA) was prepared and evaluated the health risks from on-site diesel equipment emissions during construction, as these are the primary pollutants of concern regarding toxic air contaminants (TACs) (see Appendix D3 of the Draft EIR). The construction HRA prepared for the project demonstrates that excess cancer risks are less than the significance threshold of 20 in 1 million, while the chronic hazard indices are less than the significance threshold of 1.0. This impact would be less than significant and would not expose receptors to substantial pollution resulting in adverse health effects in the San Joaquin Valley Air Basin. Therefore, the analysis in the Draft EIR does not establish a reasonable nexus for CPUC to require the project modifications to reduce diesel emissions proposed in the comment. (See CEQA Guidelines Section 15126.4[a][4][A].)

However, implementation of APM GHG-1 and BMP GHG-1 would reduce diesel exhaust from the operation of construction equipment below modeled levels through actions such as reducing vehicle idle time and utilizing low-emission or electric equipment where feasible. Specifically, through APM GHG-1 and BMP GHG-1, PG&E and LUE have committed to "[m]inimize construction equipment exhaust by using low-emission or electric construction equipment where feasible. Portable diesel fueled construction equipment with engines 50 horsepower or larger and manufactured in 2000 or later will be registered under the CARB Statewide Portable Equipment Registration Program." The Draft EIR is consistent with the suggestions made in the comment and no revision of the Draft EIR analysis or further response is required.

Comment A2-3
2) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

Response A2-3
The summary of San Joaquin Valley Air Pollution Control District's (SJVAPCD's) Regulation II, Rule 2010, Rule 2201, and Rule 2301 is acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment A2-4

2a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (209) 557-6446.

Response A2-4

SVAPCD regulations are summarized on page 3.4-9 of the Draft EIR. As stated therein, "Because the project will not involve construction of new stationary sources, there are no permitting regulations relevant to the project."

Comment A2-5

2b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of space.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview

The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

Response A2-5

The Northern San Joaquin Transmission Project (NSJTP) is not a development or transportation project with potential to result in the emission of nitrogen oxides (NO_X) or particulate matter (PM) above established thresholds. Compliance with SJVAPCD's Rule 9510 is identified in Table 2-15 of the Draft EIR, "Permits and Approvals That May Be Required for PG&E's Portion of the Project." The project applicant will be made aware of the air district's requirements.

Comment A2-6

2c) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx

Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol

Response A2-6

The summary of SJVAPCD regulations on page 3.4-9 of the Draft EIR acknowledges the air district's rules intended to mitigate fugitive dust emissions. In addition, APM AIR-1 and BMP AIR-2 include measures that PG&E and LEU have committed to implement to control fugitive dust in compliance with SJVAPCD standards.

The project would be required to comply with all applicable permitting requirements as conditions of project approval. Specifically, compliance with SJVAPCD's requirements for a Dust Control Plan is identified in Table 2-15, "Permits and Approvals That May Be Required for PG&E's Portion of the Project," of the Draft EIR. As modified in Chapter 3, "Revisions to the Draft EIR," Table 2-15 notes that the project would comply with SJVAPCD Rule 3135, which contains the fee requirements of a Dust Control Plan, as required by Rule 8021.

Comment A2-7

2d) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

Response A2-7

The project would be required to comply with all applicable permitting requirements as conditions of project approval. The comment states that the project would be subject Rules 4102 (Nuisance) and 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, and Maintenance Operations). The applicability of Rule 4102 is limited to any source operation that emits or may emit air contaminants or other materials which may cause injury, detriment, nuisance, or annoyance to a considerable number of persons or the public. Please see Response A2-2 for a summary of the Draft EIR's analysis of diesel PM (which is the only TAC emitted from implementation of the project). Rule 4621 applies to the manufacture and use of cutback asphalt, slow cure asphalt, and emulsified asphalt for paving and maintenance operations. This rule is a regulatory requirement applicable to all projects involving the use of these aforementioned materials, and the project would be statutorily required to comply with all requirements under Rule 4621.

Comment A2-8

3) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Michael Corder by e-mail at Michael.Corder@valleyair.org or by phone at (559) 230-5818.

Response A2-8
CPUC has provided this comment letter to PG&E, the project applicant, and has noted the contact information for future reference.

Letter A3 East Bay Municipal Utility District

David J. Rehnstrom, Manager of Water Distribution Planning
January 27, 2025

Comment A3-1
East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Northern San Joaquin 230 Kilovolt (kV) Transmission Project located in the City of Lodi. EBMUD has the following comments.

GENERAL

On page 3.11-3 of the Draft EIR, Section 3.11, Hydrology and Water Quality, Figure 3.11-1 depicts the alignment of EBMUD's Mokelumne Aqueducts (Aqueduct) in purple and should be labeled as such for reference.

Response A3-1
Figure 3.11-1 has been revised to label the Mokelumne Aqueduct, as requested in the comment. Figure 3.11-1 depicts the project alignment within the Bear Creek, Middle River–San Joaquin River, and lower Mokelumne River watersheds and provides context for analysis of potential for effects to surface water quality. Although the figure depicts pipelines, including EBMUD's Mokelumne Aqueduct, only key surface waters referenced in the analysis are labeled in the Draft EIR. This figure is not intended to provide the context necessary for the project applicant to determine permitting requirements. It is assumed that PG&E will identify the aqueduct on all pertinent construction documents. Labeling the aqueduct does not affect the analysis or conclusion of the Draft EIR relative to potential for the project to affect the hydrology or water quality of the area.

Comment A3-2
EBMUD MOKELUMNE AQUEDUCTS

The eastern end of the proposed project is located within one-half mile of EBMUD's Mokelumne Aqueducts right-of-way (owned in fee). Enclosed is a map of the Aqueduct within the project area. The proposed new transmission lines will connect to existing transmission lines that currently cross the Aqueduct right-of-way. Due to the possibility of construction-related impacts and encroachment on EBMUD's right-of-way, a temporary encroachment permit and temporary construction permit are recommended and may be required. Any projects being planned within or immediately adjacent to EBMUD's property will need to follow EBMUD's Procedure 718 - Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses. Included for your reference is a copy of Procedure 718, Supplement No. 1 to Procedure 718, EB MUD Encroachment FAQ, and a sample permit. Please note permit terms require that overhead electrical power conductors across EBMUD property shall be a minimum of 30 feet above ground. Supporting poles or towers shall be located outside the Aqueduct right-of-way.

Design drawings for any project encroachment (roadway, utility, facility, etc.) or restoration projects crossing or within the Aqueduct right-of-way will need to be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that may impact EBMUD's property. EBMUD requires a full set of drawings (full size or 11" x 17") as well as an electronic copy in PDF format. All submittals shall be sent to the attention of Douglas A. Hooper, Assistant Superintendent of Aqueduct Section, 1804 West Main Street, Stockton, CA 95203. Additional information and an encroachment package are included in EBMUD's Procedure 718. Applications for non-EBMUD uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees. Contractors must secure an encroachment permit from EBMUD Aqueduct Section prior to mobilizing and starting construction work. A preconstruction meeting with EB MUD is mandatory.

When a project involves the construction of a retaining wall and fence along the property line, these must be constructed completely outside of EBMUD property, including all footings. The Pacific Gas and Electric Company shall contact EBMUD's Survey Section to coordinate identifying, locating and marking correct property lines.

If you have any questions concerning this response, please contact Sandra Mulhauser, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-7032.

Response A3-2

As explained in Chapter 2, "Project Description," of the Draft EIR (see page 2-15), a new tubular steel pole (TSP) would be installed along the existing PG&E Brighton-Bellota 230 kV line approximately 8.5 miles north of PG&E Bellota Substation. Based on design drawings, this is north and outside of EBMUD's Mokelumne Aqueduct right of way. The lines would extend west from this new TSP and there are no work areas with potential to directly affect the aqueduct. However, the Mokelumne Aqueduct right of way is identified for use as the construction access to the western end of the project area (see page 1 of Appendix B to the Draft EIR). Due to this proposed use, CPUC agrees that a permit may be required pursuant to EBMUD's Procedure 718 - Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses.

Table 2-15, which lists the permits and approvals that may be required for PG&E's portion of the project has been modified to reflect this permit requirement. Please see Chapter 3, "Revisions to the Draft EIR."

The comment does not raise a specific issue related to the Draft EIR or the analysis of environmental impacts, as contemplated by CEQA. The acquisition of an encroachment permit would not substantially affect the potential for the project to result in physical changes to the environment and no revisions to the analysis of environmental effects are necessary in response to this comment. This comment is acknowledged for the record and will be forwarded to the decision makers and the applicant for consideration.

Letter A4 City of Lodi – Electric Utility

Hasan Shahriar, Engineering & Operations Manager
January 29, 2025

Comment A4-1

I am writing to provide comments on the Draft Programmatic Environmental Assessment (PEA) for the Northern San Joaquin 230 kV Transmission Project.

Regarding Impact ARC-2 in Section 3.5, the analysis identifies five archaeological sites—P-39-004279, P-39-004471, P-39-004901, BD-01, and BD-02—within the Lodi Electric Utility (LEU) project components. Upon review, I would like to note that these archaeological sites are not within the LEU project components. I recommend that this reference be removed to accurately reflect the project scope.

All other aspects of the Impact ARC-2 analysis appear accurate, and I appreciate the detailed consideration of cultural resources in the assessment.

Thank you for your attention to this matter, and I look forward to the project's continued progress. Please let me know if any additional clarification is required.

Response A4-1

In response to this comment, Impact ARC-2 and Mitigation Measure 3.5-2b have been revised to accurately characterize the known archaeological sites as near PG&E project components, as shown in Chapter 3, "Revisions to the Draft EIR," in this document. Because all impact determinations in the Draft EIR are based upon the whole of the project, the designation of the infrastructure as within the scope of PG&E's project attributes does not substantially affect the analysis, conclusions, or mitigation requirements presented in the Draft EIR.

2.2.2 Organizations

Letter O1 Pacific Gas and Electric Company (PG&E)

Mathew Swain, Senior Attorney, Paragon Legal, for PG&E
February 7, 2025

Comment O1-1

Enclosed are Pacific Gas and Electric Company's (PG&E) comments on the Draft Environmental Impact Report (DEIR) that the California Public Utilities Commission published on December 10, 2024, regarding the Northern San Joaquin 230 kV Transmission Project (referred to herein in as the "Proposed Project" or "Project"). PG&E reserves the right to supplement its comments on the DEIR at a later date.

PG&E appreciates the time and effort that the CPUC and its consultants spent on preparing the DEIR. PG&E's comments are intended to ensure that the Final Environmental Impact Report (FEIR) for the project will be accurate, complete, and consistent with the California Environmental Quality Act (CEQA).

I. INTRODUCTION

On September 1, 2023, PG&E filed an application requesting a Certificate of Public Convenience and Necessity (CPCN) for the Proposed Project, with a targeted in-service date of March 2029. The Proposed Project will provide a new 230 kilovolt (kV) transmission system in northern San Joaquin County. The purpose of the project is to address reliability and capacity issues identified by the California Independent System Operator (CAISO) on the existing PG&E 230 kV and 60 kV systems serving its customers in the northern San Joaquin County area.

There appears to be a misperception among some members of the public that this Project will only benefit the City of Lodi. However, as discussed in its CPCN application, PG&E provides electricity to approximately 10,000 customers in its northern San Joaquin County service area, one of which is the City of Lodi. The Lodi Electric Utility (LEU) receives power from PG&E and serves its approximately 28,000 electrical customers within the City of Lodi. The peak amount of electrical service, or load served, in PG&E's northern San Joaquin County service area has exceeded the capacity of the existing system during normal operation and under various outage conditions. The CAISO determined that existing voltage issues and thermal overloads have been occurring and are forecasted to worsen throughout the area unless the load on PG&E's existing 230 kV and 60 kV transmission systems in the area are reduced. Implementing this CAISO-approved Project, which includes bringing a new 230 kV source through Lockeford Substation into the City of Lodi and reconfiguring existing PG&E 60 kV lines, will resolve those issues and ensure a reliable supply of electricity for all of the approximately 10,000 PG&E customers in this area.

Response O1-1

The comment provides introductory remarks and addresses what the commenter perceives as a misperception about the beneficiaries of the project. This comment is acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment O1-2

PG&E appreciates the opportunity to provide comments on the DEIR. PG&E's comments are provided below and in Attachments 1 through 3 hereto. Most of PG&E's substantive comments on the DEIR's impact analysis and mitigation measures are presented in this letter. Attachment 1 (Text Revisions and Requests for Clarification) includes "fine-grained" comments on some mitigation measures, such as those relating to nesting bird surveys and buffers, as well as identifying minor text revisions needed for accuracy or consistency. PG&E requests that the CPUC incorporate the information and proposed revisions to the DEIR presented in this letter and Attachment 1 into the Final EIR. Attachment 2 (Nesting Birds: Species-Specific Buffers for PG&E Activities) and Attachment 3 (Aquatic Resources with 25-Foot Buffer) supplement comments on certain mitigation measures.

Response O1-2

The comments provided in the body of the letter and Attachment 1 have been bracketed and responses are provided in Responses O1-3 through O1-27, below. Attachments 2 and 3 have been reviewed for context but do not pertain specifically to the analysis or conclusions of this EIR and, as such, are not considered comments on the EIR for which a response is required. As described further below and in Chapter 3, "Revisions to the Draft EIR," suggested revisions that CPUC has determined are appropriate and necessary to provide technical accuracy or clarity have been incorporated into this EIR.

Comment O1-3

A. Mitigation measures applicable to post-construction operation and maintenance activities are unwarranted and unworkable

Imposing mitigation measures on operation and maintenance (O&M) activities is not warranted. In at least two places, the DEIR imposes mitigation measures on O&M activities that would occur after Project construction is completed. For example, MM BIO-2b would require PG&E to undertake nesting bird surveys "within 14 days before the onset of all project construction or O&M activities during the breeding season…." (DEIR at 3.6-47; emphasis added.) Similarly, MM BIO-3 would prohibit construction and O&M activities within a minimum 25-foot buffer around wetlands (DEIR at 3.6-55). Although the O&M phase of the new electric transmission facilities PG&E proposes to construct are part of the "whole of the action" for CEQA purposes and the DEIR is correct to consider those impacts, they do not warrant mitigation. As noted in the DEIR, there are several existing PG&E 230 kV, 115 kV, and 60 kV lines in the area. The environmental baseline includes PG&E's existing, ongoing O&M activities on these facilities. O&M activities on the Proposed Project will be minor, incremental additions to PG&E's existing and ongoing O&M program. CEQA requires that there must be a significant impact to justify mitigation, which is not the case here because this Project would result in a minor addition to baseline conditions.

As the DEIR notes in Impact BIO-2, "O&M activities would be infrequent with less physical disturbance than construction-related activities" (DEIR at 3.6-34), and would also occur later in time after Project construction is completed. However, the DEIR lumps construction and O&M activities together for mitigation purposes in MM BIO-2b and elsewhere, in contrast to the clear demarcation and difference the DEIR draws between their occurrence, frequency, and intensity. There is no basis provided in the DEIR to support the conclusion that O&M activities would significantly contribute to impacts caused by construction or have significant impacts on their own. CEQA does not mandate mitigation for impacts that are not significant.

Moreover, the impacts of PG&E's O&M activities were already evaluated in the "Final EIS/EIR: Pacific Gas and Electric Company San Joaquin Valley Operations and Maintenance Program Habitat Conservation Plan" (EIS/EIR) adopted by the U.S. Fish and Wildlife Service and the California Department of Fish and Game in December 2006 to support issuance of the SJVHCP. As noted in its "Summary" chapter, the EIS/EIR analyzed PG&E's ongoing O&M and minor construction activities in the San Joaquin Valley, including San Joaquin County. (See EIS/EIR at S-11 to S-13.) The O&M activities evaluated in the EIS/EIR are the same O&M activities evaluated in the DEIR. The EIS/EIR, which is a final, certified and non-appealable CEQA document, concluded that all impacts associated with PG&E's O&M activities are less than significant with the mitigation required under the SJVHCP EIS/EIR. (Id. at S-37.) The CPUC is bound by the conclusions of the EIS/EIR, as PG&E's future O&M on Project facilities will not involve any substantial change to the O&M activities reviewed in the EIS/EIR, nor are there any new significant impacts or substantial increases in the severity of previously-identified significant impacts related thereto (see CEQA Guidelines Sections 15162, 15163.) As such, the conclusions of the SJVHCP EIS/EIR remain valid. As the DEIR acknowledges, PG&E's O&M activities are subject to the SJVHCP, which "includes 11 avoidance and minimization measures (AMMs) that would be implemented by PG&E during O&M activities as part of the proposed project." (DEIR at 3.6-27.) No more is required or warranted.

Finally, imposition of mitigation measures for future O&M activities in a CPCN (or PTC) proceeding is unprecedented, and would create significant practical challenges for PG&E's O&M program, resulting in inefficiency and potentially conflicting requirements. PG&E is not aware of other CEQA documents prepared for PTCs and CPCNs that PG&E has applied for that impose mitigation measures on post-construction O&M activities (other than

landscaping to mitigate construction impacts). There is a strong policy reason against doing so because this would disrupt the existing O&M regime PG&E must comply with. PG&E has entire lines of business and related practices and procedures devoted to conducting O&M on its electric facilities, which includes measures to identify and avoid and/or mitigate impacts to environmental resources. For example, as noted above, the SJVHCP imposes several AMMs on PG&E's O&M activities in the large regional area covered by that plan. Adding mitigation measures piecemeal via the CEQA process to new transmission facilities, project-by-project, could result in conflicts with existing requirements. In addition, imposing mitigation measures such as MM BIO-2b on the O&M phase of this project would extend CPUC's role as the monitor of this measure on this specific project indefinitely, which would not be a productive use of agency resources or ratepayer resources.

Response O1-3

PG&E's PEA noted that San Joaquin Valley Habitat Conservation Plan (SJVHCP) AMMs 1–11 would be applied for project O&M activities; therefore, the analysis in the Draft EIR used this assumption. Additional applicable SJVHCP AMMs have been added to the EIR analysis for California tiger salamander and special-status and other nesting birds, as shown in Chapter 3, "Revisions to the Draft EIR," in this document. Specifically, the description of the SJVHCP in Section 3.6.2, "Regulatory Setting," of the Draft EIR has been edited to more thoroughly reflect the SJVHCP AMMs (in addition to AMMs 1–11) and the applicability of these AMMs to project O&M activities. Where SJVHCP AMMs would apply to species that may occur in the biological study area (BSA) for O&M activities, including California tiger salamander, tricolored blackbird, burrowing owl, Swainson's hawk, white-tailed kite, bank swallow, and valley elderberry longhorn beetle, the Draft EIR has been revised to specify that additional mitigation measures would only be required for project construction activities and would not be required for O&M activities.

Crotch's bumble bee and western red bat are special-status species that may occur in the BSA and that are not covered species under the SJVHCP. Therefore, the SJVHCP AMMs would not specifically apply to these species, and the mitigation provided in the Draft EIR for these species will apply to O&M and construction activities. American badger is also not covered under the SJVHCP; however, this species was addressed in the SJVHCP EIS/EIR, which determined that impacts on American badgers would be less than significant. The EIR analysis regarding American badger and Mitigation Measure BIO-2g have been revised to narrow potential impacts on this species to PG&E construction activities.

While the CPUC does not directly monitor all activities during O&M, it is reasonable for CPUC to expect PG&E to comply with all applicable federal and state laws that include avoidance of disturbance to nesting birds and wetlands. Therefore, revisions to MM BIO-2b and MM BIO-3 were not made.

Comment O1-4

B. Impact AES-1 should be "No Impact," not "Less than Significant"

Impact AES-1 addresses whether the Project would result in a substantial adverse effect on a scenic vista. There are no officially designated scenic vistas in the study area.[1] The DEIR states on page 3.2-5 that "[t]he major scenic vistas in San Joaquin County are located along the east-west travel corridors that provide views of the Sierra Nevada foothills to the east and views of the Diablo Range to the west." However, the DIER's analysis indicates the Project would not have any impact on scenic vistas.

For example, the DEIR states that "views of the mountains are largely obscured by atmospheric haze that persists in the area throughout much of the year." In addition, the only east-west corridors in the project vicinity are State Route 12/East Victor Road, East Kettleman Lane, and Harney Lane. The proposed transmission line alignment does not cross and is not proximate to either State Route 12 or Harney Lane. DEIR Figure 3.2-4a shows the view looking north toward the Project from a commercial winery on the north side of Harney Lane. The Project is barely visible from this location; for a driver traveling at the speed limit east or west on Harney Lane, the Project likely would not be noticeable. The proposed transmission line is even farther from State Route 12/East Victor Road and would not affect views of drivers along that road. Similarly, most of the proposed transmission line length is parallel and not proximate to East Kettleman Lane and would not be apparent to drivers on this road. Where the proposed transmission line crosses East Kettleman Lane at PG&E Lockeford Substation, the line and the substation improvements would be consistent with the existing visual character of utility infrastructure at this location. Where the

proposed transmission line crosses East Kettleman Lane at the border of the City of Lodi, it also would be consistent with the industrial visual character in this area.

In addition, the DEIR states on page 3.2-5 that: "'Close-in' scenic vistas are also available on two-lane roads through rural portions of the county, with views of lands under agricultural production, such as vineyards and orchard." However, "vistas" in the CEQA context generally refer to distant views, primarily from a given vantage point. These "close-in" views are considered in impact discussion AES-2, but they are not appropriate considerations for purposes of analyzing Impact AES-1.

For these reasons, the DEIR's determination of "Less than Significant Impact" should be changed to "No Impact."

[1] A scenic vista is defined as a distant public view along or through an opening or corridor that is recognized and valued for its scenic quality. [PEA at 5.1-13.] PG&E did not find any scenic vistas identified in the county policies, or scenic overlooks in Caltrans scenic data during the development of the PEA. The general definition applied for CEQA by PG&E's aesthetics resource specialist is: A "designated scenic vista" is an area offering a distant public view for which an agency or department actively manages the scenic vista to maintain or protect the public view by providing public access, information, safety, and protection of resources (e.g., signage, kiosk, parking area, safety fencing/rails). [Cornwall, Chuck. Principal at Environmental Vision. Personal Communication with Andrea Gardner of Jacobs regarding scenic vistas on January 25, 2025.]

Response O1-4

The term scenic vista is not defined in statute or through the CEQA Guidelines. CPUC, therefore, has discretion to define the resource and apply the threshold in a manner that is tailored to satisfy the agency's needs and project circumstances. The description of scenic vistas in the Draft EIR, including the acknowledgement of "close-in" vistas afforded to motorists traveling in rural portions of the county, aligns with the description of scenic vistas presented by San Joaquin County in the San Joaquin County 2035 General Plan EIR (San Joaquin County 2014: 4.L-11).

Although there are not officially designated scenic vistas in the project area and the project is not anticipated to substantially interfere with distant views of the Sierra Nevada foothills to the east and views of the Diablo Range to the west, CPUC acknowledges that there would be some effect on scenic vistas recognized by San Joaquin County. The analysis recognizes the limited and intermittent nature of construction and the visual compatibility of the power infrastructure with the existing land uses in the area, concluding that the project "would not directly result in an adverse effect on a scenic vista. Furthermore, the project would not obstruct views of scenic vistas, including the Coast and Sierra Nevada ranges or nearby rivers" (Draft EIR page 3.2-15).

The analysis of Impact AES-1: Result in a Substantial Adverse Effect on a Scenic Vista on pages 3.2-14 and 3.2-15 of the Draft EIR accurately reflects CPUC's analysis of the potential for the proposed project to adversely affect scenic vistas, as defined by San Joaquin County. No revisions to the analysis or conclusions of the Draft EIR have been made in response to this comment.

Comment O1-5

C. Include the entirety of PG&E's Applicant-proposed measures in Section 3.2, Aesthetics

The Applicant-proposed measures (APMs) for aesthetics are listed on page 3.2-13 of the DEIR. The footnote on this page states "Note that APMs AES-3, AES-3a, and AES-3b are not included in this section because they related to private views of a TSP from a residence and are not applicable to the analysis." The DEIR is correct that these APMs address private views from a residence and are not the type of aesthetic impacts that CEQA addresses, and we support the DEIR calling out this distinction. However, PG&E is committed to reducing the effects of the Project on this private view and intends to implement these APMs AES-3, AES-3a, and AES-3b. Accordingly, these APMs should be included in the FEIR as measures to be voluntarily applied by PG&E.

Response O1-5

All of the APMs proposed by PG&E as part of the project application are listed in Section 2.8, "Applicant-Proposed Measures and Best Management Practices," of the Draft EIR project description (page 2-74 et. seq.). Because PG&E

has committed to implementing these APMs through its application, CPUC considers these measures "binding descriptions of project design and implementation that are integral to the project." As explained on page 2-74 of the Draft EIR, although only APMs "that address physical adverse effects on the environment are considered in the resource evaluations," PG&E is expected to implement all APMs, with the exception of proposed APMs that are expressly superseded and replaced by mitigation measures in the Draft EIR analysis.

Comment O1-6

D. Impact AG-3 should be "No Impact" instead of "Less than Significant"

Impact AG-3 addresses other changes in the existing environment that could result in conversion of Important Farmland to nonagricultural use, but it reaches an unsupported impact conclusion. The DEIR concludes that "the project would not involve changes in the existing environment that could result in the conversion of Important Farmland to nonagricultural use." (DEIR at 3.2-21.) However, the DEIR goes on to conclude that: "This impact would be less than significant" (id.), without providing any substantiation for that conclusion.

The discussion in the DEIR presents a strong basis for CPUC to conclude that Impact AG-3 will have no impact, undercutting the conclusion that it would be less than significant. As noted on page 3.3-21 of the DEIR:

> The project is intended to provide a more reliable power source to existing and planned future customers, including agricultural users, and would not induce population growth in the region. The project would not induce population growth that could affect agriculture. The project would not change the characteristics of the physical environment that support Important Farmland, such as the soil quality, topography, and water supply. In addition, the project would not diminish the scenic quality or recreational opportunities in a manner that would discourage agrotourism. Therefore, the project would not involve changes in the existing environment that could result in the conversion of Important Farmland to nonagricultural use. (Emphasis added.)

Because the Project would not involve changes in the existing environment that could result in the conversion of Important Farmland to nonagricultural use, the conclusion should be "no impact," not "less than significant."

Response O1-6

The Draft EIR defines the terms "no impact" and "less-than-significant impact" in Chapter 1, "Introduction," of the Draft EIR (page 1-3) as follows:

- "No impact" means no change from existing conditions (no mitigation is needed).
- "Less-than-significant impact" means no substantial adverse change in the physical environment (no mitigation is needed).

In addition to the impact conclusion quoted in the comment, the Draft EIR provides a discussion of the changes in the physical environment that would occur with project implementation. This includes, for example, the potential for the project to affect the quality of area views such that agrotourism would be affected. Although the Draft EIR concludes that there would not be a substantial adverse change that could result in the conversion of Important Farmland to nonagricultural use, the analysis recognizes the potential for an incremental change in conditions. For this reason, CPUC has determined that a less-than-significant determination is appropriate.

This conclusion is adequately substantiated in the Draft EIR, aligns with the explanation of the conclusion statements provided therein, and reflects CPUC's independent review and judgement. Beyond quoting the analysis in the Draft EIR, the comment provides no evidence to support the opinion that the conclusion statement should be changed. No revisions have been made to the Draft EIR in response to this comment.

Comment O1-7

E. The setting in Section 3.5, Archaeological, Historical, and Tribal Cultural Resources, incorrectly identifies Project components near known historic-era archaeological resources as being within the API

The impact analysis on pages 3.5-22 to 3.5-23 of the DEIR incorrectly locates archaeological resources within the Area of Potential Impact (API) and misidentifies their proximity to certain Project components. This information should be corrected.

First, record search data inaccurately mapped Resource P-39-00471 as within the API. Archaeological pedestrian surveys confirmed the resource is outside of the API (PEA Appendix D3 Confidential Cultural Report Addendum at page 14). Resource P-39-004471, consisting of a row of oak trees along State Route 12, does not have historic-era trees within the API, would not be impacted by the Proposed Project, and should not be included in the impact evaluation.

Second, the DEIR incorrectly identifies the location of the known archaeological resources as being within LEU project components in Impact ARC-2. None of the resources are within the LEU project components. The four archaeological resources (P-39-004279, P-39-004901, BD-01, and BD-02) within the API are proximate to work areas and access for PG&E project components, not LEU project components. The PG&E work in the vicinity of the four known archaeological resources is reconfiguring existing PG&E 60 kV lines.

The only ground disturbance within the area incorrectly identified as LEU project components is PG&E's installation of two guy wires on existing wood poles. Ground disturbance during guy wire installation occurs when the anchor portion of the wire is screwed into the ground. There is no excavation and therefore no opportunity for inadvertent discovery of buried resources with this PG&E activity when proximate to the known archaeological resources. Additionally, the work area and access are clearly marked and the archaeological survey confirmed that the known resources are avoided by the PG&E work areas and access.

Response O1-7

As explained in Response A4-1, Impact ARC-2 and Mitigation Measure 3.5-2b have been revised as shown in Chapter 3, "Revisions to the Draft EIR," in this document to accurately reflect the resources within the LEU and PG&E project components.

Mitigation Measure 3.5-2a is specific to inadvertent archaeological resources discoveries. The mitigation is not specific to known archaeological resources and also pertains to unknown and undocumented discoveries. Although PG&E appears to correlate the need for the measure to the proximity to known archaeological resources, accidental discoveries could happen anywhere in the project area and cannot be precluded from analysis.

Mitigation Measure 3.5-2b is necessary because work areas are identified in proximity to known resources. Installation of guy wires is unlikely to require ground disturbance that would trigger the mitigation. Nonetheless, mitigation is established based on the assumption that ground-disturbing activities could be required in any work areas. Application of the mitigation has been clarified in response to this comment, as shown in Chapter 3 of this EIR. These modifications make the intended application of the mitigation clear but do not affect the enforceability or effectiveness of the mitigation. No changes to the analysis or conclusions in the Draft EIR would result.

Comment O1-8

F. The conclusion in Section 3.5, Archaeological, Historical, and Tribal Cultural Resources, that Impacts ARC-2 and ARC-3 are significant is not supported by substantial evidence

1. Impact ARC-2

The conclusion in Impact ARC-2 of a significant impact by Project ground disturbance to unknown and undiscovered archaeological or tribal cultural resources is unsubstantiated and speculative. As noted on DEIR page 3.5-23, "ground disturbance is not proposed within [the] boundaries" of the archaeological sites in question. The work area and access are clearly marked in the PEA and the archaeological survey confirmed that the known resources are avoided by the PG&E work areas and access. In addition, the DEIR hypothesizes that final design changes may alter the Project such that a significant impact could occur to evaluated resources:

> None of these resources were evaluated for CRHR because it is anticipated that the proposed project would not result in ground disturbance within any of the five site boundaries. However, exact structure type, configuration, and dimensions of the infrastructure would be determined by City of Lodi requirements. Final engineering and other factors are likely to change, which could result in impacts to these unevaluated resources. (DEIR at 3.5-23.)

It is speculative to assume that (i) the unevaluated resources would have significance, and (ii) the Project design would be allowed to change such that significant impacts would occur. CEQA requires that impacts of the fixed project description in the EIR be evaluated, not theoretical other or future versions of the Project. If the Project were modified during final design occurring after the CPCN was issued, the modifications would be evaluated in accordance with CEQA Guidelines Section 15162 to determine, among other things, if the Project would result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. For example, it is common practice for the CPUC to approve minor project refinements after a PTC or CPCN is issued without reopening the CEQA review if these are minor project changes that will not trigger other discretionary permit requirements, do not increase the severity of an impact or create a new impact, and comply with the intent of any relevant mitigation measures. To the extent that LEU may propose changes to the design of its project components, the City of Lodi would apply a similar lens to determine whether such changes are covered by the FEIR issued by the CPUC or require supplemental CEQA review. (Moreover, as stated above, the DEIR incorrectly determined that construction of the LEU project components would be proximate to identified archeological resources, and therefore will not impact those resources.) The assumption made in the DEIR in Impact ARC-2 that such design changes could result in significant (but currently unknown) impacts is speculative and would be tested by the CPUC (or City of Lodi) if and when PG&E seeks approval for a project refinement that could impact these archeological resources, ensuring that any new significant impact would be mitigated. Therefore, no basis for a significant impact has been provided.

Response O1-8

As summarized in the comment, the project has been designed to avoid known archaeological resources. A potential remains for undocumented and unanticipated resources to be discovered through the construction process. Because these resources have yet to be discovered, a determination of the significance of the resources cannot be reached. The conclusions in the Draft EIR are supported by substantial evidence, which is defined in the CEQA Guidelines Section 15384(a) to include "relevant information and reasonable inference." It would be speculative to assume that there is not potential to encounter unevaluated resources and that these resources, if encountered, do not have the potential to be significant.

The Draft EIR evaluates disturbance within the project area, as it was defined by PG&E in its application. The Draft EIR does not assume that the project would be "allowed to change" in a manner that results in potential for new significant impacts without additional environmental review pursuant to CEQA. This EIR does, however, acknowledge the potential for project refinements during final engineering, as articulated in the comment. By preparing an analysis that fully evaluates the potential scope of work within all identified work areas, the CPUC has properly considered the project and limited the potential for extensive subsequent review under CEQA.

Pages 3.5-22 and 3.5-23 in the Draft EIR state the following: "project-related ground disturbance could result in discovery and damage of yet undiscovered archaeological resources as defined in CEQA Guidelines Section 15064.5. This would be a **significant** impact." The significance of the impact is not solely based on the known sites located within the project area but also includes undiscovered resources.

Comment O1-9

2. Impact ARC-3

The discussion of Impact ARC-3 in the DEIR presents a strong basis for CPUC to conclude it will be less than significant, undercutting its opposite conclusion that it would be significant. As noted on page 3.5-24 of the DEIR, none of the tribes contracted:

> …requested consultation or responded to the letters. Additionally, both of the NAHC SLF searches returned a negative result, indicating that there are no known Native American cultural sites present in the project area. Similarly, the results of the CCaIC records search and archaeological pedestrian survey, discussed above, did not result in the discovery of any precontact archaeological sites that could potentially be tribal cultural resources. (Emphasis added.)

Nevertheless, the DEIR goes on to note that "it is possible that tribal cultural resources could be identified and damaged during ground-disturbing activities" (page 3.5-25) and appears to use this statement as the basis for a conclusion that impacts could be significant and warrant mitigation. This is not a reasonable basis for imposing mitigation measures.

PG&E agrees that it is possible that tribal cultural resources could be identified and damaged during ground-disturbing activities outside of highly disturbed areas. However, it is highly unlikely for unknown tribal cultural resources to be present based on the substantial evidence in the DEIR, which includes archival research, field surveys, and PG&E's communication with the tribes during project development. Moreover, implementation of APM CUL-3 and APM TRC-1 would further minimize the potential for impacts. To assume unknown tribal cultural resources are present and would be significantly impacted is speculative because there is no evidence presented in the DEIR that such impacts are reasonably foreseeable.

Response O1-9

The Draft EIR provides substantial evidence that there are no known tribal cultural resources in the project area. While discovery of previously undocumented tribal cultural resources may be unlikely, the Draft EIR conservatively acknowledges that such discovery is possible.

The Draft EIR also does not "assume unknown tribal cultural resources are present." Rather, the Draft EIR acknowledges the potential for presence. Similarly, the Draft EIR does not state that all undocumented resource would be "significantly impacted." The Draft EIR acknowledges the reasonable likelihood that undocumented tribal cultural resources could be substantially affected if an unanticipated discovery occurs and establishes industry standard protocol to avoid or minimize the potential for a significant impact. This conclusion is based on reasonable inference and is not impermissibly speculative.

Comment O1-10

G. Mitigation Measures 3.5-2a, 3.5-2b, and 3.5-3 are not supported by the impact analysis, are not materially different than PG&E's APMs, and should be deleted

Because ground disturbance is not proposed within the boundaries of known archaeological sites and no basis for a significant impact has been provided, Mitigation Measures 3.5-2a, 3.5-2b, and 3.5-3 are unnecessary. In addition, these measures have been proposed to replace corresponding APMs; however, there is no material difference between the mitigation measures and the APMs, as detailed in the following. For these reasons, the EIR should revise the conclusion for Impacts ARC-2 and ARC-3 to "Less than Significant" and delete MMs 3.5-2a, 3.5-2b, and 3.5-3. PG&E's APMs are sufficient to address inadvertent discoveries of archaeological resources and tribal resources.

Response O1-10

As described above in Responses O1-08 and O1-9, substantial evidence is presented in the Draft EIR to support the need for the mitigation identified. Although there are similarities between the measures proposed by the applicant in the APMs and the mitigation measures proposed, the CPUC determined that the APMs do not satisfy the CEQA standards for mitigation because of the discretion afforded to PG&E and the lack of clear requirements.

Specifically, APM CUL-3 does not provide guidance on the procedures to follow if there is a precontact resource identified that could potentially also be a tribal cultural resource, and it does not make a connection to APM TCR-1. APM CUL-3 also does not state when ground disturbance can resume after the resource finding has been treated.

As written, APM TCR-1 does not require identification of the appropriate tribal contact prior to ground disturbance and only requires work to stop if a resource is "determined by the geographically affiliated tribe in collaboration with the project's qualified archaeologist (if applicable) to be potentially eligible." Without a contact established to determine eligibility, there is a potential that resources would not be appropriately identified. Also, "If no agreement can be reached for mitigation after discussions with the California Native American Tribe(s) or it is determined that the tribe(s)' preferred mitigation is not feasible, PG&E would implement one of the example mitigation measures listed in PRC Section 21084.3(b), or other feasible mitigation." the last bullet of APM TCR-1 does not meet CEQA's standard's for deferred mitigation. And for cultural resources (including tribal), avoidance/preservation should always be the first option, which is not clearly stated in APM TCR-1. Therefore, the mitigation measures identified in the Draft EIR are necessary to reduce the impact below the level of significance.

Comment O1-11

1. Mitigation Measure 3.5-2a

MM 3.5-2a and APM CUL-3 both halt ground-disturbing construction activities within 100 feet of the discovery; assessment of the discovery by a qualified archaeologist; coordination with state officials; and avoidance as the preferred strategy. Impact ARC-2 uses two semantic arguments for proposing that MM 3.5-2a replace APM CUL-3:

> However, APM CUL-3 would only be implemented to the extent feasible and does not recommend preservation in place as the primary form of mitigation to avoid direct and indirect effects during construction or O&M. (DEIR at 3.5-23.)

Section 15364 of the CEQA Guidelines defines feasible as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Section 15126.4 of the CEQA Guidelines notes that, for mitigation measures, an EIR "shall describe feasible measures which could minimize significant adverse impacts." APM CUL-3 and MM 3.5-2a are, therefore, subject to the same condition of feasibility in implementation; this factor does not differentiate between the two.

Moreover, APM CUL-3 clearly lists the actions to achieve preservation in place as the primary treatment after inadvertent discovery of an archaeological resource, the same as proposed in MM 3.5-2a. APM CUL-3 states "[t]he PG&E cultural resources specialist will coordinate with the state lead officials, as appropriate. If the ***discovery can be avoided or protected and no further impacts will occur*** [emphasis added], then the resource will be documented on DPR 523 forms, and no further effort will be required." Avoiding or protecting with no further impacts are the specific actions to achieve preservation in place. A mitigation measure that uses the specific technical term of "preservation in place" is unnecessary when the activities to achieve preservation in place are clearly stated and actionable in APM CUL-3. Furthermore, APMs and mitigation measures do not need to restate applicable guidelines or regulations as a means to achieve compliance.

It should be noted that "preservation in place" will not lessen an impact because the impact already would have occurred during an inadvertent discovery. Mitigation Measure 3.5-2a misstates the intent of preservation in place. Treatment options under Public Resources Code Section 21083.2(b) to mitigate impacts to archaeological resources include activities that preserve such resources in place in an undisturbed state. Preservation in place is to avoid an impact to a known resource, as the Project is designed to do. Examples of preservation techniques in CEQA include:

(1) Planning construction to avoid archeological site
(2) Deeding archeological site into permanent conservation easement
(3) Capping the archeological site with chemically stable soil
(4) Incorporation of archeological site within an open space.

In addition, MM 3.5-2a omits PG&E's qualified professional archaeologists (who meet the Secretary of the Interior's Professional Qualification Standards for archaeology) from the measure and from discussions with California Native American Tribe(s) and identified LEU instead of the City of Lodi as a CEQA responsible agency.

Response O1-11

Mitigation Measure 3.5-2a would supersede and replace APM CUL-3 and BMP CUL-3 for inadvertent discoveries of cultural resources. As summarized in the comment, the mitigation is largely consistent with the proposed APM and BMP but would improve enforcement. While "feasible" is defined in the CEQA guidelines, requiring compliance with a measure only if the applicant determines feasibility in the future does not provide the substantial evidence to support a less-than-significant impact determination. Without the modifications proposed in Mitigation Measure 3.5-2a, the impact would be significant and unavoidable due to the uncertain feasibility of the minimizing measures. This determination is consistent with CEQA's requirement that an EIR identify and describe feasible mitigation measures for all significant environmental effects (CEQA Guidelines Section 15126.4[a]).

Further, the mitigation does not omit PG&E's qualified professional archaeologists (who meet the Secretary of the Interior's Professional Qualification Standards for archaeology). The first bullet in the measure allows for any qualified professional archaeologist that meets the standard to assess the significance of the find. To correct and clarify the agency responsible for implementation, the text of Mitigation Measure 3.5-2a on pages 3.5-23 and 3.5-24 of the Draft EIR is revised as shown in Chapter 3 of this Final EIR. See also Responses O1-08 through O1-10.

CPUC has the authority to mitigate the impact identified in the Draft EIR and has proposed mitigation that requires feasible changes in activities involved in the project 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 (CEQA Guidelines Section 15041[a]). Because the proposed mitigation is substantially similar to an APM proposed by PG&E that would be replaced, there would be insignificant effects on project implementation.

Comment O1-12

2. Mitigation Measure 3.5-2b

Mitigation Measure 3.5-2b would establish a 5-foot no-disturbance buffer for unevaluated and ineligible historic-era archaeological resources. PG&E has not proposed an APM similar to MM 3.5-2b. As noted previously, the four known unevaluated or ineligible historic-era archaeological resources would be avoided by work areas and access. There is no excavation and, therefore, no opportunity for inadvertent discovery of buried resources when proximate to the known four archaeological resources. Therefore, the mitigation measure is not required. In addition, Mitigation Measure 3.5-2b is misapplied to LEU; is impractical; would identify the location of archeological resources to the public by staking the locations of archaeological resources; would make access routes unsafe; and could result in a significant impact to transportation in one location. Surrounding a resource calls attention to its location. Identifying a resource with such markings could unintentionally open it up to vandalism or other unintended public impact.

Specifically, P-39-004901 (a segment of State Route 12) is an active, state-owned, two-lane arterial road with a paved shoulder. PG&E assumes this historic road segment is in the vicinity of the northernmost span of PG&E's Industrial Tap 60 kV line (pole 21) connecting to PG&E's Lockeford-Lodi #2 60 kV line (pole 22), given this is the only project work near State Route 12. During construction, this 60 kV span would be removed, a down guy installed on pole 22, a down guy installed on a PG&E distribution pole on the south side of State Route 12, and a horizontal guy installed aboveground between pole 22 and the distribution pole. Installation of the down guys from the two existing poles is the only ground disturbance proposed near P-39-004901. The existing poles are within franchise or within a few feet of the road shoulder or parking lane. MM 3.5-2, therefore, would result in installation of fencing or staking in P-39-004901, thus directly impact the resource intended to be protected by the mitigation. In addition, such a buffer would likely create a significant impact with an unmitigated road closure of State Route 12.

P-39-004279 (telegraph poles) and BD-01 (historic-era agricultural vines, tree stumps, and equipment) are avoided by the adjacent PG&E access and work areas. The access routes in these areas are existing narrow, two-track unpaved roads. Fencing or staking resources to achieve the 5-foot buffer distance would likely locate the fencing or staking in the center of the lane of travel, creating an unsafe or unusable access route. Fencing or staking is unneeded to avoid impacting these resources, which are clearly visible and would be avoided by drivers as hazards along the edge of the access. If a visual cue to workers is deemed necessary, the limit of the access route should be marked instead of surrounding the resources at a 5-foot distance.

BD-02 (historic-era agricultural or railroad equipment) is adjacent to PG&E access and work areas. BD-02 does not have potential archaeological significance and is not potentially eligible for listing in the California Register of Historical Resources or the National Register of Historic Places (DEIR at 3.5-6). Ineligible resources do not require management or mitigation.

Response O1-12

The CPUC acknowledges the potential for the requirements of Mitigation Measure 3.5-2b to unnecessarily impair construction practices if implemented as presented in the Draft EIR. Mitigation Measure 3.5-2b has been revised to address issues related to the 5-foot buffer, as shown in Chapter 3, "Revisions to the Draft EIR," in this document.

As edited, Mitigation Measure 3.5-2b requires markings adjacent to the resource, rather than at a 5-foot buffer. Flagging or staking remains a necessary and appropriate action and can be implemented in a manner that does not draw undue attention to the type of resources such that they are subject to increased risk of vandalism or other unintended public impact. Further, neither the mitigation as presented in the Draft EIR nor the revised mitigation would require staking or fencing within the boundaries of the known resources. Therefore, there is no direct impact that would result from the mitigation. The proposed changes to Mitigation Measure 3.5-2b would allow the flexibility to use the most appropriate markers and tailor the buffer to site the conditions. As modified, this mitigation could be implemented without closing or blocking Highway 12.

In addition, the CPUC concurs with the assessment that resource BD-02 does not require protection through mitigation. Reference to this resource has been omitted from the measure. These modifications make the intended application of the mitigation clear but do not affect the enforceability or effectiveness of the mitigation. No substantial changes to the analysis or conclusions in the Draft EIR would result.

See also Responses O1-08 through O1-10.

Comment O1-13

3. Mitigation Measure 3.5-3

Mitigation Measure 3.5-3 presents the same issues discussed above regarding Mitigation Measure 3.5-2a. MM 3.5-3 and APM TCR-1 both include stopping work; assessment of the discovery by a qualified archaeologist; identify the lead contact person for the California Native American Tribe(s) potentially associated with the cultural resource and with a traditional and cultural affiliation with the geographic area of the Project; communication by the CPUC with the lead contact person; and discussion with the tribe(s) on preferred method of mitigation. However, despite their similarity, Impact ARC-3 uses the following argument for proposing MM 3.5-3 replace APM TCR-1:

> APM TCR-1 would only be implemented to the extent feasible, does not recommend preservation in place as the primary form of mitigation, and does not provide guidance on when work can resume. In addition, the potential still exists for construction activities to damage or destroy previously undiscovered tribal cultural resource. (DEIR at 3.5-25.)

The issues with feasibility and preservation are similar to those discussed for Mitigation Measure 3.5-2a. Both MM 3.5-3 and APM TCR-1 are subject to the same condition of feasibility in implementation; this factor does not differentiate between the two. APM TCR-1 notes that "[i]f no agreement can be reached for mitigation after discussions with the California Native American Tribe(s) or it is determined that the tribe(s)' preferred mitigation is not feasible, PG&E will implement one of the example mitigation measures listed in PRC Section 21084.3(b)," which includes preservation in place, if feasible.

In addition, explicit guidance that the CPUC decides when work can resume is unnecessary because APM TCR-1 clearly notes that CPUC is responsible for contacting and coordinating with the tribe(s) to discuss the preferred method for addressing the discovery. Finally, to assume unknown tribal cultural resources are present and would be significantly impacted is speculative. It is highly unlikely for unknown tribal cultural resources to be present based on substantial evidence in the record, including archival research, field surveys, and PG&E's communication with the tribes during project development. This is not an adequate basis for concluding a significant impact would occur.

Response O1-13

As explained above in Response O1-11, CPUC has the authority to mitigate the impact identified in the Draft EIR and has proposed mitigation that requires feasible changes in 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 (CEQA Guidelines Section 15041[a]). As explained further in Response O1-10, requiring compliance with a measure only if the applicant determines feasibility in the future does not support a less-than-significant impact determination. Because the proposed mitigation is substantially similar to an APM proposed by PG&E that would be replaced, implementation of the mitigation would not result in an undue burden to PG&E.

See also Response O1-10 regarding mitigation for potentially discovered undocumented resources.

Comment O1-14

H. The analysis of certain impacts in Section 3.6, Biological Resources, are based on semantic distinctions between APMs and proposed mitigation measures instead of substantive differences, which do not exist

DEIR Section 3.6 concludes, based on semantics, that APM BIO-3, APM BIO-4, and APM BIO-5 are inadequate to mitigate significant impacts. For example, in the analysis of Impact BIO-2, Impact BIO-3, Impact BIO-4, and Impact BIO-6, the DEIR claims that with proposed APM BIO-3, APM BIO-4 and APM BIO-5 impacts remain significant because the requirements of APM BIO-3, APM BIO-4, and APM BIO-5 are required only to the extent feasible or at the discretion of a biologist. For example:

> Furthermore, avoidance measures described under APMs BIO-3, BIO-4, and BIO-5 and BMPs BIO-3, BIO-4, and BIO-5 are required only to the greatest extent feasible or at the discretion of the project biologist and would not ensure the avoidance and protection of nesting birds during project implementation. (DEIR at 3.6-41.)

As discussed above, Section 15364 of the CEQA Guidelines defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Section 15126.4 of the CEQA Guidelines states that an EIR "shall describe feasible measures which could minimize significant adverse impacts." In other words, a mitigation measure is limited to the realm of feasibility. Thus, there is no substantive basis for concluding that an APM that will be implemented "to the greatest extent feasible" is less protective than a mitigation measure that is otherwise the same except without the "to the greatest extent feasible" caveat. That caveat is implicit in all mitigation measures.

As another example of the DEIR placing semantics above substance, the use of the phrase "at the discretion of a PG&E biologist" in relevant APM BIO-4 and APM BIO-5 is viewed as suspect in the analysis of Impact BIO-2, Impact BIO-3, and Impact BIO-6. And yet mitigation measures MM BIO-2a through BIO-2g all include variations of the same language on use of discretion by a qualified biologist, such as "determination by a qualified biologist", "qualified biologist determines", or "qualified biologist shall determine." Without question, PG&E's biologist would be "qualified" to implement APM BIO-4 and APM BIO-5 as well as the mitigation measures. As such, there is no substantive basis to conclude that an APM that includes elements to be implemented "at the discretion of a PG&E biologist" are less protective than a mitigation measure that replaces those words with "at the discretion of a qualified biologist."

Therefore, the DEIR has no basis to replace APM BIO-2 and APM BIO-3, or supplement APM BIO-5, with MM BIO-2a through BIO-2g or BIO-3 on the basis of this semantic distinction, because it will not change the scope or intensity of the environmental impact.

Response O1-14

The APMs that were superseded by mitigation measures were not superseded because of questions about the qualification of PG&E biologists. The APMs were superseded by mitigation measures because they did not describe the specific circumstances under which exclusion fencing would be installed or when a biological monitor would be required. Stating that these decisions would be made by a biologist at a later date without additional details does not provide enough information to assess whether the measure would reduce impacts on biological resources to a less-

than-significant level. The reasoning behind the conclusions in impacts BIO-2, BIO-3, BIO-4, and BIO-6 that APMs BIO-3, BIO-4, and BIO-5 and BMPs BIO-3, BIO-4, and BIO-5 are not sufficient to reduce impacts on biological resources has been clarified to reflect these points, as shown in Chapter 3, "Revisions to the Draft EIR," in this document.

The PG&E PEA and the APMs that include the phrase "…to the greatest extent feasible" do not include a definition of "feasible," and the Draft EIR did not assume that the definition in Section 15364 of the CEQA Guidelines was implied. EIR mitigation measures often define the specific meaning of "feasible" and this definition is often scrutinized during the public review process. The SJVHCP AMMs, with which APMs were designed to be compatible per the PG&E PEA, defines "practicable" as "physically possible and not conflicting with other regulatory obligations or safety considerations." This example highlights the fact that the meaning behind the term "as feasible" or analogues (e.g., practicable) are not always consistent and cannot be assumed. Furthermore, mitigation measures should describe the steps that would occur if the measure is determined to be infeasible.

The mitigation measures that superseded these APMs contain detailed steps for identifying and avoiding sensitive biological resources and performance measures that provide full disclosure of how resources would be avoided and what would occur if avoidance was not feasible, which are the standards required for effective mitigation measures.

Comment O1-15

I. Revise the unsubstantiated conclusion for Impact BIO-3 and remove the unnecessary Mitigation Measure BIO-3

Impact BIO-3 relies on hypotheses and semantics rather than substantial evidence to reach an unsupported significant impact determination that purportedly, but incorrectly, requires mitigation. In addition, proposed Mitigation Measure BIO-3 simply restates the activities in APMs BIO-3 and BIO-4, while also incorporating impractical and unsafe aspects.

1. Impact BIO-3

The discussion of Impact BIO-3 notes that APMs BIO-3 and BIO-4 require the identification, avoidance, and installation of exclusion fencing around wetlands (i.e., potentially jurisdictional aquatic resources). However, the discussion concludes that because the APMs would only be implemented "to the greatest extent feasible" or "at the discretion of a PG&E biologist," the wetlands in close proximity to the PG&E portion of the BSA may be inadvertently adversely affected if not properly marked and, therefore, mitigation is required:

> Although APMs BIO-3 and BIO-4 would require the identification, avoidance, and installation of exclusion fencing around wetlands, these measures are required only to the greatest extent feasible or at the discretion of the PG&E biologist. Wetlands in close proximity to the PG&E portion of the BSA may be inadvertently adversely affected if not properly marked. (DEIR at 3.6-54; emphasis added.)

The DEIR's conclusion is incorrect. First, as discussed earlier, Section 15364 of CEQA Guidelines defines feasible as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Section 15126.4 of the CEQA Guidelines notes that, for mitigation measures, an EIR "shall describe feasible measures which could minimize significant adverse impacts." APMs BIO-3 and BIO-4 and MM BIO-3 are, therefore, subject to the same condition of feasibility in implementation; this factor does not differentiate between the two. Thus, there is no substantive basis for concluding that an APM which will be implemented "to the greatest extent feasible" is less protective than a mitigation measure that is otherwise the same except without the "to the greatest extent feasible" caveat. That caveat is implicit in all mitigation measures.

Second, the DEIR does not explain why the APMs' reliance on the "discretion of the PG&E biologist" could result in a significant impact requiring mitigation. The PG&E biologist is a qualified professional. In fact, the use of the biologist's discretion in APMs BIO-3 and BIO-4 is echoed in MM BIO-3. MM BIO-3 describes discretion in the actions of a qualified biologist when using terms such as "establish," being able to choose between five options to mark the boundary, and increasing the buffer size and shape.

> For any state or federally protected wetlands within a 25-foot buffer of PG&E project construction and O&M activities, a qualified biologist would establish a buffer around the wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer would be a minimum width of 25 feet but may be larger if deemed necessary by the qualified biologist. The appropriate size and shape of the buffer would be determined by the qualified biologist and would depend on the type of wetland present (e.g., stream, fresh emergent wetland), the timing of project construction or O&M activities (e.g., wet or dry time of year), environmental conditions and terrain, and the project activity being implemented. (DEIR at 3.6-55.)

The DEIR appears to be vesting the same discretion in the qualified biologist as PG&E's APMs would, and for the same purposes. As such, there is no substantive basis to conclude that an APM that includes elements to be implemented "at the discretion of a PG&E biologist" are less protective than a mitigation measure that replaces those words with "at the discretion of a qualified biologist." This semantic difference does not constitute substantial evidence that MM BIO-3 will address a significant impact that would occur if APMs BIO-3 and BIO-4 are implemented because the MM and the APMs are substantively the same.

Third, the impact conclusion speculates, rather than provide substantial evidence, that wetlands outside of the BSA may be impacted if not properly marked. No justification is provided for increasing the wetland impact area beyond the BSA to include areas "in close proximity to the PG&E portion of the BSA."

> The BSA is intended to incorporate the area of direct and indirect physical impacts that could occur as a result of project implementation. Impacts on some biological resources (e.g., special-status birds) may occur at greater distances and are not limited to the BSA; a larger area is considered in the evaluation of these resources, and this area is described, where applicable, in the impact analysis below. (DEIR at 3.6-1.)

There is no specific discussion of how the potential for impacts occurring "at greater distances" than the BSA is relevant to wetlands, which is a very different biological resource than a bird.

Fourth, the DEIR does not provide any evidence or explanation to support its hypothesis that improper marking of a potentially jurisdictional aquatic resource would occur. APMs BIO-3 and BIO-4 describe how the limits of the work area or access will be clearly marked, mapped, and the work area or access limits will be fenced to avoid wetland impact.

Response O1-15

See Response O1-14 regarding the discretion of a PG&E biologist and the definition of feasible. Text in Impact BIO-3 and Section 3.6.1, "Environmental Setting," of the Draft EIR have been revised to more specifically describe the impact mechanism for wetlands outside of but near the BSA. These potential indirect impacts could include changes in the hydrology of wetlands (i.e., changes in water flow or levels) due to nearby ground disturbance. See Chapter 3, "Revisions to the Draft EIR," in this document for the revised text.

Comment O1-16

2. Mitigation Measure BIO-3

As discussed above, the DEIR's conclusion that Impact BIO-3 is significant and warrants mitigation is not supported by substantial evidence. However, if MM BIO-3 is carried forward in the FEIR, it should be revised to better protect the resource and provide clearer direction for implementation.

As written, MM BIO-3 would establish a minimum 25-foot no-disturbance buffer around state or federally protected wetlands. The qualified biologist could increase the buffer and determine what constitutes sufficient marking around the protected wetland. MM BIO-3 also includes marking protected wetlands that are in close proximity to the BSA, as noted above. Several revisions should be considered.

First, as commented earlier, surrounding a resource calls attention to its location. Identifying a resource with such markings could unintentionally open it up to vandalism or other unintended public impact. MM BIO-3 should be revised to take the approach in APM BIO-4, which specifies installing exclusion fencing around PG&E work areas and access adjacent to wetlands or water to avoid this unnecessary identification.

Second, marking a protected wetland outside the BSA is impractical and unnecessary to avoid impact. For example, measuring a 25-foot distance from the potentially jurisdictional aquatic resources shows buffers will extend outside of the BSA, across public roads, across access roads, within an energized substation and onto private property outside of the Project's expected land rights (refer to Attachment 3, Aquatic Resources with 25-Foot Buffer). In particular, fencing around an irrigation ditch length where it is within "close proximity to the BSA" is vague and impractical. It is not clear if the buffer should extend to the end of either end of the full length of the ditch or if it should cross the ditch to encircle the length in close proximity to the BSA. Nor is it reasonable or feasible to fence across public roads, across access roads, within an energized substation, and onto private property outside of the Project's expected land rights, as MM BIO-3, read literally, would require.

Instead, MM BIO-3 should be revised to require marking the limits of the work area or access as described in APMs BIO-3 and BIO-4, which will ensure the potentially jurisdictional aquatic resources are avoided. Marking the limits of the work area or access also stays within the Project's expected land rights and does not close public roads, render access roads unusable, create a hazard within an energized substation, or require additional land rights on private property not already part of the Project. Additionally, APM HYD-1 will address potential indirect impacts to potentially jurisdictional aquatic resources. APM HYD-1 will be implemented to address erosion and sediment control concerns to minimize construction impacts on surface water quality, as well as to reduce the potential for stormwater to impact adjacent properties.

Third, MM BIO-3 should be revised so that the 25-foot buffer distance can be adjusted to be either a larger or smaller distance if deemed necessary by the qualified biologist. This would enable the biologist to use professional judgement to adjust the buffer size to use the edge of roadway, levee, substation fence, or agricultural field to avoid an unnecessary marking beyond the edge of the work area or access.

Based on the foregoing comments, MM BIO-3 on page 3.6-55 of the DEIR should be revised as follows:

> For any state or federally protected wetlands within a 25-foot buffer of PG&E project construction ~~and O&M activities~~, a qualified biologist would establish a buffer around the wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway <u>or agricultural field</u>). <u>Wetland marking will not occur outside of the Biological Study Area or utility right-of-way</u>. The buffer would be a minimum width of 25 feet but may be larger <u>or smaller</u> if deemed necessary by the qualified biologist. The appropriate size and shape of the buffer would be determined by the qualified biologist and would depend on the type of wetland present (e.g., stream, fresh emergent wetland), the timing of project construction or O&M activities (e.g., wet or dry time of year), environmental conditions and terrain, and the project activity being implemented.
>
> All PG&E project construction ~~and O&M activities~~ (e.g., road widening, ground disturbance, vegetation removal) would be prohibited within the established buffer. A qualified biologist would periodically inspect the materials demarcating the buffer to confirm that they are intact and visible and that wetland impacts are being avoided.

<u>Response O1-16</u>

The infeasibility of physically demarcating wetland buffers on land on which PG&E does not have land rights, or where demarcation would impede a public road or draw unnecessary attention to the sensitive resource is noted. Mitigation Measure BIO-3 has been revised to allow a qualified biologist to adjust the buffer size (i.e., not only enlarge) and to include the option for demarcating wetland buffers on electronic and paper maps (not physically) under certain circumstances. See Chapter 3, "Revisions to the Draft EIR," in this document for the revised text.

Comment O1-17

J. The DEIR's determination that Impact BIO-5 (Conflict with Local Policies and Ordinances) is significant is incorrect

The DEIR determined incorrectly that the Proposed Project would conflict with a San Joaquin County tree protection ordinance, resulting in a significant impact. The DEIR states:

> The removal of a native oak tree, heritage oak tree, or historical tree would require an approved Improvement Plan application, and replacement of the tree at a 5:1 ratio for heritage oaks and historic trees and a 3:1 ratio for other native oaks. Tree removal by a public utility that is necessary to protect electric power lines is not subject to the regulations. (DEIR at 3.6-26.)

In the discussion of impacts, the DEIR states that: "The San Joaquin County General Plan includes policies intended to protect wetlands, riparian areas, vernal pools, significant oak woodlands and heritage trees, and rare, threatened, and endangered species and their habitats." The DEIR notes that, "Although PG&E is not subject to local (city and county) discretionary regulations, any actions that conflict with the local policies and ordinances described above in Section 3.6.2, "Regulatory Setting," could affect biological resources in the BSA" (DEIR at 3.6-56). The DEIR asserts that the project would conflict with the San Joaquin County tree protection ordinance:

> The San Joaquin County Ordinance Code includes natural resources regulations that apply to native oak trees, heritage oak trees, and historical trees. Oak trees are present in the PG&E portion of the BSA, and two oak trees would be trimmed along the access route near North Locust Tree Road. Two additional oak trees are expected to be trimmed in the new 230 kV ROW; however, these trees may be removed as necessary to protect electrical lines. Section 9-1505.8 (General Exemptions) of the San Joaquin County Ordinance Code allows oak tree removal by a public utility that is necessary to protect electric power or communication lines or other property owned by the public utility. However, construction activities associated with the project may not qualify for this exemption because oak trees would be removed for the construction of new power lines, not for the protection of existing power lines. This would result in a conflict with the San Joaquin County Ordinance Code. (Id.)

If PG&E determines that removal of an oak tree protected by the County ordinance is required, the DEIR would impose MM BIO-5, which requires, among other things, that:

> PG&E shall initiate a zoning compliance review with San Joaquin County for the planned removal of oak trees. This review will determine whether the oak trees planned for removal are considered heritage oak trees or historical trees, whether the project is exempt from the requirements of the ordinance, whether tree removal will be permitted by the county, and the number of replacement trees required. (DEIR at 3.6-57.)

The DEIR's conclusion that significant impact would occur as a result of conflict with the County ordinance is legally unsupported. First, this ordinance only applies to development projects requiring discretionary approvals from the County. See San Joaquin County Ordinance Code Section 9-1505.2 ("The provisions of this chapter shall apply to all development projects requiring discretionary approval which have Native Oak Trees, Heritage Oak Trees, or Historical Trees on the property.") As the DEIR notes, PG&E as a public utility is not subject to county (or city) discretionary regulations. As such, this ordinance does not apply to PG&E because it only applies to development projects requiring discretionary approvals from the County. If oak tree removal is necessary to construct the project (which is not anticipated), that will not conflict with the County code because it does not apply to PG&E.

Second, even if it did apply, PG&E would qualify for the exemption in Section 9-1505.8(d) of the ordinance if removal is required to comply with state and federal law; namely, CPUC General Order 95 and North American Electric Reliability Corporation standards. Those laws specify vegetation clearance and other requirements with which PG&E must comply and which may compel PG&E to remove trees to construct the Project.

Third, the CPUC's interpretation of the exemption in Section 9-1505.8(b) of the ordinance as only applying to electric lines that are already present and in operation rather than the construction of new lines is not logically sound. The text of that section does not draw the distinction between construction and operation advanced by the CPUC. It exempts: "Removals by a public utility that are necessary to protect electric power or communication lines or other property owned by said public utility." (Id.) The only specific requirement is that the lines be "owned" by the utility, not that the lines must be present before removal occurs. PG&E will obtain all necessary land rights to construct the line and will own the conductor, poles, and related equipment needed to complete the line when it proceeds to construction. This meets the explicit requirement of the text of the exemption. In addition, it does not make sense to draw a distinction between tree removal needed for the construction of a power line that is intended to be energized and operated and tree removal needed to maintain proper clearance for an existing power line. This leads to an absurd result in which a utility could leave the tree as is and construct the line without triggering the ordinance, but then remove the tree after construction under the exemption because the line (although not energized) is now in existence.

Response O1-17

After careful review, the CPUC has determined that because the San Joaquin County Ordinance Code allows oak tree removal by a public utility that is necessary to protect electric power or communication lines or other property owned by the public utility, and because PG&E is not subject to local discretionary regulations, the project would be exempt from the provisions of this ordinance and there would be no impact related to conflict with local policies and ordinances. Impact BIO-5 has been revised to note that the PG&E portion of the project would be exempt from the requirements of the San Joaquin County Tree Ordinance, and Mitigation Measure BIO-5 has been removed, as shown in Chapter 3, "Revisions to the Draft EIR," in this document. These changes would not result in new or substantially more severe impacts than disclosed in the Draft EIR.

Comment O1-18

K. Impacts EN-1 and EN-2 should be "No Impact," not "Less than Significant"

Impact EN-1 addresses whether the Project would result in wasteful, inefficient, or unnecessary consumption of energy. The DEIR provides a discussion (page 3.7-9) that supports its statement that "construction and operation of the project would not result in inefficient, wasteful, or unnecessary consumption of energy resources." However, the DEIR goes on to conclude "[t]his impact would be less than significant," without providing any substantiation for that conclusion. Because the Project would not result in wasteful, inefficient, or unnecessary consumption of energy, the conclusion should be "no impact."

Impact EN-2 addresses whether the Project would result in a conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Similar to Impact EN-1, the DEIR provides a discussion (page 3.7-10) that supports its statement "the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency." However, the DEIR goes on to conclude "[t]his impact would be less than significant," without providing any substantiation for that conclusion. Because the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, the conclusion should be "no impact."

Response O1-18

As described above, CPUC has applied the "less-than-significant impact" determination where there would be an effect that is not substantial. In the case of energy use (Impact EN-1), the project would use energy to construct and maintain the infrastructure. Because the outcome of the energy investment would be necessary improvements to the state's electricity grid and PG&E has committed to construction practices that would improve energy efficiency, CPUC has determined that the energy required to construct the project would not constitute a wasteful, inefficient, or unnecessary use of energy because this temporary increase in energy consumption would constitute an investment in a more reliable electrical grid to support the State's ultimate goal of decarbonization. However, CPUC acknowledges that the energy required to construct the project would be an increase in energy expenditure above baseline conditions; therefore, CPUC concludes that this increase would be less than significant.

This conclusion is adequately substantiated in the Draft EIR, aligns with the explanation of the conclusion statements provided therein, and reflects CPUC's independent review and judgement. Beyond quoting the analysis in the Draft EIR, the comment provides no evidence to support the opinion that the conclusion statement should be changed. No revisions have been made to the Draft EIR in response to this comment.

See Response O1-6 for further discussion of CPUC's impact conclusions.

Comment O1-19

L. Impact HAZ-3 should be "No Impact," not "Less than Significant"

Impact HAZ-3 addresses whether the Project would impair or interfere with an adopted emergency response plan or emergency evacuation plan. The DEIR states that the "project would not impair the implementation of or physically interfere with an adopted emergency response or evacuation plan," noting:

> The project would not conflict with the San Joaquin County OES Emergency Operations Plan. The project would establish electrical infrastructure and would not interfere with incident management structure or operational concepts. (DEIR at page 3.10-25; emphasis added.)

However, the DEIR goes on to conclude "[t]he impact would be less than significant," without providing any substantiation for that conclusion. Because the Project would not result in impairment or interference with an adopted emergency response plan or emergency evacuation plan, the conclusion should be "no impact."

Response O1-19

Although not anticipated to substantially interfere with an adopted plan, PG&E's construction plans include potential lane and road closures that could affect emergency response or evacuation. As described above, CPUC has applied the "less-than-significant impact" determination where there would be an effect that is not substantial. In the case of emergency access (Impact HAZ-3), the Draft EIR describes that the project would result in lane closures that could affect emergency response or evacuation (page 3.10-25).

This conclusion is adequately substantiated in the Draft EIR, aligns with the explanation of the conclusion statements provided therein, and reflects CPUC's independent review and judgement. Beyond quoting the analysis in the Draft EIR, the comment provides no evidence to support the opinion that the conclusion statement should be changed. No revisions have been made to the Draft EIR in response to this comment.

See Response O1-6 for further discussion of CPUC's impact conclusions.

Comment O1-20

M. Impact LAN-1 should be "No Impact," not "Less than Significant"

Impact LAN-1 addresses conflict with applicable land use plans, policies, or zoning not analyzed elsewhere in the EIR. As noted on DEIR page 3.12-8, the Project is consistent with the zoning and land use policies in San Joaquin County and the City of Lodi. No conflicts or impacts were identified in the analysis. Therefore, the impact determination should be "no impact."

Response O1-20

As described above, CPUC has applied the "less-than-significant impact" determination where there would be an effect that is not substantial. The Draft EIR concludes that according to Section 17.24.030 of the City of Lodi Land Use Code, utility facilities are only permitted in the industrial land use area with a use permit (page 3.12-8). As a result, project-related construction plans in the City of Lodi, due to the Public/Quasi-Public land designation, would require the acquisition of a use permit. Furthermore, as addressed in the Draft EIR, according to Table 9-605.2 of the San Joaquin County Land Use Code, major utilities are permitted in the General Agriculture zone district, subject to site approval (page 3.12-8). As a result, the project is consistent with applicable land use plans, policies, and zoning and, therefore, Impact LAN-1 was determined to be less than significant.

This conclusion is adequately substantiated in the Draft EIR, aligns with the explanation of the conclusion statements provided therein, and reflects CPUC's independent review and judgement. Beyond quoting the analysis in the Draft EIR, the comment provides no evidence to support the opinion that the conclusion statement should be changed. No revisions have been made to the Draft EIR in response to this comment.

See Response O1-6 for further discussion of CPUC's impact conclusions.

Comment O1-21

N. Impact POP-1 should be "No Impact," not "Less than Significant"

On DEIR page 3.14-6, the analysis for Impact POP-1 states "the project would not directly or indirectly induce substantial unplanned population growth or housing demand beyond what is forecasted in the County and City general plans." The population growth and housing demand forecasted in the general plans is planned growth, not unplanned. Therefore, the impact determination should be "no impact."

Response O1-21

The comment accurately reflects the Draft EIR analysis that is partially quoted; population growth forecasts in City and County general plans is planned growth. The project would serve this planned growth, in addition to current demand. While the project is not anticipated to induce substantial unplanned growth, increased power reliability could result in growth that is additional or different from that envisioned in adopting planning documents. As described above, CPUC has applied the "less-than-significant impact" determination where there would be an effect that is not substantial.

This conclusion is adequately substantiated in the Draft EIR, aligns with the explanation of the conclusion statements provided therein, and reflects CPUC's independent review and judgement. Beyond quoting the analysis in the Draft EIR, the comment provides no evidence to support the opinion that the conclusion statement should be changed. No revisions have been made to the Draft EIR in response to this comment.

See Response O1-6 for further discussion of CPUC's impact conclusions.

Comment O1-22

O. Wineries are not a public recreational resource and should be deleted from the discussion in Section 3.15, Public Services and Recreation

Recreational resources, for the purposes of CEQA, are public facilities used for sports, activities such as hiking, enjoyment of the outdoors, and similar activities. Private businesses such as wineries that provide entertainment or leisure generally are not considered recreational resources. PG&E is unaware of wineries being treated as a recreational resource in any other CEQA document prepared by the CPUC. Not even the FEIR for the Estrella Substation and Paso Robles Area Reinforcement Project published in March 2023 treated wineries as recreational resources. The Paso Robles area is well known for its wineries, similar to northern San Joaquin County and the City of Lodi, so the lack of treating Paso Robles area wineries as recreational resources in that CEQA document clearly demonstrates that they are not. Therefore, the "Wineries" subsection at DEIR page 3.15-4 should be deleted and discussion of wineries in Section 3.15 should be removed.

In addition, the reference on DEIR page 3.3-20 of Section 3.3, Agriculture, to agrotourism should be deleted from the end of the following sentence: "The potential for the project to negatively affect agrotourism at commercial wineries is addressed in Section 3.2, 'Aesthetics,' and Section 3.15, 'Public Services and Recreation.'"

Response O1-22

Lead agencies have the discretion to evaluate the issues germane to the project and conditions to develop their own thresholds of significance. The Draft EIR (page 3.15-7) explains that the significance criteria used to evaluate the project's impacts on public services and recreation "are based on Appendix G of the CEQA Guidelines and CPUC's *Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-Filing and Proponent's Environmental Assessments*" (CPUC 2019). CPUC guidelines provide "additional CEQA Impact Questions" that are specific to the types of projects evaluated by CPUC's CEQA Unit, which are to be "considered in addition to the checklist items in CEQA Guidelines Appendix G."

CPUC's "additional CEQA impact questions" include: "Would the project substantially change the character of a recreational area by reducing the scenic, biological, cultural, geologic, or other important characteristics that contribute to the value of recreational facilities or areas?" During scoping, concern was expressed that the project could degrade the character of the Lodi wine region as a recreation destination and affect agritourism. The Draft EIR explains that "commercial wineries located near the project area provide opportunities for agritourism, including recreational opportunities" and "examines the impact of the project on these recreational opportunities that could occur if the scenic, biological, cultural, geologic, or other important characteristics that contribute to the value of commercial wineries in the Lodi wine region are changed to such an extent that agritourism in the region would be discouraged" (page 3.15-9). The analysis is consistent with CPUC's adopted 2019 PEA Guidelines, and reflects concerns raised in scoping comments.

Although the sample checklist questions included in Appendix G of the CEQA Guidelines, which are often used as the basis of significance thresholds in EIRs, focus on the physical effects of use or construction of recreational facilities, the term "recreational resource" is not defined in statute or through the CEQA Guidelines. Furthermore, CEQA does not limit the scope of the evaluation of potential effects based on sample questions or the scope of an EIR previously prepared by the lead agency. The description of recreational resources in the Draft EIR, including wineries and agritourism, also aligns with the description of recreational resources and opportunities presented by San Joaquin County in the San Joaquin County 2035 General Plan EIR (San Joaquin County 2014: 4.M-14).

The analysis of Impact PUB-1 on pages 3.15-9 and 3.15-10 of the Draft EIR accurately reflects CPUC's analysis of the potential for the proposed project to adversely affect recreational resources, as defined by San Joaquin County. Additionally, because agritourism is defined as a recreational resource by the County, reference to agrotourism in Section 3.2, "Aesthetics," Section 3.3, "Agriculture," and Section 3.15, "Public Services and Recreation," is accurately reflected in the Draft EIR. By providing an analysis of the project's effects on agritourism, the Draft EIR aligns with CPUC's guidance, San Joaquin County guidelines, and the spirit of CEQA. No revisions to the analysis or conclusions of the Draft EIR have been made in response to this comment.

Comment O1-23

P. Revise Chapter 4, Cumulative Impacts, in accordance with the comments above

Any revisions made to the DEIR's impact analysis or conclusions in Chapter 3 should be carried forward into the cumulative impacts analysis in Chapter 4.

Response O1-23

The Draft EIR's cumulative impact analysis is adequately substantiated in the Draft EIR, aligns with the explanation of the conclusion statements provided therein, and reflects CPUC's independent review and judgement. No revision of the Draft EIR analysis or further response is required.

Comment O1-24

Q. Modify Figure 6-1 to better illustrate the Lockeford-Lodi Area 230 kV Development (Eight Mile Substation) Alternative.

As noted in DEIR Section 6.3.1, the Lockeford-Lodi Area 230 kV Development (Eight Mile Substation) Alternative would have a longer new transmission line and would have greater impacts than the Proposed Project. The discussion in the DEIR quantifies several of the impacts that are greater, for example, permanent conversion of approximately 3.4 acres of Important Farmland compared with the Project's permanent conversion of 1.4 acres of Important Farmland. However, the corresponding figure, Figure 6-1, only shows a small portion of the new transmission line associated with this alternative. To better illustrate the greater magnitude of the alternative's impacts compared to the Proposed Project, PG&E recommends that an inset be added to Figure 6-1, similar to Figure 4.1-1 in the PEA.

Response O1-24

A map illustrating the full geographic extent of the Lockeford-Lodi Area 230 kV Development (Eight Mile Substation) Alternative may better illustrate the length of the alternative relative to the proposed project; however, CPUC finds

that revision to the map is not necessary in this case because Figure 6-1 is intended to provide general context for the alternatives not evaluated in detail in the Draft EIR and because no reviewing party has expressed interest or confusion that would be addressed by such a revision. The Lockeford-Lodi Area 230 kV Development (Eight Mile Substation) Alternative is described in detail and mapped in the PEA, which is incorporated into the record and readily available on CPUC's project website. No revisions to the Draft EIR have been made in response to this comment.

Comment O1-25

R. Clarify impact analysis for the No Project Alternative in Chapter 6, Alternatives

In general, the analysis of each resource topic for the No Project Alternative appears to recite the full list of significance criteria for that resource topic, notes that the No Project Alternative would have no impact related to these criteria, and concludes that impacts under the No Project Alternative would be reduced compared to the Project. As written, this implies that the Project would have impacts related to all the significance criteria listed. This is not correct and could lead to an erroneous comparison of the No Project Alternative to the Proposed Project. The DEIR should be revised accordingly.

Examples of this issue in the DEIR include, but are not limited to, the following:

- Aesthetics includes the criterion "substantially damage scenic resources within a State Scenic Highway." As noted in Section 3.2, no designated state scenic highways are located within the vicinity of the project area; the Project would have no impact on scenic resources in a designated state scenic highway; and the topic is not addressed further in the DEIR. Both the Proposed Project and No Project Alternative would have no impact related to this criterion.
- Agricultural and Forestry Resources includes the criteria "conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production" and "result in the loss or conversion of forest land to non-forest uses." As noted in Section 3.3, San Joaquin County and the City of Lodi do not contain any lands zoned for forest land, timberland, or timberland production; the Project would not result in impacts on forest land, timberland, or timberland production zones; and the topic is not addressed further in the DEIR. Both the Proposed Project and No Project Alternative would have no impact related to these criteria.
- Geology, Soils, and Mineral Resources includes the criterion "result in the loss of mineral resources." As noted in Section 3.8, there are no known mineral resources, active mining claims, or active mining operations within 0.5 mile of the Project; the Project would not result in the loss of availability of a locally important mineral resource recovery site; and the topic is not addressed further in the DEIR. Both the Proposed Project and No Project Alternative would have no impact related to this criterion

Response O1-25

The Draft EIR assumes that the No Project Alternative would not result in any construction or physical changes to the environment and correctly identifies this condition as less physical change than the project. No revisions to the Draft EIR have been made in response to this comment.

Comment O1-26

S. The conclusion that the Northern Route Alternative and Central Route Alternatives would have generally similar impacts as the Proposed Project is inconsistent with the DEIR's underlying analysis

The DEIR's conclusion that the overall impacts of the Central Route Alternative and the Northern Route Alternative would have generally similar impacts as the Proposed Project is inconsistent with the DEIR's analysis of these alternatives.

For example, in Section 6.4.2, the DEIR states on page 6-21: "Therefore, aesthetics impacts under the Central Route Alternative would be greater than the proposed project's less-than-significant aesthetics impacts." However,

the DEIR's overall conclusion on page 6-26 states "[t]he Central Route Alternative would result in generally similar potential for environmental effects as the proposed project." Similarly, in Section 6.4.3, the DEIR states on page 6-28:

"Therefore, aesthetics impacts under the Northern Route Alternative would be greater than the proposed project's less-than-significant aesthetics impacts." However, the DEIR's overall conclusion on Page 6-33 states "[t]he Northern Route Alternative would result in generally similar potential for environmental effects as the Proposed Project," which is not correct.

Both of these overall conclusion statements are inconsistent with the DEIR's underlying analysis and should be revised to state that most of these two alternatives' impacts would be generally similar to the Project's impacts, but they would have greater aesthetics impacts based on the location of the transmission lines. This revision would also make the language consistent with the conclusions in Section 6.5, Environmentally Superior Alternative.

* * * * *

Thank you for considering PG&E's comments. Please do not hesitate to contact me with any questions.

Response O1-26

The Draft EIR does not present conclusions that are inconsistent with the underlying analysis. The quoted summary language is based on the whole of the environmental analysis that covers 17 resource areas. For each alternative, 16 of the 17 resources were determined to result in "similar" impacts, as summarized in Table 6-1 in the Draft EIR. On average, it is accurate to characterize these alternatives as "generally similar." Moreover, the aesthetic impacts discussion explains that impacts would be less than significant for the project and alternatives. Although a greater aesthetic impact would be anticipated with implementation of the alternatives due to location of the transmission lines that permits distinction between the alternatives, the overall effect of implementation would be similar to that of the proposed project.

Comment O1-27

Draft Environmental Impact Report

Page	Report footer
Draft EIR Language	Northern San Joaquin Transmission Project
Comments	The project name in the DEIR footer omits 230 kV. Revise text in DEIR footer as follows: Northern San Joaquin 230 kV Transmission Project

Response O1-27

CPUC elected to shorten the project name in the document footer to facilitate formatting. Omitting the voltage from the footer does not preclude meaningful public review or otherwise hinder public engagement. The suggested revision does not raise significant environmental issues that affect the analysis or conclusions in the EIR. Editorial suggestions that are not essential for understanding the project or its impacts have not been accepted.

Comment O1-28

Executive Summary

Page	ES-2
Draft EIR Language	The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double- circuit 230 kV transmission lines, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines, relocation or extension of two existing 12 kV lines, and upgrades at four remote-end substations and one repeater station.

Comments The project includes two new 230 kV lines between PG&E and LEU and two new LEU 60 kV lines in the City of Lodi. The project also includes three 12 kV lines. PG&E will extend an existing 12 kV line. LEU will relocate an existing 12 kV line and remove a 12 kV span.

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double-circuit 230 kV transmission lines including a new double-circuit 230 kV line between PG&E facilities and Lodi Electric Utility (LEU) facilities, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines including disconnecting PG&E and LEU 60 kV facilities, installation of two new 60 kV lines, removal, relocation or extension of ~~two~~ three existing 12 kV lines, and upgrades at four remote-end substations and one repeater station.

Response O1-28

CPUC has considered and incorporated these requested revisions to the description of the project elements in the Executive Summary, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-29

Page ES-3

Draft EIR Language As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from PG&E's and LEU's objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including Lodi; and
- separate PG&E's 60 kV system from LEU's 60 kV system.

Comments The PEA objectives, described as PG&E's and LEU's objectives," are proposed project objectives instead of "PG&E's and LEU's."

Clarifying the use of "Lodi" to the City of Lodi increases specificity to the project benefit area and customers.

Revise text as follows:

As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from ~~PG&E's and LEU's~~ the PEA project objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including the City of Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including the City of Lodi; and
- separate PG&E's 60 kV system from LEU's 60 kV system.

Response O1-29

The project objectives proposed in the PEA are correctly identified as PG&E and the City of Lodi's objectives for the project. No change is necessary.

Comment O1-30

Page	ES-3
Draft EIR Language	Improve system reliability for PG&E's approximately 10,000 electrical customers, one of which is LEU, which itself serves approximately 28,000 customers.
Comments	This PEA objective was changed from what was included in the PEA when filed. The PEA objective states, "approximately 27,570 customers". The objective appears to have been updated by the CPUC to reflect the Fiscal Year (FY) 2024 Lodi Electric Utility Fact Sheet available at https://www.lodi.gov/934/Lodi-Electric-Utility-Quick-Facts. Please provide a footnote that explains the change from the PEA objective.

Response O1-30

This modification to the PG&E and LEU objective language was made by PG&E during development of the project description in February of 2024. While no source was provided at the time, the customer number is consistent with published data, including the fact sheet linked in the comment.

As described in Response O1-29, above, the objectives are described as proposed by PG&E and LEU and there is no requirement for consistency with the objectives in the PEA. No revisions have been made to the Draft EIR in response to this comment.

Comment O1-31

Page	ES-3
Draft EIR Language	Increase capacity to accommodate projected growth in demand and minimize future reliability issues for Lodi, as well as for PG&E customers.
Comments	This PEA objective was changed from what was included in the PEA when filed. Revise text as follows: ▶ Increase capacity to accommodate projected growth in demand and minimize future reliability issues ~~for Lodi, as well as for PG&E customers~~.

Response O1-31

This modification to the PG&E and LEU objective language was made by PG&E during development of the project description in February of 2024. As described in Response O1-29, above, the objectives are described as proposed by PG&E and LEU and there is no requirement for consistency with the objectives in the PEA. No revisions have been made to the Draft EIR in response to this comment.

Comment O1-32

Chapter 1 - Introduction

Page	1-1
Draft EIR Language	The proposed project is intended to address reliability and capacity issues on the existing Pacific Gas and Electric (PG&E) 230 kV and Lodi Electric Utility (LEU) 60 kV systems serving the area between the PG&E Lockeford and PG&E Lodi Substations (Lockeford/Lodi, or 230/60 kV system) in northern San Joaquin County (Northern San Joaquin Valley area).
Comments	The reliability and capacity issues are on the PG&E system not the LEU system. Revise text as follows:

The proposed project is intended to address reliability and capacity issues on the existing Pacific Gas and Electric (PG&E) 230 kV and ~~Lodi Electric Utility (LEU)~~ 60 kV systems serving the area between the PG&E Lockeford and PG&E Lodi Substations (Lockeford/Lodi, or 230/60 kV system) in northern San Joaquin County (Northern San Joaquin Valley area).

Response O1-32

The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR. CPUC has considered and incorporated these requested revisions to the description of the project, as shown in Chapter 3, "Revisions to the Draft EIR."

Comment O1-33

Page 1-1

Draft EIR Language The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double- circuit 230 kV transmission lines, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines, relocation or extension of two existing 12 kV lines, and upgrades at four remote-end substations and one repeater station.

Comments The project includes two new 230 kV lines between PG&E and LEU and two new LEU 60 kV lines in the City of Lodi. The project also includes three 12 kV lines. PG&E will extend an existing 12 kV line. LEU will relocate an existing 12 kV line and remove a 12 kV span.

Revise text as follows:

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double-circuit 230 kV transmission lines <u>including a new double-circuit 230 kV line between PG&E facilities and Lodi Electric Utility (LEU) facilities. The project includes</u> an expanded <u>PG&E</u> substation, a modified <u>LEU</u> substation, a new <u>LEU</u> substation, a new <u>PG&E</u> switching station, <u>installation of two new LEU 60 kV lines,</u> reconfiguration of four existing <u>PG&E</u> 60 kV lines, <u>removal or</u> relocation <u>two LEU existing 12 kV lines,</u> or extension of ~~two~~ one <u>PG&E</u> existing 12 kV lines, and upgrades at four <u>PG&E</u> remote-end substations and one <u>PG&E</u> repeater station.

Response O1-33

CPUC has considered and incorporated these requested revisions to the description of the project, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-34

Page 1-2

Draft EIR Language This Draft EIR is being circulated for public review and comment for a period of 60 days, beginning on December 10, 2024, and ending on February 8, 2025.

Comments While it is 60 days between December 10, 2024 and February 8, 2025, the review period is stated as ending on February 7, 2025 on the CPUC project webpage (https://ia.cpuc.ca.gov/environment/info/ascent/NSJTP/index.html), Notice of Availability, and the Draft Environmental Impact Report Fact Sheet.

We are concerned about prejudice to public and comments submitted on February 10, 2025 should be considered timely.

Response O1-34

No comments were received after February 7, 2025, and all comment received on the Draft EIR are responded to herein.

Comment O1-35
Chapter 2 – Project Description

Page 2-1

Draft EIR Language In a related action, LEU proposes to construct new 230 kV facilities to replace its 60 kV facilities that currently receive electricity from PG&E.

Comments The new LEU 230 kV facilities will be adjacent to the existing LEU 60 kV facilities but will not be located where the 60 kV facilities are. The 60 kV facilities (LEU Industrial Substation and other non-project LEU 60 kV facilities) are part of the power grid within the City of Lodi and will not be replaced with 230 kV facilities.

Revise text as follows:

In a related action, LEU proposes to construct new 230 kV facilities to connect with the new 230 kV source from PG&E. After the new 230 kV source is in service, LEU proposes to modify its existing 60 kV Industrial Substation ~~facilities~~ that currently receives electricity from three existing PG&E 60 kV lines. The PG&E 60 kV lines will be disconnected from their termination at LEU Industrial Substation.

Response O1-35
CPUC has considered and incorporated these requested revisions to the description of the project, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-36
Page 2-1

Draft EIR Language The project would loop the existing overhead PG&E Brighton-Bellota 230 kV Transmission Line through an expanded PG&E Lockeford Substation and install a new overhead double-circuit 230 kV transmission line between PG&E Lockeford Substation and the proposed PG&E Thurman Switching Station adjacent to LEU's existing Fred M. Reid Industrial Substation (Industrial Substation). LEU would construct the LEU Guild Substation, a new 230/60 kV substation, between its LEU Industrial Substation and the new PG&E Thurman Switching Station.

Comments PG&E Thurman Switching Station will not be adjacent to LEU Industrial Substation. LEU Guild Substation will be construction between LEU Industrial Substation and PG&E Thurman Switching Station.

Revise text as follows:

The project would loop the existing overhead PG&E Brighton-Bellota 230 kV Transmission Line through an expanded PG&E Lockeford Substation and install a new overhead double-circuit 230 kV transmission line between PG&E Lockeford Substation and the proposed PG&E Thurman Switching Station ~~adjacent~~ near to LEU's existing Fred M. Reid Industrial Substation (Industrial Substation). LEU would construct the LEU Guild Substation, a new 230/60 kV substation, between its LEU Industrial Substation and the new PG&E Thurman Switching Station.

Response O1-36
CPUC has considered and incorporated these requested revisions to the description of the project, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-37

Page 2-1

Draft EIR Language PG&E would also install two 6-foot dish antennas on an existing microwave tower at the existing Clayton Hill Repeater Station (on a communication tower) in Contra Costa County to create a new digital microwave path allowing redundant communication into PG&E Thurman Switching Station in support of PG&E's system protection scheme.

Comments Clayton Hill Repeater Station is a PG&E facility and not a third party communication facility.

Revise text as follows:

PG&E would also install two 6-foot dish antennas on an existing microwave tower at the existing PG&E Clayton Hill Repeater Station (on a communication tower) in Contra Costa County to create a new digital microwave path allowing redundant communication into PG&E Thurman Switching Station in support of PG&E's system protection scheme.

Response O1-37

CPUC has considered and incorporated these requested revisions to the description of the project, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-38

Page 2-1

Draft EIR Language At LEU Guild Substation, the new PG&E 230 kV transmission line would terminate, and LEU transformers would step down the power to 60 kV to connect with the LEU Industrial Substation.

Comments After the new 230 kV line is in service, the existing PG&E 60 kV lines connected directly to LEU's Industrial Substation will be disconnected. The PG&E 60 kV lines will be reconfigured in their alignments and will have increased capacity, allowing more reliable service to the PG&E 60 kV network in northern San Joaquin County.

Revise text as follows:

When the new 230 kV system is operating, the existing local PG&E 60 kV system will be reconfigured along existing alignments, including disconnecting as a source to LEU at LEU Industrial Substation. After the new 230 kV line is in service, the existing PG&E 60 kV lines connected directly to LEU's Industrial Substation will be disconnected. The PG&E 60 kV lines will be reconfigured in their alignments and will have increased capacity. The reconfigured 60 kV line between PG&E Lockeford and Lodi substation will allow more reliable service to the approximately 10,000 PG&E customers (other than LEU) who are served by the PG&E 60 kV network in northern San Joaquin County.

Response O1-38

CPUC has considered these requested revisions to the description of the project and determined that providing this additional information about the reliability of future service for PG&E customers in the northern San Joaquin Valley is not necessary to the understanding or evaluation of the physical environmental effects of the project. The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR and no revisions have been made in response to this comment.

Comment O1-39

Page 2-1

Draft EIR Language The project would include construction, modification, and operation of electrical infrastructure (including power lines, transmission lines, a switching station, and

substations)[1] from an existing PG&E 230 kV transmission corridor that traverses roughly northwest-southeast of Atkins Road in unincorporated San Joaquin County to an existing substation in eastern Lodi, approximately 9 miles to the west.

[1] In this document, electrical lines that are designed to operate at or above 200 kV are referred to as "transmission lines," lines designed to operate between 50 kV and 200 kV are referred to as "power lines," and lines designed to operate under 50 kV are referred to as "distribution lines."

Comments Statement omits distribution lines as project components.

Revise text as follows:

The project would include construction, modification, and operation of electrical infrastructure (including distribution lines, power lines, transmission lines, a switching station, and substations)[1] from an existing PG&E 230 kV transmission corridor that traverses roughly northwest-southeast of Atkins Road in unincorporated San Joaquin County to an existing substation in eastern Lodi, approximately 9 miles to the west.

[1] In this document, electrical lines that are designed to operate at or above 200 kV are referred to as "transmission lines," lines designed to operate between 50 kV and 200 kV are referred to as "power lines," and lines designed to operate under 50 kV are referred to as "distribution lines."

Response O1-39

CPUC has considered and incorporated these requested revisions to the description of the project, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-40

Page 2-2

Draft EIR Language The proposed project is needed because the existing PG&E 230/60 kV system is experiencing voltage issues and thermal overloads that could cause systemwide outages.

Comments The use of systemwide is misleading – the outages from the local voltage and thermal issues impact the PG&E 230/60 kV system in the northern San Joaquin County.

Revise text as follows:

The proposed project is needed because the existing PG&E 230/60 kV system is experiencing voltage issues and thermal overloads that could cause ~~systemwide~~ outages within the northern San Joaquin County area.

Response O1-40

CPUC has considered and incorporated these requested revisions to the description of the need for the project, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-41

Page 2-2

Draft EIR Language As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from PG&E's and LEU's objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including the City of Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including the Lodi; and
- separate PG&E's 60 kV system from LEU's 60 kV system.

Comments The PEA objectives, described as "PG&E's and LEU's objectives," are proposed project objectives instead of "PG&E's and LEU's." Clarifying the use of "Lodi" to the City of Lodi increases specificity to the project benefit area and customers.

Revise text as follows:

As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from ~~PG&E's and LEU's~~ the PEA project objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including the City of Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including the City of Lodi;
- and separate PG&E's 60 kV system from LEU's 60 kV system.

Response O1-41

The project objectives proposed in the PEA are correctly identified as PG&E and the City of Lodi's objectives for the project. No change is necessary or appropriate.

Comment O1-42

Page 2-5

Draft EIR Language Improve system reliability for PG&E's approximately 10,000 electrical customers, one of which is LEU, which itself serves approximately 28,000 customers.

Comments This PEA objective was changed from what was included in the PEA when filed.

The PEA objective states, "approximately 27,570 customers". The objective appears to have been updated by the CPUC to reflect the Fiscal Year (FY) 2024 Lodi Electric Utility Fact Sheet available at https://www.lodi.gov/934/Lodi-Electric-Utility-Quick-Facts.

Please provide a footnote that explains the change from the PEA objective.

Response O1-42

This modification to the PG&E and LEU objective language was made by PG&E during development of the project description in February of 2024. While no source was provided at the time, the customer number is consistent with published data, including the fact sheet linked in the comment.

As described in Response O1-29, above, the objectives are described as proposed by PG&E and LEU and there is no requirement for consistency with the objectives in the PEA. No revisions have been made to the Draft EIR in response to this comment.

Comment O1-43

Page 2-5

Draft EIR Language Increase capacity to accommodate projected growth in demand and minimize future reliability issues for Lodi, as well as for PG&E customers.

Comments This PEA objective was changed from what was included in the PEA when filed. Revise text as follows:

Increase capacity to accommodate projected growth in demand and minimize future reliability issues ~~for Lodi, as well as for PG&E customers~~.

Response O1-43

As described in Response O1-29, above, the objectives are described as proposed by PG&E and LEU and there is no requirement for consistency with the objectives in the PEA. No revisions have been made to the Draft EIR in response to this comment.

Comment O1-44

Page 2-5

Draft EIR Language LEU's customers are primarily residential (86 percent) and commercial (14 percent) accounts.

Comments LEU customer type percentages are changed without reference from the PEA. PEA page 3-5 states:

The City of Lodi's customers generally consist of the following (Shahriar 2023):

- *Approximately 91.4% are residential accounts*
- *Approximately 8.5% are commercial accounts*
- *Approximately 0.1% are industrial accounts*

Please revert to the PEA text or provide the source for the DEIR text.

Response O1-44

The source of the text in the draft EIR is PG&E. PG&E and LEU were provided with a preliminary copy of the project description in February 2024 and provided the revised customer numbers as part of the review. While the details of the customer types in the City of Lodi provide context for the discussion, the precise breakdown of customers is not material to the analysis environmental impacts of the proposed project. No changes to the Draft EIR have been made in response to this comment.

Comment O1-45

Page 2-6

Draft EIR Language 2.5.2 Existing Electrical System Components

The existing PG&E system, as relevant to the proposed project, comprises four PG&E 230 kV transmission lines, one PG&E substation, four PG&E 60 kV power lines, various PG&E remote-end facilities (one PG&E repeater station and four PG&E substations), one PG&E 12 kV service line, one LEU substation, two LEU 12 kV feeder lines, and one Comcast communication line, each of which are described below. As described above, there are reliability and capacity issues on this system. Figure 2-2 provides an overview of the existing 230/60 kV electrical system components as a single line diagram.

Comments The Comcast communication line is underbuilt on a PG&E 60 kV line. This third-party communication line is a project component but not an electrical system component and has no relation to the reliability and capacity issues. For example, the communication line is not shown on Figure 2-2. Table 2-1, Summary of Proposed Removed, Modified, and New

Facilities, includes the communication line as facility modified as part of the proposed project components.

Revise text as follows:

The existing PG&E system, as relevant to the proposed project, comprises four PG&E 230 kV transmission lines, one PG&E substation, four PG&E 60 kV power lines, various PG&E remote-end facilities (one PG&E repeater station and four PG&E substations), one PG&E 12 kV service line, one LEU substation, two LEU 12 kV feeder lines~~, and one Comcast communication line~~, each of which are described below.

Response O1-45

The clarification that the Comcast communication line is underbuild and not an electrical system component is noted. The cited text is an introductory summary of project elements and does not indicate that the Comcast facility has any "relation to the reliability and capacity issues." In fact, the text that follows, describes the line as underbuild on the Lockeford-Industrial 60 kV Power Line. No revisions to the text of the Draft EIR have been made in response to this comment.

Comment O1-46

Page 2-11

Draft EIR Language By creating a new 230 kV source and separating PG&E's and LEU's 60 kV systems, current and projected voltage issues and thermal overloads on PG&E's 230/60 kV system would be remedied and forecasted demand growth would be accommodated.

Comments The separation of PG&E's and LEU's 60 kV systems is one portion of the reconfiguration of PG&E's 60 kV lines that addresses system reliability issues and accommodate forecasted demand growth.

Revise text as follows:

By creating a new 230 kV source and reconfiguring PG&E's 60 kV lines, including separating PG&E's and LEU's 60 kV systems, current and projected voltage issues and thermal overloads on PG&E's 230/60 kV system would be remedied and forecasted demand growth would be accommodated.

Response O1-46

The clarification that the specific 60 kV elements of the project are a reconfiguring of PG&E's existing 60 kV lines is noted and explained throughout the Draft EIR. The cited text is accurate as written. No revisions to the text of the Draft EIR have been made in response to this comment.

Comment O1-47

Page 2-12

Draft EIR Language Table 2-1.

Build new 230 kV bay, control, and battery buildings with potential ground system expansion; reconfigure existing 230 kV bay; move existing 230 kV control equipment to new building.

Comments Control and battery facilities within substations or stations are enclosures instead of buildings.

Revise text as follows:

Build new 230 kV bay, control, and battery ~~buildings~~ enclosures with potential ground system expansion; reconfigure existing 230 kV bay; move existing 230 kV control equipment to new ~~building~~ enclosure.

Response O1-47
The clarification that the control and battery facilities within substations or stations are enclosure" is noted. Table 2-1 is a brief summary table of the project components. CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-48

Page	[none provided]
Draft EIR Language	The northern approximately 0.5 miles of the PG&E Industrial Tap Line would be modified between the PG&E Lockeford-Lodi No. 2 Power Line at SR 12 south to the alignment of new PG&E Lockeford-Lodi No. 1 Line.
Comments	PG&E Lockeford-Lodi No. 1 Line is the preliminary name of the line that will operate with reconfigured segments of PG&E Lodi-Industrial, PG&E Industrial Tap and PG&E Lockeford-Industrial. Revise text as follows: The northern approximately 0.5 miles of the PG&E Industrial Tap Line would be modified between the PG&E Lockeford-Lodi No. 2 Power Line at SR 12 south to the alignment of ~~new~~ existing PG&E Lockeford-Industrial ~~Lodi No. 1~~ Line.

Response O1-48
CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-49

Page	2-18
Draft EIR Language	PG&E Lodi-Industrial 60 kV Power Line (header level)
Comments	When PG&E Lockeford-Lodi No. 1 60 kV Power Line (Preliminary Name) is reconfigured, it will include spans that currently operate as PG&E Industrial Tap, PG&E Lockeford-Industrial, and PG&E Lodi-Industrial as noted on DEIR page 2-17. It seems like the header for PG&E Lodi-Industrial on DEIR page 2-18 should be at the same level as the headers for PG&E Industrial Tap and PG&E Lockeford-Industrial on DEIR page 2-17. PG&E Lockeford-Lodi No. 1 60 kV Power Line will not include spans of or being connected to PG&E Lockeford-Lodi No. 2 Power Line.

Response O1-49
The relationship between the PG&E Lockeford-Lodi No. 2 60 kV Power Line and the PG&E Lodi-Industrial 60 kV Power Line is noted. The heading styles applied in the Draft EIR have not been modified in response to this comment. The suggested revision does not raise a significant environmental issue that affects the analysis or conclusions in the EIR. Editorial suggestions that are not imperative to the reader's understanding of the project or its impacts have not been revised in this Final EIR.

Comment O1-50

Page	2-18
Draft EIR Language	The switching station would switch the PG&E 230 kV feed from PG&E Lockeford-Thurman 230 kV No. 1 and No. 2 Transmission Lines to a lower voltage suitable for LEU's system.
Comments	The voltage conversion occurs within LEU Guild Substation, not PG&E Thurman Switching Station. Revise text as follows:

The switching station would switch the PG&E 230 kV feed from PG&E Lockeford-Thurman 230 kV No. 1 and No. 2 Transmission Lines to ~~a lower voltage suitable for~~ LEU's system via the new PG&E and LEU 230 kV Thurman-Guild 230 kV No. 1 and No. 2 Transmission Lines.

Response O1-50

CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-51

Page 2-21

Draft EIR Language The fiber optic cable would be installed down the structure, connecting to an underground conduit and into the switching station to the control enclosure.

Comments Structure is unidentified in the DEIR.

Revise text as follows:

The fiber optic cable would be installed down ~~the~~ transmission line structure (W49), connecting to an underground conduit and into the switching station to the control enclosure.

Response O1-51

CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-52

Page 2-27

Draft EIR Language The proposed PG&E Brighton-Lockeford Line and PG&E Lockeford-Bellota No. 2 Line would have an average span length of approximately 880 feet with approximately 23 structures. The new PG&E Lockeford-Thurman Line would be a double-circuit 230 kV line of approximately 6.8 miles in length and be supported by approximately 49 structures based on an anticipated average span length of approximately 720 feet.

Comments Add in the name, line length, and voltage of 230 kV loop into Lockeford Substation in the first sentence for consistency with the following sentence. Revise text as follows:

The proposed PG&E Brighton-Bellota extension, an approximately 3.8-mile loop of PG&E Brighton-Lockeford 230 kV Line and PG&E Lockeford-Bellota 230 kV No. 2 Line into PG&E Lockeford Substation would have an average span length of approximately 880 feet with approximately 23 structures.

Response O1-52

CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-53

Page 2-36

Draft EIR Language Construction activities would result in temporary disturbance for pole placement, undergrounding lines, station construction, and staging.

Comments Clarification that the proposed project only includes undergrounding sections of two existing distribution lines. Revise text as follows:

Construction activities would result in temporary disturbance for pole placement, undergrounding distribution lines, station construction, and staging.

Response O1-53
CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-54

Page	2-45
Draft EIR Language	Removal of PG&E Transmission Tower
Comments	PG&E Tower RO-1 will be replaced with a tubular steel pole. Revise text as follows: ~~Removal~~ Replacement of PG&E Transmission Tower

Response O1-54
CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-55

Page	2-45
Draft EIR Language	Installation of PG&E Microwave Towers
Comments	A new PG&E microwave tower is proposed within PG&E's new Thurman Switching Station and an existing microwave tower within PG&E's existing Clayton Hill Repeater Station is proposed for modification. Revise text as follows: Installation and Modification of PG&E Microwave Towers

Response O1-55
CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-56

Page	2-47
Draft EIR Language	The new fiber optic cable, or OPGW would be installed in the top conductor position of the new transmission line and would be routed into the substation and switching stations using a new underground conduit.
Comments	The new fiber optic cable, or OPGW would be installed in the top conductor position of the new transmission line and would be routed into the substations and switching stations using a new underground conduit.

Response O1-56
CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-57

Page	2-48
Draft EIR Language	TRANSMISSION LINE CONSTRUCTION (UNDERGROUND)
Comments	There is no underground transmission line construction proposed. Underground distribution line construction is proposed as the DEIR discusses on the two pages following the header. Revise text as follows: ~~TRANSMISSION~~ DISTRIBUTION LINE CONSTRUCTION (UNDERGROUND)

Response O1-57

CPUC has considered and incorporated the requested revision to the subheading, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revision does not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-58

Page 2-56

Draft EIR Language The expanded PG&E Lockeford Substation, new PG&E Thurman Switching Station, modified LEU Industrial Substation, and new LEU Guild Substation have been designed by PG&E and LEU to maintain the existing drainage patterns and include erosion control design measures for site stabilization.

Comments PG&E and LEU did not design facilities together other than the proposed joint ownership PG&E and LEU 230 kV Thurman-Guild 230 kV No. 1 and No. 2 Transmission Lines. Revise text as follows:

The expanded PG&E Lockeford Substation, new PG&E Thurman Switching Station, modified LEU Industrial Substation, and new LEU Guild Substation have been designed ~~by PG&E and LEU~~ to maintain the existing drainage patterns and include erosion control design measures for site stabilization by the utility owner of each facility, PG&E or LEU.

Response O1-58

The clarification that PG&E and LEU have separately designed the infrastructure that is not in joint ownership is noted. This distinction is not material to the analysis of the project's potential environmental impacts and no changes to the Draft EIR have been made in response to this comment.

Comment O1-59

Page 2-62

Draft EIR Language If the western end of PG&E Lockeford-Industrial Line is not removed as scheduled, the project would wait until the next outage window, likely the following November to March. Portions of existing 230 kV reconfiguration at PG&E Lockeford Substation and some site restoration at components may be able to occur while the new 230 kV work waits for the next single PG&E 60 kV line outage window.

Table 2-11 Preliminary Construction Schedule

Project Construction Activity	Proposed Schedule Approximate Date Ranges
PG&E 230 kV Transmission Line West end construction would complete November March during outage window.	July 2026–December 2027

Comments Customer outages in the northern San Joaquin County area are not planned as part of the proposed project. A planned line outage occurs when a line is deenergized, it is also referred to a line safety clearance. The "PG&E 230 kV Transmission Line West end construction would complete November–March during outage window." in DEIR Table 2-11 only applies to PG&E's Lockeford-Industrial 60 kV Line being taken out of service, deenergized, and removed when it is not needed to provide power to customers in northern San Joaquin County including LEU.

Revise text as follows:

If the western end of PG&E Lockeford-Industrial Line is not removed as scheduled, the project would wait until the next line safety clearance (an action that deenergizes the line) ~~outage~~ window, likely the following November to March. The line would not be deenergized during the warmer months of the year when electricity demand is higher mainly from air conditioning. The removal of the western end of PG&E Lockeford-Industrial Line will be scheduled for removal during November – March when the single 60 kV line can be deenergized. The other PG&E 60 kV lines in the northern San Joaquin County area will remain energized and continue to provide service to PG&E's customers in the northern San Joaquin County area including LEU. The timing of work on the west end of the new 230 kV line will be scheduled to avoid planned customer outages by only deenergizing a single line when there is less electrical demand in the cooler winter months. Portions of existing 230 kV reconfiguration at PG&E Lockeford Substation and some site restoration at components may be able to occur while the new 230 kV work waits for the next single PG&E 60 kV line safety clearance ~~outage~~ window.

Table 2-11 Preliminary Construction Schedule

Project Construction Activity	Proposed Schedule Approximate Date Ranges
PG&E 230 kV Transmission Line	July 2026–December 2027
West end construction would complete November–March during single 60 kV line safety clearance ~~outage~~ window.	

Response O1-59

The clarification of the "outage window" as a safety clearance window that is related to the time of year when the line can be deenergized because it is not needed to provide power to customers in northern San Joaquin County, including LEU, is noted. The comment does not raise significant environmental points and revisions to the Draft EIR are not necessary to inform the analysis or conclusions in the EIR.

Comment O1-60

Page	2-68
Draft EIR Language	Line Repair, Replacement, and Reconductoring
Comments	PG&E repairs or replaces pole (for example, crossarms, insulators, pins, transformers, wires, cables, guys, anchors, switches, fuses, and paint) and underground line equipment (for example, elbows, terminations, joints, and splices) when it fails, becomes unsafe, outlasts its usefulness, or is identified for replacement. Repair and replacement of line equipment typically are performed with the pole and line in place, using a line truck for access to line components. Section omits discussing the conductor portion of a line. Revise text as follows: PG&E repairs or replaces pole (for example, crossarms, insulators, pins, transformers, wires, cables, guys, anchors, switches, fuses, and paint) and underground line equipment (for example, elbows, terminations, joints, and splices) when it fails, becomes unsafe, outlasts its usefulness, or is identified for replacement. Repair and replacement of line equipment typically are performed with the pole and line in place, using a line truck for access to line components. PG&E replaces conductors when they are outdated and less reliable or no longer capable of meeting required capacity, as is the case on this project. Because PG&E will install all new structures during the project, any future reconductoring would likely require conductor or cable replacement only at the end of its estimated 75-year asset life span.

Response O1-60
The cited text on page 2-68 of the Draft EIR describes the operation and maintenance of the proposed project. The clarification in the comment that reconductoring is not anticipated until the end of the 75-year life of the project is noted. The comment does not raise significant environmental points and revisions to the Draft EIR are not necessary to inform the analysis or conclusions in the EIR.

Comment O1-61

Page	2-89
Draft EIR Language	APM NOI-2: PG&E Noise Minimization with Portable Barriers Compressors and other small stationary equipment used during construction of PG&E project components will be shielded with portable barriers if appropriate and if located within approximately 200 feet of a residence.
Comments	PG&E's Revised Response to CPUC Data Request 2 revised APM NOI-2. Revise text as follows: APM NOI-2: PG&E Noise Minimization with Portable Barriers Compressors and other small stationary equipment used during construction of PG&E project components will be shielded with portable barriers if appropriate and if located within approximately 200 feet of a residence or if determined by PG&E to be appropriate.

Response O1-61
The text of APM NOI-2 has been updated, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-62
Chapter 3 –Environmental Impacts and Mitigation Measures
Aesthetics

Page	3.2-1
Draft EIR Language	The foothills of the Diablo Range separate San Joaquin County from Alameda County and Contra Costa County to the west, with the main access between these counties being Interstate 205 (I-205), which cuts through the Altamont Pass.
Comments	Interstate 580 (I-580) cuts through the Altamont Pass. I-580 connects with I-205 east of the Altamont Pass. Revise text as follows: The foothills of the Diablo Range separate San Joaquin County from Alameda County and Contra Costa County to the west, with the main access between these counties being Interstate ~~20~~580 (I-~~20~~580), which cuts through the Altamont Pass.

Response O1-62
Revisions have been made to the environmental setting on page 3.2-1 of the Draft EIR to correct the interstate naming, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-63

Page	3.2-12
Draft EIR Language	Section 3.2 Aesthetics | 3.2.2 Regulatory Setting | LOCAL | San Joaquin County General Plan
Comments	The list of applicable policies in the San Joaquin County General Plan should include Policy NCR-5.5, Environmental Protection.

Revise text as follows:

- Policy NCR-5.5: Environmental Protection. The County shall strive to balance the development of energy facilities with environmental protection and the preservation of other natural resources.

Response O1-63

San Joaquin County's policy regarding balancing the development of energy facilities with environmental protection is noted. This policy provides guidance to County decision makers and does not establish measurable or binding requirements. Furthermore, the County does not have approval authority over the project and the CPUC, as a State agency, is not required to comply with local land use regulations. For these reasons, addition of this policy is not imperative to the analysis of the project's potential environmental impacts and no changes to the Draft EIR have been made in response to this comment.

Comment O1-64

Page Figure 3.24a and Figure 3.2-4b

Draft EIR Language Visual simulation of proposed project (KOP 1).
Visual simulation of proposed project (KOP 2).
Visual simulation of proposed project (KOP 3).
Visual simulation of proposed project (KOP 4).

Comments The top portion of visual simulations of KOP 1, KOP 2, KOP 3, and KOP 4 are cropped which alters the original images provided in the PEA.

Revise images are follows:

Replace each image with an unaltered image from the PEA.

Response O1-64

The visual simulations provided in the PEA were used to inform the analysis in the Draft EIR. The images are presented in the Draft EIR format, which may limit the extent of the image. There is no evidence provided in the comment that the EIR format substantially alters the simulation provided in a manner that affects the analysis or conclusions provided in the Draft EIR. No revisions have been made in response to this comment.

Agriculture

Comment O1-65

Page 3.3-12

Draft EIR Language Section 3.3 Agricultural | 3.2.2 Regulatory Setting | LOCAL | City of Lodi General Plan

- C-P5: Ensure that urban development does not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices. Use appropriate buffers consistent with the recommendations of the San Joaquin County Department of Agriculture (typically no less than 150 feet) and limit incompatible uses (such as schools and hospitals) near agriculture.

Comments City of Lodi General Plan Policy C-P5 addresses "urban development." The project does not constitute "urban development" and therefore the policy does not apply and should be deleted.

Revise text as follows:

- ~~C-P5: Ensure that urban development does not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices. Use appropriate buffers consistent with the recommendations of the San Joaquin County Department of Agriculture (typically no less than 150 feet) and limit incompatible uses (such as schools and hospitals) near agriculture.~~

Response O1-65

City of Lodi General Plan Policy C-P5 is specific to urban development adjacent to agricultural land use. As noted in the comment, this policy does not apply to the project. The analysis provided in Section 3.3, "Agriculture," does not indicate that the policy applies. Listing the policy among other general plan policies in the regulatory setting, while not necessary, provides a general regulatory context and does not affect the analysis or conclusions in the Draft EIR. Nevertheless, CPUC has considered and incorporated these requested revisions, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-66

Page	3.3-17
Draft EIR Language	PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas. Specifically, APM AGR-1 requires PG&E to notify landowners of proposed project activities, coordinate with landowners to minimize construction-related disruptions, establish overland access routes and work areas to minimize disruptions to agricultural infrastructure, provide fair market compensation for the removal of crops or damaged infrastructure, and restore or provide compensation to landowners to restore agricultural land temporarily impacted by construction to pre-project conditions.
Comments	PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas. Specifically, APM AGR-1 requires PG&E to notify landowners of proposed project activities, coordinate with landowners to minimize construction-related disruptions, establish overland access routes and work areas to minimize disruptions to agricultural infrastructure, provide fair market compensation for the removal of crops or damaged infrastructure, and restore or provide compensation to landowners to restore agricultural land temporarily impacted by construction to pre-project conditions. Revise text as follows: PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas. Specifically, APM AGR-1 requires PG&E to notify landowners of proposed project activities, coordinate with landowners to minimize construction-related disruptions, use existing or identify ~~establish~~ temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure, provide fair market compensation for the removal of crops or damaged infrastructure, and restore or provide compensation to landowners to restore agricultural land temporarily impacted by construction to pre-project conditions.

Response O1-66

The clarification provided in the comment regarding the use of existing or temporary overland access routes is noted. Use of "establish" is accurate in this case and encompasses the mapping of all construction access routes, both as upgraded existing roads and temporary routes. Additional clarification on this process is provided in other areas of the Draft EIR, including Chapter 2, "Project Description," and modification of the text identified in the comment is not necessary here for an accurate understanding of the project. No revisions have been made to the Draft EIR in response to this comment.

Comment O1-67

Page	3.3-19
Draft EIR Language	PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas. Specifically, in accordance with APM AGR-1, PG&E would notify landowners of proposed project activities, coordinate with landowners to minimize construction-related disruptions, establish overland access routes and work areas to minimize disruptions to agricultural infrastructure, provide fair market compensation for the removal of crops or damaged

infrastructure, and restore or provide compensation to landowners to restore agricultural land temporarily impacted by construction to pre-project conditions.

Comments PG&E will not be establishing new permanent overland routes. PG&E will use existing overland routes, or will work with the landowners to identify temporary access that minimizes agricultural infrastructure disruption as described in APM AGR-1.

Revise text as follows:

PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas. Specifically, in accordance with APM AGR-1, PG&E would notify landowners of proposed project activities, coordinate with landowners to minimize construction-related disruptions, use existing or identify ~~establish~~ temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure, provide fair market compensation for the removal of crops or damaged infrastructure, and restore or provide compensation to landowners to restore agricultural land temporarily impacted by construction to pre-project conditions.

Response O1-67

The clarification provided in the comment regarding the use of existing or temporary overland access routes is noted. Use of "establish" is accurate in this case and encompasses the mapping of all construction access routes, both as upgraded existing roads and temporary routes. Additional clarification on this process is provided in other areas of the Draft EIR, including Chapter 2, "Project Description," and modification of the text identified in the comment is not necessary here for an accurate understanding of the project. No revisions have been made to the Draft EIR in response to this comment.

Archaeological, Historical and Tribal Cultural Resources

Comment O1-68

Page 3.5-23

Draft EIR Language The following mitigation measure shall supersede and replace AMP CUL-3 and BMP CUL-3 for inadvertent discoveries:

Comments The following mitigation measure shall supersede and replace ~~AMP~~ APM CUL-3 and BMP CUL-3 for inadvertent discoveries:

Response O1-68

The typographical error is noted. CPUC has considered and incorporated the requested revision to the text of the mitigation measure, as shown in Chapter 3, "Revisions to the Draft EIR."

Comment O1-69

Page 3.5-24

Draft EIR Language Mitigation Measures 3.5-2a and 3.5-b would supersede and replace AMP CUL-3 and BMP CUL-3 to require implementation and preservation in place as the primary form of mitigation. Implementation

Comments Mitigation Measures 3.5-2a and 3.5-b would supersede and replace ~~AMP~~ APM CUL-3 and BMP CUL-3 to require implementation and preservation in place as the primary form of mitigation. Implementation

Response O1-69

The typographical error is noted. CPUC has considered and incorporated the requested revision to the text of the mitigation measure, as shown in Chapter 3, "Revisions to the Draft EIR."

Comment O1-70

Page 3.5-25

Draft EIR Language The following mitigation measure would be employed (after stopping work and following the procedure for determining eligibility in Mitigation Measure 3.5-1), and shall supersede and replace APM TCR-1 and BMP TCR-1 for inadvertent discoveries:

- As noted on mitigation 3.5-1, construction work shall stop within 100 feet of a resource inadvertently discovered that could potentially be a tribal cultural resource.

Comments No DEIR Mitigation Measure 3.5-1 or mitigation 3.5-1 is included.

Please remove the references.

Response O1-70

The typographical error is noted. CPUC has considered and incorporated these requested revisions to the text of the mitigation measure and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR."

Comment O1-71

Page 3.5-26

Draft EIR Language If human remains are discovered, PG&E would implement AMP CUL-4, which satisfies PRC requirements.

Comments If human remains are discovered, PG&E would implement ~~AMP~~ APM CUL-4, which satisfies PRC requirements.

Response O1-71

The typographical error is noted. CPUC has considered and incorporated the requested revision to the text of the mitigation measure, as shown in Chapter 3, "Revisions to the Draft EIR."

Biological Resources

Comment O1-72

Page 3.6-43

Draft EIR Language Elderberry stems of at least 1 inch in diameter may contain eggs, larvae, pupae, or preemergent adults. Removal, trimming, or damage to elderberry shrubs from vegetation clearing during construction and O&M, construction of the proposed guard structure and pull site, and construction activities associated with PG&E Lockeford Substation modification and expansion would result in injury or direct mortality of valley elderberry longhorn beetle. Beetles could also be injured or killed by vehicles or equipment during construction and O&M when they are outside of their host plant during adult emergence, feeding, or dispersal.

Comments An elderberry shrub would need to be occupied by valley elderberry longhorn beetle to have impact.

Revise text as follows:

Removal, trimming, or damage to elderberry shrubs from vegetation clearing during construction and O&M, construction of the proposed guard structure and pull site, and construction activities associated with PG&E Lockeford Substation modification and expansion could if occupied ~~would~~ result in injury or direct mortality of valley elderberry longhorn beetle.

Response O1-72

CPUC has considered and incorporated these requested revisions to the discussion regarding potential impacts on the valley elderberry longhorn beetle and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-73

Page	3.6-44
Draft EIR Language	Valley elderberry longhorn beetle is a covered species under the SJVHCP, and PG&E is required to comply with applicable AMMs.
Comments	SJVHCP AMMs apply to PG&E for covered activities. Revise text as follows: Valley elderberry longhorn beetle is a covered species under the SJVHCP, and PG&E is required to comply with applicable AMMs for projects that are covered activities.

Response O1-73

The clarification that covered activities under the plan are required to comply with applicable AMMs is noted. CPUC has considered and incorporated these requested revisions and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-74

Page	3.6-46
Draft EIR Language	Within 48 hours prior to any ground-disturbing work, vegetation removal, or staging activities in grassland habitat east of the PG&E Lockeford Station (i.e., PG&E staging areas and work areas adjacent to the PG&E Lockeford Station and near E19, E20, E9, E7, and E6 shown in Appendix B to the Draft EIR), a qualified biologist approved by USFWS, CDFW, and CPUC shall survey the areas for California tiger salamander.
Comments	The biologist approval by CPUC would have a regulatory mechanism through the CPCN, but there is no mechanism for approval by USFWS and CDFW. Recommend removing USFWS and CDFW. Revise text as follows: Within 48 hours prior to any ground-disturbing work, vegetation removal, or staging activities in grassland habitat east of the PG&E Lockeford Substation (i.e., PG&E staging areas and work areas adjacent to the PG&E Lockeford Substation and near E19, E20, E9, E7, and E6 shown in Appendix B to the Draft EIR), a qualified biologist approved by ~~USFWS~~, ~~CDFW~~, ~~and~~ CPUC shall survey the areas for California tiger salamander.

Response O1-74

CPUC has considered and incorporated these requested revisions to the text of the mitigation measure and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." Specifically, reference to the Lockeford Substation has been corrected. Reference to USFWS and CDFW approval of biologists has been revised to specify that the biologist conducting the survey shall have an active USFWS Section 10(a)(1)(A) recovery permit, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-75

Page 3.6-47

Draft EIR Language Within 14 days before the onset of all project construction or O&M activities during the breeding season (approximately February 1 through August 31, as determined by a qualified biologist), a qualified biologist approved by CPUC, familiar with birds of California and with experience conducting nesting bird surveys shall conduct focused surveys for special-status birds, other nesting raptors, and other native birds.

Comments Some special-status species such as Swainson's hawk and burrowing owl have specific timing for surveys that may not be within 14 days before the onset of all project construction. Surveys for such species will be timed to occur prior to the start of construction within the specific special-status species protocols or peak breeding seasons, as appropriate.

Additionally, PG&E's project-related O&M activities will be covered under PG&E's San Joaquin Valley Habitat Conservation Plan and PG&E's Nest Bird Management Plan (NBMP) has sufficient measures addressing surveys and implementation of protective buffers during O&M activities. Refer to Attachment 2, Nesting Birds: Species-Specific Buffers for PG&E Activities, for the current table from PG&E's Nest Bird Management Plan. Attachment 2 replaces PEA Appendix C6 PG&E Nesting Bird Management Plan Summary. An additional project mitigation measure for this O&M impact is unneeded.

Revise text as follows:

~~Within 14 days before the onset of~~ For all project construction ~~or O&M~~ activities during the breeding season (approximately February 1 through August 31, as determined by a qualified biologist), and generally within 14 days before the onset of all project construction or as determined by special-status species nesting dates, a qualified biologist approved by CPUC, familiar with birds of California and with experience conducting nesting bird surveys shall conduct focused surveys for special-status birds, other nesting raptors, and other native birds.

Response O1-75

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not necessary. Mitigation Measure BIO-2b includes a reference to the survey protocol for Swainson's hawk and Mitigation Measure BIO-2c includes survey requirements specifically for burrowing owls. No changes have been made in response to this comment.

Comment O1-76

Page 3.6-48

Draft EIR Language Buffers typically shall be 0.25 miles for Swainson's hawk and white-tailed kite; 500 feet for tricolored blackbird, great blue heron, northern harrier, and California horned lark (consistent with the SJMSCP); 500 feet for other raptors; and 300 feet for bank swallow (consistent with the SJMSCP). Buffer size for other nonraptor bird species shall be determined by a qualified biologist.

Comments PG&E recommends using PG&E's Nesting Bird Management Plan (NBMP) Table for buffer distances for raptors as well as for nonraptors. PG&E's NBMP has species- specific raptor nest buffers, was drafted by avian experts, and has been shared with CDFW, USFWS, and CPUC and implemented by PG&E with those agencies' approval many times since it was developed initially in 2012. Refer to Attachment 2, Nesting Birds: Species-Specific Buffers for PG&E Activities. Attachment 2 replaces PEA Appendix C6 PG&E Nesting Bird Management Plan Summary.

Revise text as follows:

Buffer size for other raptor and nonraptor bird species shall be determined by PG&E's Nesting Bird Management Plan buffers ~~a qualified biologist~~.

Response O1-76

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. Some of the buffers recommended in PG&E's Nesting Bird Management Plan are smaller than the buffers typically recommended by CDFW or as required by the SJMSCP (e.g., white-tailed kite, bank swallow). The buffers included in this mitigation were developed using typical recommendations from CDFW for similar projects, requirements of the SJMSCP, and the professional opinion of biologists to determine that impacts would be minimized and reduced to less than significant under CEQA. No changes have been made in response to this comment.

Comment O1-77

Page	3.6-48
Draft EIR Language	PG&E and LEU shall develop a nesting bird management plan. The nesting bird management plan shall be submitted to USFWS and CDFW for review and comment. PG&E and LEU shall submit the final plan to CPUC no less than 60 days prior to construction. CPUC approval is required before the plan is implemented.
Comments	PG&E has a Nesting Bird Management Plan (NBMP) that is an internal document as part of PG&E's Avian Protection Plan. Refer to Attachment 2 for Nesting Birds: Species- Specific Buffers for PG&E Activities. This table replaces the table provided in PEA Appendix C6 PG&E Nesting Bird Management Plan Summary. The NBMP has species- specific raptor nest buffers, was drafted by avian experts, and has been shared with CDFW, USFWS, and CPUC and implemented by PG&E with those agencies' approval many times since it was developed initially in 2012. Project approval is unnecessary. Additionally, there is no mechanism for approval by USFWS and CDFW. Recommend removing USFWS and CDFW. An excerpt of the nest buffer table from PG&E's NBMP can be incorporated into a project-specific NBMP. Revise text as follows: PG&E and LEU each shall develop a nesting bird management plan for their individual project activities. PG&E's plan will incorporate applicable elements of PG&E's standard Nesting Bird Management Plan. ~~The nesting bird management plan shall be submitted to USFWS and CDFW for review and comment.~~ PG&E and LEU each shall submit their final plan to CPUC no less than 60 days prior to construction. CPUC approval of the plan is required before the plan is implemented.

Response O1-77

CPUC has considered and incorporated these requested revisions to the text of the mitigation measure and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." Specifically, clarification that the nesting bird management plans for PG&E and LEU would be prepared separately has been added and the requirement to solicit comments from USFW and CDFW has been removed. The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-78

Page	3.6-48
Draft EIR Language	Buffer reduction shall include coordination with the appropriate wildlife agencies and CPUC if reducing the buffer of a raptor or special-status species.
Comments	Many raptors are not special-status species and should not require coordination with the wildlife agencies to appropriately reduce raptor buffers.

Revise text as follows:

Buffer reduction shall include coordination with the appropriate wildlife agencies and CPUC if reducing the buffer of a ~~raptor or~~ special-status species.

Response O1-78

CPUC has considered and incorporated these requested revisions to the text of the mitigation measure and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-79

Page 3.6-48

Draft EIR Language A qualified biologist approved by CPUC shall conduct surveys for burrowing owls in areas of habitat suitable for the species on and within 1,640 feet of the BSA.

Comments The 2012 CDFW Staff Report on Burrowing Owl Mitigation (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843) recommends a burrowing owl survey distance of 150 meters.

Revise text as follows:

A qualified biologist approved by CPUC shall conduct surveys for burrowing owls in areas of habitat suitable for the species on and within 492 feet (150 meters) ~~1,640 feet~~ of the BSA.

Response O1-79

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. Burrowing owl has been designated as a candidate for listing under CESA, and as a candidate, take of individuals is prohibited. A protective buffer of 1,640 feet would be required if burrowing owls were detected during focused surveys (consistent with the larger buffer referenced in the 2012 CDFW Staff Report, as noted in the response to Comment O1-80); therefore, the survey buffer would need to incorporate the same area as the protective buffer to prevent take of individual burrowing owls. No changes have been made in response to this comment.

Comment O1-80

Page 3.6-49

Draft EIR Language During the breeding season (February 1 through August 31), the minimum buffer distance shall be increased to 1,640 feet (500 meters).

Comments A distance of 1,640 feet (500 meters) is 0.31 mile. Recommend that this buffer distance be reduced to 500-feet (152 meters) based on SJMSCP buffer of 75 meters for nesting season, PG&E's O&M San Joaquin Valley HCP buffer of 250 feet, Burrowing Owl Consortium recommendations of 250-feet for breeding buffers for BUOW and burrowing owl recommended survey distances in the 2012 CDFW Staff Report: "Burrowing owl surveys are the second step of the evaluation process and the best available scientific literature recommends that they be conducted whenever burrowing owl habitat or sign (see Appendix B) is encountered on or adjacent to (within 150 meters) a project site 03/7/12 DFG BUOW Staff Report 6 (Thomsen 1971, Martin 1973)."

Larger buffer distances in the 2012 CDFW staff report come from Scobie and Faminow 2000. That was a review in Canada that was in relation to the petroleum industry (which is different from common utility work practices). That report specifically states "At this point these guidelines are based on the best available knowledge of industry and biological authorities whose comments were based on personal observation rather than specific scientific quantitative studies. It would therefore not be ethical for these guidelines to be incorporated into any regulatory framework."

Revise text as follows:

During the breeding season (February 1 through August 31), the minimum buffer distance shall be increased to 500 feet (152 meters) ~~1,640 feet (500 meters~~).

Response O1-80

CPUC has considered these requested revisions to the text of the mitigation measure and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." Burrowing owl has been designated as a candidate for listing under CESA, and as a candidate, take of individuals is prohibited. The buffer recommendations in the 2012 CDFW Staff Report and the requirements of the SJMSCP were established prior to this change in designation and were not designed to completely avoid take of individuals. The larger buffer referenced in this mitigation measure (and as noted in the comment, derived from the 2012 CDFW Staff Report) is appropriate to completely avoid take of burrowing owls as required by CESA for candidate species. The mitigation measure, however, has been revised to allow any subsequent buffer requirements from CDFW to supersede the requirements in Mitigation Measure BIO-2c. The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-81

Page 3.6-49

Draft EIR Language The buffer may be adjusted if, in consultation with CDFW, the qualified biologist determines that an alternative buffer shall not result in take of burrowing owl adults, young, or eggs because of particular site features (e.g., topography, natural line-of-sight barriers), level of project disturbance, or other considerations.

Comments Recommend that this buffer be reduced "with notification to CDFW" or to the CPUC instead of "in consultation with CDFW." There is no mechanism for approval by CDFW.

Revise text as follows:

The buffer may be adjusted if, with notification to ~~in consultation with~~ CDFW and CPUC, the qualified biologist determines that an alternative buffer shall not result in take of burrowing owl adults, young, or eggs because of particular site features (e.g., topography, natural line-of-sight barriers), level of project disturbance, or other considerations.

Response O1-81

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. Burrowing owl has been designated as a candidate for listing under CESA, and as a candidate, take of individuals is prohibited. A reduction in the recommended buffer could result in take of individual burrowing owls, which would require an incidental take permit from CDFW. No changes have been made in response to this comment.

Comment O1-82

Page 3.6-49

Draft EIR Language If the buffer is reduced, the qualified biologist shall monitor the behavior of the burrowing owls during all project activities within 1,640 feet of the burrow.

Comments Recommend that this buffer distance match a nesting buffer and survey distance of ~150 meters/500 feet. Certain phases or types of construction work, especially those construction activities that are the same or similar to covered O&M activities, are not "high disturbance" and therefore do not require the full buffer size to avoid impact.

Revise text as follows:

If the buffer is reduced, the qualified biologist shall monitor the behavior of the burrowing owls during all project activities within 500 feet ~~1,640 feet~~ of the burrow.

Response O1-82
CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. See responses to Comments O1-80 and O1-81. No changes have been made in response to this comment.

Comment O1-83

Page	3.6-49
Draft EIR Language	PG&E or LEU shall submit a survey report to CDFW and CPUC within 1 month of survey completion and shall notify CDFW and CPUC within 24 hours if Crotch's bumble bees are detected.
Comments	PG&E will submit a survey report to CDFW if Crotch's bumble bees are detected but will not submit a report to CDFW if no Crotch's bumble bees are observed. Revise text as follows: PG&E or LEU shall submit a survey report to ~~CDFW and~~ CPUC within 1 month of survey completion and shall notify CDFW and CPUC within 24 hours if Crotch's bumble bees are detected.

Response O1-83
CPUC has considered these requested revisions to the text of the mitigation measure determined that revisions are not appropriate. Pursuant to the 2023 *CDFW Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species*, CDFW requests that all survey results, including negative results, be submitted to the Department. No changes have been made in response to this comment.

Comment O1-84

Page	3.6-50
Draft EIR Language	If elderberry shrubs are 165 feet or more from project construction activities, direct or indirect impacts are not expected. Shrubs shall be protected during construction by establishing and maintaining a high-visibility fence at least 165 feet from the drip line of each elderberry shrub.
Comments	A high-visibility fence buffer of 165 feet is impractical given the location of the shrubs within and adjacent to an energized substation where project work will occur. A fence at that distance from each shrub would not allow project work to occur, would need to be installed within an energized substation which is impractical, and would be a safety hazard to install within an energized substation. Certain project activities are restricted to line or bus safety clearance windows when work can be performed safety on deenergized equipment. It may be infeasible to avoid all project construction activities during the flight season of the valley elderberry longhorn beetle (March through July). Revise text as follows: If elderberry shrubs are 165 feet or more from project construction activities, direct or indirect impacts are not expected. Shrubs shall be protected during construction by establishing and maintaining a high-visibility fence at least ~~165~~ 20 feet from the drip line of each elderberry shrub unless existing substation fence(s) can be identified to provide the same protection from project construction activities.

Response O1-84
CPUC has considered and incorporated these requested revisions to the text of the mitigation measure and made the appropriate changes, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-85

Page	3.6-51
Draft EIR Language	The amount and duration of monitoring shall depend on the project specifics and will be discussed with a USFWS biologist.
Comments	Avoidance of elderberry plants will be by at minimum 20-feet, and consultation with USFWS is not anticipated. Revise text as follows: The amount and duration of monitoring shall depend on the project specifics ~~and will be discussed with a USFWS biologist.~~

Response O1-85

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. The language in this mitigation comes directly from the 2017 USFWS *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle*. No changes have been made in response to this comment.

Comment O1-86

Page	3.6-51
Draft EIR Language	Trimming of elderberry shrubs, if required, shall occur between November and February and shall avoid removal of any branches or stems that are greater than or equal to 1 inch in diameter to avoid and minimize adverse effects to valley elderberry longhorn beetle.
Comments	Currently in accordance with the VELB PG&E HCP/BO, trimming above 6 feet is a non-reportable activity regardless of stem diameter. Trimming at 6 feet and below is the determining factor for take/mitigation. Revise text as follows: Trimming of elderberry shrubs, if required, shall occur between November and February and shall avoid ~~removal of any branches or stems that are greater than or equal to 1 inch in diameter~~ trimming at 6 feet and below to avoid and minimize adverse effects to valley elderberry longhorn beetle.

Response O1-86

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. The PG&E Valley Elderberry Longhorn Beetle Conservation Program and associated biological opinion applies only to routine O&M activities and do not cover construction activities, such as new electric pole/tower construction, substation expansion, new pipeline installation, or pressure limiting station construction. Mitigation Measure BIO-2e specifically applies to construction activities. No changes have been made in response to this comment.

Comment O1-87

Page	3.6-51
Draft EIR Language	If elderberry shrubs cannot be avoided, compliance with ESA and consultation with USFWS is required and may involve acquiring an incidental take permit through Section 10 or a take exemption through Section 7 (if the project were to establish a federal nexus). All elderberry shrubs with stems greater than 1 inch in diameter that cannot be avoided or have been adversely affected by indirect damage to stems of the entire shrub shall be transplanted.
Comments	The SJCMSHCP states that shrubs with exit holes shall be transplanted, but not all shrubs. Revise text as follows:

If elderberry shrubs cannot be avoided, compliance with ESA and consultation with USFWS is required and may involve acquiring an incidental take permit through Section 10 or a take exemption through Section 7 (if the project were to establish a federal nexus). All elderberry shrubs with stems greater than 1 inch in diameter that have exit holes and cannot be avoided or have been adversely affected by indirect damage to stems of the entire shrub shall be transplanted.

Response O1-87

CPUC has considered these requested revisions to the text of the mitigation measure and determined that revisions are not appropriate. The 2017 USFWS *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle* requires replacement of all shrubs regardless of the presence of exit holes. The SJMSCP is a voluntary plan with which PG&E is not required to participate; therefore, it would be inappropriate to default to the requirements of this plan unless PG&E were participating. No changes have been made in response to this comment.

Comment O1-88

Page	3.6-58
Draft EIR Language	Implementation of Mitigation Measure BIO-6 would require compliance with local ordinances by requiring a zoning compliance review for the removal of oak trees for construction of new power lines and associated replacement requirements consistent with the San Joaquin County Ordinance Code.
Comments	No DEIR Mitigation Measure BIO-6 is included. Please remove the reference.

Response O1-88

The typographical error is noted. CPUC has considered and incorporated the requested revision, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revision does not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-89

Page	3.6-58
Draft EIR Language	Only O&M activities are considered eligible for coverage under the PG&E SJVHCP (i.e., construction activities are not covered activities), and LEU project activities would not be eligible for coverage under the SJVHCP.
Comments	Clarification that certain types of construction activities are not covered activities. Revise text as follows: Only O&M activities are considered eligible for coverage under the PG&E SJVHCP (i.e., certain types of construction activities are not covered activities), and LEU project activities would not be eligible for coverage under the SJVHCP.

Response O1-89

CPUC has considered these requested revisions to the text describing the potential for conflict with the San Joaquin Multi-Species HCP or the PG&E San Joaquin Valley HCP and determined that revisions are not appropriate. The SJVHCP covers O&M activities and "limited minor construction" activities. The project activities will result in a larger disturbance footprint and longer spans of line construction than described in the SJVHCP as minor construction. Therefore, as it applies to this project, construction activities are not covered under the SJVHCP. No changes have been made in response to this comment.

Comment O1-90

Page	3.6-64
Draft EIR Language	While APM BIO-9, AMP BIO-10, BMP BIO-9, and BMP BIO-10 would minimize the risk of electrocution from transmission lines and facilities, these APMs and BMPs do not require the applicant to provide documentation or demonstrate implementation of Avian Power Line Interaction Committee (APLIC) standards specifically for the proposed project; therefore, it is not possible to determine their effectiveness.
Comments	While APM BIO-9, ~~AMP~~ APM BIO-10, BMP BIO-9, and BMP BIO-10 would minimize the risk of electrocution from transmission lines and facilities, these APMs and BMPs do not require the applicant to provide documentation or demonstrate implementation of Avian Power Line Interaction Committee (APLIC) standards specifically for the proposed project; therefore, it is not possible to determine their effectiveness.

Response O1-90

CPUC has considered and incorporated the typographical error, as shown in Chapter 3, "Revisions to the Draft EIR."

Comment O1-91

Page	3.6-64
Draft EIR Language	PG&E shall implement their avian protection plan, *PG&E's Program to Address Avian Electrocutions, Collisions, and Nesting Birds* (PG&E 2018), including all risk-reduction measures and training and reporting requirements therein. CPUC approval is necessary prior to plan implementation for PG&E's portion of the project.
Comments	PG&E's Avian Protection Plan is an internal utility standard to realize the intent of Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006 (APLIC 2006, 2012). The external PG&E Avian Protection Plan is provided for informational purposes and does not require resource agency or CPUC approval. Revise text as follows: PG&E shall implement their avian protection plan, *PG&E's Program to Address Avian Electrocutions, Collisions, and Nesting Birds* (PG&E 2018), including all risk- reduction measures and training and reporting requirements therein. ~~CPUC approval is necessary prior to plan implementation for PG&E's portion of the project.~~

Response O1-91

CPUC has considered these requested revisions and determined that revisions are not appropriate. CPUC approval is necessary for any plan intended to fulfill the requirements of Mitigation Measure BIO-7. No changes have been made in response to this comment.

Geology, Soils, and Mineral Resources

Comment O1-92

Page	3.8-33
Draft EIR Language	Geologic units in association with the Modesto Formation have a low to moderate paleontological sensitivity (sensitivity increases to moderate at a depth of 30 feet) and are present in the project area west of PG&E Lockeford Substation and within the City of Lodi, where the new PG&E Thurman Station and western half of the PG&E 230 kV transmission line alignment would be constructed.
Comments	Geologic units in association with the Modesto Formation have a low to moderate paleontological sensitivity (sensitivity increases to moderate at a depth of 30 feet) and are present in the project area west of PG&E Lockeford Substation and within the City of Lodi, where the new PG&E Thurman Switching Station and western half of the PG&E 230 kV transmission line alignment would be constructed.

Response O1-92
The typographical error is noted. Because the type of station is not imperative to the reader's understanding of the geologic units in the project area and the suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR, no revisions have been made in response to this comment.

Hazards and Hazardous Materials

Comment O1-93

Page	3.10-4
Draft EIR Language	Figure 3.10-1 Schools mapped along SR 88, Harmony Grove School and Bidwell School
Comments	The two schools mapped along SR 88 are closed. Harmony Grove School closed in 1989 and Bidwell School closed in 1968. Refer to https://www.cde.ca.gov/schooldirectory/details?cdscode=39685856042105 and page 32 https://files.eric.ed.gov/fulltext/ED039634.pdf, respectively. A private school, Point Quest Education, Central Valley Campus appears operate in former Bidwell School location at 12755 N. CA-88 Lodi, CA 95240. Refer to https://pointquestgroup.com/locations/central-valley-campus/. Revise Figure 3.10-1 by removing the closed schools and adding the open school, if appropriate.

Response O1-93
The erroneous information in the figure is noted. CPUC has considered and incorporated the requested revision to the figure, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-94

Page	3.10-5
Draft EIR Language	The nearest schools and their approximate distances from the project area are: ▶ Harmony Grove School, approximately 5.4 miles southeast of the proposed substation and 0.7 miles south of the transmission line alignment; ▶ Lodi Seventh Day Adventist Elementary School, approximately 1.2 miles southwest of the proposed substation and 1.6 miles west of the transmission line alignment; ▶ Bidwell School, approximately 5.5 miles southeast of the proposed substation and 1.5 miles south of the transmission line alignment; and ▶ Lodi Academy School, approximately 1.5 miles southwest of the proposed substation and 1.9 miles northwest of the transmission line alignment.
Comments	The closed schools should be removed, and the open school added, if appropriate.

Response O1-94
The erroneous information in the text is noted. CPUC has considered and incorporated the requested text revision, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-95

Page	3.10-22
Draft EIR Language	However, the expanded LEU Industrial Substation and the new LEU Guild Substation would also include installation of transformers that rely on mineral oil as a cooling and insulating medium.
Comments	Clarification on status of components. Revise text as follows: However, the ~~expanded~~ modified LEU Industrial Substation and the new LEU Guild Substation would also include installation of transformers that rely on mineral oil as a cooling and insulating medium.

Response O1-95

CPUC has considered and incorporated the requested revision to the description and status of the project components, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revision does not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-96

Page	3.10-29
Draft EIR Language	Grading activities would be required for construction of the new PG&E Lockeford Substation, for expansion the existing PG&E Thurman Switching Station, for construction and expansion of the LEU Guild Substation, for improvements at the LEU Industrial Substation, and at specific areas along the PG&E 230 kV transmission line route to create temporary work areas or a level structure area.
Comments	Clarification on status of components. Revise text as follows: Grading activities would be required for construction of the ~~new~~ expanded PG&E Lockeford Substation, ~~for expansion~~ the new ~~existing~~ PG&E Thurman Switching Station, for construction ~~and expansion~~ of the new LEU Guild Substation, for improvements at the LEU Industrial Substation, and at specific areas along the PG&E 230 kV transmission line route to create temporary work areas or a level structure area.

Response O1-96

CPUC has considered and incorporated the requested revisions to the description and status of the project components, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-97

Page	3.10-30
Draft EIR Language	The PG&E project components that would result in additional impervious surfaces include the expanded PG&E Thurman Switching Station, new PG&E Lockeford Substation, and installation of new transmission line poles and pull boxes.
Comments	Clarification on status of components and type. Revise text as follows: The PG&E project components that would result in additional impervious surfaces include the ~~expanded~~ new PG&E Thurman Switching Station, ~~new~~ expanded PG&E Lockeford Substation, and installation of new transmission line poles and service line pull boxes.

Response O1-97
CPUC has considered and incorporated the requested revisions to the description and status of the project components, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-98

Page	3.10-32
Draft EIR Language	These soil types are located under the existing PG&E Thurman Switching Station and the connecting 12 kV secondary station service, the PG&E transmission line alignment, the PG&E reconfigured 60 kV lines, proposed PG&E Lockeford Substation, existing LEU Industrial Substation, and the proposed LEU Guild Substation.
Comments	Clarification on status of components. Revise text as follows: These soil types are located under the new ~~existing~~ PG&E Thurman Switching Station and the connecting 12 kV secondary station service, the PG&E transmission line alignment, the PG&E reconfigured 60 kV lines, new ~~proposed~~ PG&E Lockeford Substation, existing LEU Industrial Substation, and the proposed LEU Guild Substation.

Response O1-98
CPUC has considered and incorporated the requested revisions to the description and status of the project components, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Noise

Comment O1-99

Page	3.13-20
Draft EIR Language	APM NOI-2: PG&E Noise Minimization with Portable Barriers Compressors and other small stationary equipment used during construction of PG&E project components will be shielded with portable barriers if appropriate and if located within approximately 200 feet of a residence.
Comments	PG&E's Revised Response to CPUC Data Request 2 revised APM NOI-2. Revise text as follows: APM NOI-2: PG&E Noise Minimization with Portable Barriers Compressors and other small stationary equipment used during construction of PG&E project components will be shielded with portable barriers if appropriate and if located within approximately 200 feet of a residence or if determined by PG&E to be appropriate.

Response O1-99
The text of APM NOI-2 has been updated, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-100

Page	3.13-25
Draft EIR Language	The activities that may extend beyond the typical workday are installing the guard netting structure over SR 88 where the 230 kV transmission line passes over SR 88 (if required by the conditions of the Caltrans encroachment permit), testing and commissioning the new 230 kV line to the PG&E Thurman Switching Station and PG&E Lockeford Substation, and trenching and HDD activities at the PG&E Thurman Station.

Comments The activities that may extend beyond the typical workday are installing the guard netting structure over SR 88 where the 230 kV transmission line passes over SR 88 (if required by the conditions of the Caltrans encroachment permit), testing and commissioning the new 230 kV line to the PG&E Thurman Switching Station and PG&E Lockeford Substation, and trenching and HDD activities at the PG&E Thurman Switching Station.

Response O1-100

CPUC has considered and incorporated the requested revision to the name of the project component. The suggested revision does not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Comment O1-101

Page 3.13-27

Draft EIR Language Lastly, AMP NOI-7 would ensure the equipment is in working order, adequately muffed, and used in accordance with the manufacturers' recommendations.

Comments Lastly, ~~AMP~~ APM NOI-7 would ensure the equipment is in working order, adequately muffed, and used in accordance with the manufacturers' recommendations.

Response O1-101

The typographical error is noted. CPUC has considered and incorporated the requested revision to the text of the mitigation measure, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revision does not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Transportation

Comment O1-102

Page 3.16-10

Draft EIR Language APM TRA-2: PG&E Repair of Damaged Transportation Infrastructure. As part of the final construction activities of the project, PG&E will restore all removed curbs, gutters, and sidewalks, and repave all removed or damaged paved surfaces associated with PG&E activities.

Comments PG&E's APM TRA-2 is correct on DEIR page 2-90 but requires updating on DEIR page 3.16-10.

Revise text as follows:

APM TRA-2: PG&E Repair of Damaged Transportation Infrastructure. As part of the final construction activities of the project, PG&E will restore all removed curbs, gutters, and sidewalks, and repave all removed or damaged paved surfaces associated with PG&E construction activities.

Response O1-102

The text of APM TRA-2 has been updated, as shown in Chapter 3, "Revisions to the Draft EIR." The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR.

Chapter 5 – Other CEQA Considerations

Comment O1-103

Page 5-1

Draft EIR Language Although the population in San Joaquin County and Lodi is growing, the growth that is currently taking place and is projected to take place over time has been anticipated and planned for in the San Joaquin County and the City of Lodi General Plans.

Comments Clarifying the project location and benefit area and revising "Lodi" to the "City of Lodi" increases specificity to the project benefit area and customers.

Revise text as follows:

Although the population in northern San Joaquin County and the City of Lodi is growing, the growth that is currently taking place and is projected to take place over time has been anticipated and planned for in the San Joaquin County and the City of Lodi General Plans.

Response O1-103

The cited text is intended to describe regional growth projections and planning. Increased specificity regarding the project benefit area and customers is not required. No revisions have been made in response to this comment.

Comment O1-104

Page 5-2

Draft EIR Language As described above, the proposed project would involve the construction, operation, and maintenance of new 230 kV lines and associated substation facilities to address reliability and capacity issues on the existing PG&E 230 kV and 60 kV systems in northeastern San Joaquin County and Lodi. Poles, electric substations, and other electricity infrastructure would be installed in some areas that are currently used for agriculture. The construction, operation, and maintenance of the proposed transmission line represents a long-term commitment by PG&E and LEU to effectively deliver a reliable supply of electricity to the population in unincorporated San Joaquin County and Lodi.

Comments Clarifying the project location, benefit area, and utility providers.

Revise text as follows:

As described above, the proposed project would involve the construction, operation, and maintenance of new 230 kV lines and associated substation facilities to address reliability and capacity issues on the existing PG&E 230 kV and 60 kV systems in northe~~aste~~rn San Joaquin County and the City of Lodi. Poles, electric substations, and other electricity infrastructure would be installed in some areas that are currently used for agriculture. The construction, operation, and maintenance of the proposed transmission line represents a long-term commitment by PG&E and LEU to effectively deliver a reliable supply of electricity to the population in ~~unincorporated~~ northern San Joaquin County and the City of Lodi, respectively.

Response O1-104

The text cited provides a brief overview of the project to guide the discussion of significant irreversible environmental changes that would be caused by the project. Increased specificity regarding the project benefit area is not necessary to understand the analysis. No revisions have been made in response to this comment.

Comment O1-105

Page 5-3

Draft EIR Language The project would result in substantial investment in the development of new and upgraded electrical infrastructure to improve system reliability in Lodi and surrounding areas.

Comments Clarifying the project location and benefit area.

Revise text as follows:

The project would result in substantial investment in the development of new and upgraded electrical infrastructure to improve system reliability in the City of Lodi and surrounding areas in northern San Joaquin County.

Response O1-105
The cited text summarizes the discussion of significant irreversible environmental changes that would be caused by the project. Increased specificity regarding the project benefit area is not necessary to understand the analysis. No revisions have been made in response to this comment.

Chapter 6 – Alternatives

Comment O1-106

Page 6-1

Draft EIR Language As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from PG&E's and LEU's objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including the City Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including the Lodi; and
- separate PG&E's 60 kV system from LEU's 60 kV system.

Comments The PEA objectives, described as "PG&E's and LEU's objectives," are proposed project objectives instead of "PG&E's and LEU's."

Revise text as follows:

As the CEQA lead agency, CPUC is responsible for defining project objectives for the purpose of the CEQA analysis. These objectives may differ from ~~PG&E's and LEU's~~ the PEA project objectives, as stated in the section below. According to its understanding of the purpose of the proposed project, CPUC has identified the following project objectives:

- substantially reduce existing thermal overload and voltage issues during P1 and P6 contingencies and maintain compliance with NERC standards in the Northern San Joaquin County area, including the City of Lodi, as identified by CAISO in its 2017-2018 Transmission Plan;
- accommodate expected future increased electrical distribution demand in the Northern San Joaquin County area, including the City of Lodi; and separate PG&E's 60 kV system from LEU's 60 kV system.

Response O1-106
The comment repeats suggested edits to the articulation of project objectives. See Responses O1-29 and O1-41, above.

Comment O1-107

Page 6-2

Draft EIR Language Improve system reliability for PG&E's approximately 10,000 electrical customers, one of which is LEU, which itself serves approximately 28,000 customers.

Comments This PEA objective was changed from what was included in the PEA when filed.

The PEA objective states, "approximately 27,570 customers". The objective appears to have been updated by the CPUC to reflect the Fiscal Year (FY) 2024 Lodi Electric Utility Fact Sheet available at https://www.lodi.gov/934/Lodi-Electric-Utility-Quick-Facts.

Please provide a footnote that explains the change from the PEA objective.

Response O1-107
The comment repeats suggested edits to the articulation of project objectives. See Responses O1-30 and O1-42, above.

Comment O1-108

Page	6-2
Draft EIR Language	Increase capacity to accommodate projected growth in demand and minimize future reliability issues for Lodi, as well as for PG&E customers.
Comments	This PEA objective was changed from what was included in the PEA when filed. Revise text as follows: Increase capacity to accommodate projected growth in demand and minimize future reliability issues ~~for Lodi, as well as for PG&E customers~~.

Response O1-108
The comment repeats suggested edits to the articulation of project objectives. See Responses O1-31 and O1-43, above.

Comment O1-109

Page	6-10
Draft EIR Language	This route parallels PG&E Sutter Home SW Sta to Lockeford Lodi 60kV line from PG&E Lockeford Station to approximately 860 feet north of SR 12, where it splits from PG&E Sutter 60 kV line.
Comments	This route parallels PG&E Sutter Home SW Sta to Lockeford Lodi 60kV line from PG&E Lockeford Substation to approximately 860 feet north of SR 12, where it splits from PG&E Sutter 60 kV line.

Response O1-109
The typographical error is noted. Because the type of station is not imperative to the reader's understanding of the reasons that use of the existing 60 kV right of way is infeasible and the suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR, no revisions have been made in response to this comment.

Appendix I – Noise Modeling Calculation Data

Comment O1-110

Page	Pages 1-31
Draft EIR Language	See page references – content is images.
Comments	The key defining the use of color on cells is first provided on model output page 17. Please consider providing the key earlier in the appendix to enable the reader to understand the model output beginning on page 1. Each header on pages 1-15 states **CPUC**, usually, followed by an **Activity Title**. Please clarify what these activity grouping corresponds to what portion of the Project Description and the CPUC involvement in some of the activities. The project title on some pages is PG&E CPUC. Please use the project name where the project is being modeled. Page 26 is titled, Increase in Long-Term Noise Measurement Summary, and identifies Measurement Site: HVAC + 2 Transformers. Please identify if this is a PG&E or LEU facility.

Response O1-110

The suggestions to modify non-technical aspects of the noise modeling technical appendix are noted. The suggested revisions do not raise significant environmental issues that affect the analysis or conclusions in the EIR, and no revisions have been made in response to this comment.

CPUC has considered and, as appropriate, addressed these requested revisions as shown in Chapter 3, "Revisions to the Draft EIR," in this document. None of the suggested revisions raise significant environmental issues that affect the analysis or conclusions in the EIR. Editorial suggestions that are not imperative to the reader's understanding of the project or its impacts have not been accepted. Similarly, where the comment identifies modifications to the project description as inappropriate deviations from the PEA and these edits were implemented at the behest of PG&E in February of 2024 during development of the project description, no changes have been made.

Letter O2 California Farm Bureau

Karen Norene Mills, Attorney for California Farm Bureau Federation and San Joaquin Farm Bureau Federation, and Andrew Genasci, Executive Director, San Joaquin Farm Bureau Federation
February 7, 2025

Comment O2-1

The San Joaquin Farm Bureau Federation and the California Farm Bureau Federation (collectively "Farm Bureau")[1] appreciate the opportunity to comment and recommend changes to the Draft Environmental Impact Report ("DEIR") for PG&E's Northern San Joaquin 230 kV Transmission Line Project (Project).

At this stage of the Project approval process Farm Bureau implores both the California Public Utilities Commission (CPUC or Commission) and PG&E to carefully consider the comments that are made about the development of the Project and how to improve it from the perspective of those who will have to live with the permanent infrastructure as well as the construction activities leading up to it. Farm Bureau recognizes that transmission projects are necessary for growth in the state and that there is tremendous pressure to complete them expeditiously. However, taking time to build it right and recognizing that members of the community know and understand how infrastructure will impact them must be a priority. This DEIR should not be approved in its present iteration.

Farm Bureau submits these comments with a focus on the completeness of the DEIR's assessment to the impacts to Agricultural Resources ("Agriculture"). Although the DEIR complied with sections a) and b) of the checklist for Agriculture contained in Appendix G to the CEQA Guidelines, it is Farm Bureau's position that a more thorough analysis is required to comply with section c). Section c) requires an assessment of whether the 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." Such an assessment requires a more pragmatic understanding of agricultural operations and activities in the project area to assess how the acreage will ultimately be affected and potentially converted to non-agricultural use. There are several changes that would be required for agriculture that should be analyzed.

First, Farm Bureau sets forth a number of impacts, some identified in the DEIR and some not, which will create greater acreage impacts than are currently recognized. Second, there are specific changes recommended regarding the feasibility of the mitigation measures for certain identified impacts.

Response O2-1

The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft EIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment O2-2

A. Agricultural Resources Must Be Considered During Environmental Review

Agricultural resources are an important feature of the existing environment of the State, and are protected under federal policies, such as the Farmland Protection Policy Act, State policies, and CEQA. Agriculture is the number one industry in California, which is the leading agricultural state in the nation.[2] Agriculture is one of the foundations of this State's prosperity, employing 830,000-850,000 workers during a typical year and providing a variety and quantity of food products that both feed the nation and provide a significant source of exports.[3] In 1889, the State's 14,000 farmers irrigated approximately one million acres of farmland between Stockton and Bakersfield. By 1981, the number of acres in agricultural production had risen to 9.7 million.[4] More recently, the amount of agricultural land in the State has declined. From 1982 to 1992, more than a million acres of farmland were lost to other uses. Between 1994 and 1996, another 65,827 acres of irrigated farmland were lost, and this trend is expected to continue at a rate of 39,000 acres lost per year.[5] Between 2021 and 2022, California lost 200,000 acres of farming and ranching land.[6]

In order to preserve agriculture and ensure a healthy farming industry, the Legislature has declared that "a sound natural resource base of soils, water, and air" must be sustained, conserved, and maintained.[7] Prior to negatively impacting agricultural lands, decision makers must consider the impacts to the agricultural industry, the State as a whole, and "the residents of this state, each of whom is directly and indirectly affected by California agriculture."[8]

One of the major principles of the State's environmental and agricultural policy is to sustain the long-term productivity of the State's agriculture by conserving and protecting the soil, water, and air that are agriculture's basic resources.[9] Overly expansive and duplicative regulations may conflict with this policy by leading to the conversion of agricultural lands to other uses. This conversion would add to the existing statewide conversion of substantial amounts of agricultural lands to other uses, and may conflict with adopted plans of many local governments, including cities and counties, and existing habitat conservation plans or natural community conservation plans. Such conversion will have a significant impact on the region's environment, including the agricultural environment.

CEQA requires analysis of significant environmental impacts and irreversible changes resulting from proposed projects.[10] These include unavoidable impacts; direct, indirect, and cumulative effects; irreversible and irretrievable commitment of resources; relationships between short-term uses and long-term productivity; and growth-inducing impacts to the environment. Pursuant to CEQA, the physical environment includes agricultural lands and resources. Given the national and statewide importance of agriculture and the legal requirements of environmental review, Farm Bureau urges the Commission in reviewing the DIER to properly assess all direct, indirect, and cumulative effects on the agricultural environment resulting from the proposed project in its environmental analysis.[11]

Of particular relevance for such analysis of impacts on the agricultural environment, CEQA Guidelines Appendix G, section II, Agriculture and Forestry Resources, states the following:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

(d) Result in the loss of forest land or conversion of forest land to non-forest use?

(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?[12]

Although Appendix G's checklist provides a starting point for analyzing impacts to agricultural resources, tying actual impacts to the proposed project requires an understanding of agricultural operations and the underlying land that supports them.

The Commission has recognized the importance of carefully and thoroughly reviewing the impacts of a project and how to address them should it choose to go forward with it.[13] At page 21 of the Decision, the Commission notes that "There is a sort of grand design in CEQA: Projects which significantly affect the environment can go forward, but only after the elected decision makers have their noses rubbed in those environmental effects, and vote to go forward anyway." These comments are intended to assist in a full review of the impacts from the proposed transmission line. The broader impacts to agricultural resources explained below underscore the requirement of CEQA to identify the alternative with the least impacts to those resources. That the DEIR merely rubber stamps most of PG&E's initial proposal underscores the obligation of the Commission to scrutinize the DEIR and further analyze impacts from the project.

Response O2-2

The comment provides background information related to agricultural resources and their review under CEQA. The potential direct, indirect, and cumulative impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," and Chapter 4, "Cumulative Impacts," of the Draft EIR. The significance criteria used to evaluate the project's impacts on agricultural resources under CEQA are based on Appendix G of the CEQA Guidelines, as described on page 3.3-14 of the Draft EIR. No specific issues related to the content, analysis, or conclusions in the Draft EIR are raised in this comment. No further response is provided here.

Comment O2-3

B. San Joaquin County Has a Strong Policy Supporting a Strong Agricultural Economy

San Joaquin County is home to a world-renowned agricultural industry with expansive wine grape vineyards, as well as walnut, almond, and cherry orchards. In 2019, the agricultural value exceeded $2.6 billion and our agricultural products were exported to 99 countries worldwide. A diverse crop mix provides a stable economic base and enhances regional quality of life.[14]

Orchard and wine grape crops that dominate the community of the proposed project provide one of the most stable economies in California agriculture and also require extensive support industries for its historic and future sustainability, as compared to other commodities within the County and balance of the state. To view the loss of agricultural land for this project simply in the context of the total number of acres within the right-of-way or simply of land dedicated to a tower footprint, without assessment of impacts resulting from it, would be a tragic miscalculation and an injustice to the sustainability and economic vitality of the County.

The DEIR recognizes in various sections individual components that are integral to the long history of agriculture in the project area, but fails to connect the pieces with an overall understanding of how the construction of the line can affect the viability of the resources. The San Joaquin County General Plan is referenced extensively and the historical significance of agricultural community is acknowledged (page 3.3-11 and 12) but the analysis stops at issue spotting.

Response O2-3

The comment provides background information related to San Joaquin County's agricultural economy and policies. The potential direct, indirect, and cumulative impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," and Chapter 4, "Cumulative Impacts," of the Draft EIR. San Joaquin County General Plan policies related to agricultural resources that are relevant to the project are listed on page 3.3-12 and referenced as appropriate throughout the impact analysis. No specific issues related to the content, analysis, or conclusions in the Draft EIR are raised in this comment. No further response is provided here.

Comment O2-4

C. The DEIR Does Not Sufficiently Address the Likelihood That Farmland Would be Converted to Non-Agricultural Use

The DEIR takes an extremely strict approach to the impacts on agriculture on the various route alternatives. (Discussion begins at page 6-21). It does not adequately identify, address or define impacts to farmland. Nor does it take into consideration agricultural practices and impacts to those activities such as pest abatement, dust control management, and aerial applications that may be restricted to a great degree under and around the lines, which may cause additional conversion of farmland to non-agricultural use. Because all the routes analyzed in the DEIR will have some impact to agriculture, the route recommended for use to construct the Project should minimize those impacts.

Response O2-4

CEQA requires that EIRs include a range of reasonable alternatives to the project. Further, CEQA provides that significant effects of alternatives be discussed, but in less detail than the significant effects of the project. As such, the Draft EIR includes a detailed analysis of the potential effects of the proposed project (see Chapter 3 and, in particular, Section 3.3, "Agriculture") and a less detailed, but nonetheless comparative analysis of the alternatives (see Chapter 6). The potential impacts of the alternatives on agricultural resources are evaluated in Sections 6.4.1, 6.4.2, and 6.4.3 under the subheading "Agriculture."

Regarding agricultural practices and impacts to those activities, PG&E has developed APMs that are incorporated into PG&E's components of the project and would also apply to the alternatives. The following APM is related to agricultural resources (see page 3.3-14 of the Draft EIR):

APM AGR-1: Minimize Impacts on Active Agricultural Areas.

- Prior to construction, PG&E will provide written notice to landowners outlining construction activities, preliminary schedule, and timing of restoration efforts.
- PG&E will coordinate with landowners to minimize construction-related disruptions to seasonal farming operations. To the extent reasonably feasible, PG&E will schedule construction activities to minimize disruptions to harvesting, planting, and crop maintenance activities, such as fertilizer application and crop dusting.
- PG&E will establish temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure (including irrigation lines, wells, pumps, ditches, and drains) to the greatest extent reasonably feasible. If necessary, and upon agreement between PG&E and the landowners, agricultural infrastructure will be protected with temporary materials (for example, steel plates, blankets) to prevent inadvertent damage during construction. Where feasible, overland routes within orchards and vineyards will be aligned with the planting layout or otherwise to minimize tree and vine removal.
- If trees or other crops cannot be avoided by PG&E as specified previously, impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure.
- PG&E will restore agricultural land temporarily impacted by construction to pre-project conditions following completion of construction, including areas impacted by establishment of temporary staging, laydown and storage areas, overland access, guard structures, and pull sites. If grading occurs in actively planted agricultural areas, topsoil will be stockpiled and used to backfill excavations to pre-existing grade when construction is complete. Restoration of sites will involve removing any rock or material imported to stabilize the site, replacing topsoil, decompacting any soil that has been compacted by heavy equipment, and replanting agricultural crops. The responsibility of performing these various tasks may be stipulated in an agreement between PG&E and the landowner. If a landowner is better equipped or prefers to replant crops or perform other tasks themselves, then PG&E will provide just compensation for this work.

Section 6.5 of the Draft EIR identifies the environmentally superior alternative, which was determined to be the proposed project because although most impacts would be similar given the similar lengths of the new transmission lines, the two route alternatives would have slightly greater aesthetic impacts due to the location of the lines.

Comment O2-5

The DEIR has equally underestimated the impacts by the alternatives for the matters addressed below. The result of such treatment is that the greater amount of new agricultural acreage and operations affected by the transmission line, the greater the ancillary effects on agriculture will be.

The specific areas are raised and explained as follows:

1. Disruption of Soil During Construction (Page 3.3-17)

Each alternative will subject various levels of the high quality soils in the project area to disruption. Farm Bureau has proposed a suggested process for mitigation as discussed later, yet there may be a risk that soils cannot be properly restored to the current status that earmarks it as capable of high quality production. There is a possibility permanent impacts could be sustained long after construction and remediation. No explanation or detail is provided regarding the process for restoring farmland after construction or construction activities and the community should not have to take on faith that the integrity of the soils can be restored. As other pages note, heavy equipment is required for construction that will impact and settle soils that have been maintained and protected. The DEIR takes on faith that farmland can be restored, essentially immediately, without any real proof. Measures should be put in place for testing and monitoring after construction is completed to determine if farmland has in fact been restored.

Response O2-5

The project includes APMs, which are elements of the project description. Because PG&E has committed to implementing these APMs through their application, CPUC considers these measures "binding descriptions of project design and implementation that are integral to the project." The APMs would be incorporated into the mitigation monitoring reporting program implemented by CPUC. As described on page 3.3-17 of the Draft EIR, PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas. APM AGR-1 requires the following (see page 3.3-14 of the Draft EIR):

- PG&E will restore agricultural land temporarily impacted by construction to pre-project conditions following completion of construction, including areas impacted by establishment of temporary staging, laydown and storage areas, overland access, guard structures, and pull sites. If grading occurs in actively planted agricultural areas, topsoil will be stockpiled and used to backfill excavations to pre-existing grade when construction is complete. Restoration of sites will involve removing any rock or material imported to stabilize the site, replacing topsoil, decompacting any soil that has been compacted by heavy equipment, and replanting agricultural crops. The responsibility of performing these various tasks may be stipulated in an agreement between PG&E and the landowner. If a landowner is better equipped or prefers to replant crops or perform other tasks themselves, then PG&E will provide just compensation for this work.

As described on page 3.3-17 of the Draft EIR, areas of temporary ground disturbance would be returned to pre-construction conditions, unless otherwise requested by the landowners. Because temporarily affected farmland would be restored after construction, construction activities would not result in the conversion of Important Farmland to nonagricultural use.

Comment O2-6

2. Dust Emission Impacts to Crops (Page 3.4-12)

Dust control is an issue not only as an air quality concern but also as a pest control issue in orchards, vineyards, and other crops. Uncontrolled dust results in increased use of pesticides, because dust acts as a carrier for pests and diseases. In organic operations extensive use of approved materials is needed and water is used to wash the leaves of the crops. Dust is not only a concern during construction, but also as a result of vehicle access in the right of way for maintenance. If a high-pressure wash is used to clean insulators in the course of normal maintenance,

the wash water will need to be controlled to avoid the adjacent trees outside of the right of way. The impact of dust is recognized in mitigation measure APM AIR-1, but only in a very general way.

Dust impacts are mentioned in the DEIR only in the context of construction activities. In fact, unless properly managed, use of the access roads for the Project can permanently affect the crops in the area. The DEIR approaches the issues of dust with respect to the air emissions and air quality (Section 3.4). It does not address the impacts to the various crops that will be planted near the right-of-way or the access roads.

There are a number of major pests that are enhanced in their ability to cause economic damage to crops by uncontrolled dust from dirt roads in proximity to orchards and vineyards. Dusty conditions and their severity depend on the soil type, speed of vehicles using adjacent roads and the frequency of watering the dirt roads. Reduction of the speed of vehicles is the most cost effective action, especially during drought conditions when water is in short supply. The DEIR proposes remediation of dust impacts by limiting vehicle speeds to 15 mph or less on unpaved areas; however, agricultural operations strongly recommend speeds on dirt roads be limited to 10 mph in order to protect crops from dust impacts. Where private ranch roads are used as access roads it will be nearly impossible to monitor the speed of the traffic or who uses the roads during construction activities.

The measures that are recommended to address dust emissions may in fact create additional impacts for agricultural crops. If such areas are located within a field, vineyard, or orchard, the treatment may affect the resource and its viability. Discussion of methods to reduce dust need to take into account the impact to the crop and the related cultural practices, whether treatment is a suppressant, additives or vegetation. Agricultural operations are subject to some very strict regulations regarding chemical use. Materials appropriate for use in one context may not be appropriate near food production. Vegetation as a suppressant, unless properly managed, can create ancillary problems to crop production, as it may propagate weed problems for the operation. The need for a point person from the Project proponent both during and after construction is essential so that operators can elevate unintended consequences.

The types of crops grown in San Joaquin County are highly specialized and carefully managed. Thoughtful review of any changes to the area from a construction project is required in reviewing impacts. It can't be assumed that what works to maintain dust for air quality will work for neighboring crops.

Limiting impacts to crops from dust will depend on who and how access roads are used. It is not possible to monitor traffic on additional access roads. Although in some cases gates would be installed, much agricultural land is not fenced. For example, fences are not a common sight in orchards. The alternatives that create new easements and access roads also create greater impacts to crops.

Response O2-6

There is a greater potential for a substantial amount of dust to be created during construction than O&M. In addition to APM-AIR-1, Section 3.6, "Biological Resources," addresses dust created during construction. As stated on page 3.6-51 of the Draft EIR and included in Mitigation Measure BIO-2e, the project would require that "[p]roject construction activities, such as truck traffic or other use of machinery, shall not create excessive dust on the project site… Enforcement of a speed limit and watering dirt roadways are potential methods to minimize excessive dust creation." Additionally, the project would require the preparation and implementation of a SWPPP, which would include effective dust control measures.

The Draft EIR (page 2-66) explains that the access roads would not be frequently used during O&M, indicating that:

> Typically, there are no O&M inspections conducted on a new transmission line for the first 5 years following the in-service date. After 5 years, inspections typically are performed annually by either vehicle or helicopter. Inspection crews would examine the lines to assess the condition of components, including hardware, insulators, and conductors. Insulators are not washed as part of regular maintenance unless inspections determine this is necessary.

There would not be trips generated by these inspections that would substantially increase the amount of dust generated compared to typical activities on these roadways.

Comment O2-7

3. Supply of Replacement Trees in Construction Areas (Page 3.3-14)

The DEIR does not sufficiently recognize the significant impact that removal of trees within an existing orchard can have. Although it blithely commits to replanting agricultural crops, there is no recognition of the long term consequences of adjustments made to any permanent crop. There are many operational impacts that will not be compensated when a permanent crop is disrupted, as could occur during construction. According to Farm Bureau members, cultural practices must be adjusted for young replants. Water and nutritional requirements are drastically different for young replants in contrast to mature trees. Spray applications vary as well. Younger trees, more vulnerable to attack, must be monitored more closely. In some cases, particularly where parcel sizes are small, the disruption may lead to removing a parcel from production. Such impacts increase the acreage impacts from the Project.

Response O2-7

The comment provides background information related to agricultural resources, specifically the implications from removing trees within an existing orchard. Additionally, the commenter expresses concern regarding the operational impacts that would be disrupted from the possible loss of a permanent crop during construction. The potential direct, indirect, and cumulative impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," and Chapter 4, "Cumulative Impacts," of the Draft EIR. See Response I3-4, above, regarding the measures proposed to be implemented by PG&E to minimize and compensate for impacts on active agricultural areas.

Regarding agricultural practices and impacts to those activities, PG&E has developed APMs that are incorporated into PG&E's components of the project. The following APM is related to agricultural resources (see page 3.3-14 of the Draft EIR):

APM AGR-1: Minimize Impacts on Active Agricultural Areas.

- Prior to construction, PG&E will provide written notice to landowners outlining construction activities, preliminary schedule, and timing of restoration efforts.
- PG&E will coordinate with landowners to minimize construction-related disruptions to seasonal farming operations. To the extent reasonably feasible, PG&E will schedule construction activities to minimize disruptions to harvesting, planting, and crop maintenance activities, such as fertilizer application and crop dusting.
- PG&E will establish temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure (including irrigation lines, wells, pumps, ditches, and drains) to the greatest extent reasonably feasible. If necessary, and upon agreement between PG&E and the landowners, agricultural infrastructure will be protected with temporary materials (for example, steel plates, blankets) to prevent inadvertent damage during construction. Where feasible, overland routes within orchards and vineyards will be aligned with the planting layout or otherwise to minimize tree and vine removal.
- If trees or other crops cannot be avoided by PG&E as specified previously, impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure.
- PG&E will restore agricultural land temporarily impacted by construction to pre-project conditions following completion of construction, including areas impacted by establishment of temporary staging, laydown and storage areas, overland access, guard structures, and pull sites. If grading occurs in actively planted agricultural areas, topsoil will be stockpiled and used to backfill excavations to pre-existing grade when construction is complete. Restoration of sites will involve removing any rock or material imported to stabilize the site, replacing topsoil, decompacting any soil that has been compacted by heavy equipment, and replanting agricultural crops. The responsibility of performing these various tasks may be stipulated in an agreement between PG&E and the landowner. If a landowner is better equipped or prefers to replant crops or perform other tasks themselves, then PG&E will provide just compensation for this work.

Comment O2-8

4. Compatibility of Agricultural Activities With the Line is Limited (Page 3.3-16)

The DEIR provides passing references to the constraints that will be imposed upon any orchards that may be overtaken by any right of way as a result of any new lines. The requirements imposed by PG&E for vegetation management have become increasingly stringent and, in many cases, have been determined to prevent coexistence. San Joaquin County's soil and climate support the opportunity to plant a variety of orchard crops.[15] The placement of a line in areas that can support orchards will constrain future opportunities, as well as affect current operations.

Transmission lines create greater impacts in orchards than in other crops, because of the requirements for maintaining vegetation clearances around and under the lines. With the changes over the years to vegetation management requirements, it cannot be assumed that the authorization for planting of any particular tree crop will continue for a defined period. The DEIR should more fully assess the impact of the lines to all orchard crops. Although CPUC General Order 95 is referenced, there is no substantive, clear explanation of the extent that orchards will not be allowed under the lines of either the Project or any of the route alternatives. As a result, the permanent acreage impacts are underestimated and misleading so that the significance and mitigation for them are absent.

Farm Bureau and a number of County Farm Bureaus have worked with PG&E and other utilities to find workable solutions to the requirements established by the CPUC and NERC for ensuring vegetation does not affect the transmission system. The trend over the years has been for the utilities to ask for ever increasing clearances between trees and lines. The key variability in trimming requirements is what the utilities mandate at time of trim rather than the clearance that must be maintained. Because of such dynamics, it cannot be assumed that landowners will be able to plant and manage orchards under the lines and such impacts should be accounted for.

Response O2-8

The comment provides background information related to agricultural resources and the potential impacts imposed upon orchards that may be affected as a result of new transmission lines. The potential direct, indirect, and cumulative impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," and Chapter 4, "Cumulative Impacts," of the Draft EIR. Proposed tree removal, tree trimming, and orchard removal is discussed further on page 3.6-39, "Biological Resources," of the Draft EIR. Additionally, the locations of trees proposed for removal are provided in Appendix F, including the number of trees and tree type. Moreover, Table 2-7 of Chapter 2, "Project Description," breaks down proposed crop removal by type and number, and further states, "[r]emoved crops would be replaced in-kind after construction as mutually decided in a temporary construction easement agreement between the property owners and PG&E." Furthermore, implementation of APM AGR-1 would minimize impacts on agricultural areas, including orchards, to the greatest extent feasible, and PG&E will be required to restore agricultural land temporarily impacted by construction to pre-project conditions following completion of construction.

Comment O2-9

5. Water Availability and Quality Are Important Factors in the Sustainability of Crops Important to San Joaquin County (Page 3.3-20)

The categories of farmland defined by the Department of Conservation are listed in the DEIR. Key to the categories of farmland which are capable of supporting the widest variety of crops is water availability and as a corollary water quality. Irrigation of farmland will be significantly impacted on certain properties, and the feasibility of replacing and relocating wells may not only be costly, but infeasible to replicate existing water availability and quality. Like the discussion on air quality, the DEIR addresses water quality but misses the possible impacts to agriculture from required replacement of irrigation systems.

At page 3.3-20, the DEIR dismisses potential impacts to agricultural water resources, since it would require replacement systems. It is assumed replacement of a well and water availability is simply a matter of moving the source from one location to another. Farm Bureau is skeptical of the claim that adequate clearance for well maintenance, including drilling deeper, will be satisfied through construction of towers and lines. Every effort should be made to avoid existing wells, as they are the life blood for agricultural operations. It makes no sense to move forward with routes that impact such a valuable resource only to find that during construction the conflict cannot be

remediated. The DEIR should acknowledge that potentially unmitigable impacts could occur to agricultural resources and convert them to non-agricultural use as a result of moving wells for irrigation. Further, if there is a conflict with well maintenance or reconstruction under a transmission line and the equipment could contact the line, de-energization could be required as is the case with distribution lines. In that case the cost should fall on PG&E and not the customer to address any alternatives necessary to ensure the well is functional. This matter highlights another area where true impacts have not been assessed and where avoiding such impacts at the outset should be a priority.

Response O2-9

Contrary to the comment's assertion, the Draft EIR (at Page 3.3-20) does not dismiss the effect of the project on agricultural wells because replacements would be required. The discussion of wells, excerpted below, specifically states that "no wells would be relocated":

> As described in Section 3.3.1, "Environmental Setting," Important Farmland is designated based on physical properties, including water supply, soil quality, and topography. Agricultural wells are common in the project area, and the transmission line route avoids most of the known agricultural well locations. As shown on Figure 3.11-3 in Section 3.11, "Hydrology and Water Quality," two wells are identified within the proposed transmission line right of way (near structures E9 and E12; refer to Appendix B, page 4 and page 6), and appropriate vertical and horizontal clearances have been accounted for in the transmission line design to provide adequate clearance for well maintenance equipment at these known well locations. With project approval and final design, well information would be confirmed and updated as needed in coordination with landowners, and if necessary, the pole siting would be adjusted within the parameters analyzed in this EIR to avoid impacts to wells. It is assumed that no wells would be relocated as part of the proposed project. Therefore, project implementation would not result in changes to existing water supplies, such that conversion of Important Farmland to nonagricultural use would occur. The project would not involve any other changes to the physical environment, such as changes to soil quality or topography, that could result in conversion of Important Farmland to nonagricultural use.

As stated on page 3.11-23 and shown in Figure 3.11-3, the existing agricultural supply wells "are over 150 feet away from any construction areas and approximately 70 feet from a proposed overland travel route to the nearest tubular steel pole." Additionally, "[t]he groundwater well operated by the City of Lodi south of the LEU Industrial Substation would be more than 200 feet outside the fence line and adjacent to a proposed staging area." Therefore, no well relocation would be required as a result of the project, and there is no evidence to suggest that existing groundwater and agricultural well operations and facilities would be adversely affected.

Comment O2-10

6. Effects From the Line on Aerial Spraying Creates a Hazard and Affects the Sustainability of the Farmland

Cultural practices for agriculture in San Joaquin County are dependent upon aerial application of materials to maintain the viability of the crop. In some cases, helicopters are used for treatment as well. Measures must be implemented to assure the safety of the pilots for any new lines, but also to recognize that farmland subjected to new lines may be compromised. The DEIR needs to augment the risk of conversion of agricultural resources to recognize the impact on cultivated acreage from the addition of new lines.

Response O2-10

The effects of the project on agriculture, including the aerial application of pesticides, are evaluated in Section 3.3, "Agriculture," of the Draft EIR. The Draft EIR considers changes to agricultural practices with potential to indirectly result in inability to use the land for agriculture. As specified on page 3.10-19 of the Draft EIR, "[w]hile PG&E does not anticipate structures at or above 200 feet, PG&E has coordinated with the FAA and submitted a Notice of Proposed Construction or Alteration, pursuant to Title 14 CFR, Section 77, for each expected new 230 kV structure." The analysis further states that, "[b]ased on structure height and the FAA determination of No Hazard to Air Navigation, the project would not result in hazards related to air traffic."

The comment does not provide evidence to support the assertion that there would be a substantial adverse change to the environment as a result of limits on aerial spraying or that substantial hazards to pilots would occur. The Draft EIR accurately discloses potential agricultural impacts. No changes or revisions have been made in response to this comment.

Comment O2-11

7. The Project Will Cause Growth And is Likely to Further Displace Agricultural Resources (Pages 5-1 to 5-3)

The DEIR makes too fine of a distinction between accommodating growth and inducing it. It is clear from analyzing the DEIR in its totality that a major force driving the Project is growth for the City of Lodi. It is naïve to believe that with the strengthening of the system for the City that new housing, businesses, or land use changes will not encroach into neighboring farmland. The DEIR does not adequately address growth impacts from the Project. Once the line is upgraded the greater stability resulting from it will allow greater growth in the Project area.

Response O2-11

The project was identified by CAISO to address existing thermal and performance deficiencies in the system. This is explained in Section 2.3, "Project Background, Purpose, and Need," of the EIR (page 2-1 et. seq.). As described further in Section 3.14, "Population and Housing," the project would serve planned growth identified in the City's general plan, in addition to current demand. While there is no evidence to suggest that the project would induce substantial unplanned growth, increased power reliability could result in some growth that is additional or different from that envisioned in adopting planning documents. The extent to which improved power reliability within the city could cause substantial growth within the LEU service area that is inconsistent with adopted land uses and growth forecasts, such that development pressure on adjacent agricultural land results in the conversion of substantial agricultural resources in the unincorporated county, is speculative. The Draft EIR adequately addresses the potential for the project to result in unplanned population growth or displacement. No revisions have been made to the Draft EIR in response to this comment.

Comment O2-12

8. Any Traffic Management Should Include Recognition of Transferring Crops During Harvest Seasons (Chapter 3.16 and Page 3.3-14)

The DEIR recognizes construction will impact traffic, but does not appreciate likely impacts during the harvest season for various crops. During much of the year farming requires limited traffic to and from agricultural operations. When harvest commences, an increased level of equipment may be required and increase in trips to and from the properties may be needed. For example, walnuts are harvested in the fall and require shakers and sweepers to be moved into the orchard. When harvesting commences trailers with the walnuts will need to be transferred to a walnut huller and dryer. It is important that such transportation not be delayed to assure quality of the walnuts is preserved. Similar procedures are required for almonds and wine grapes. Cherries, which are harvested in late spring or early summer, are a fragile crop and must be handled expeditiously. In construction areas there may be a need to keep equipment in the field and assure there is an ability to transfer them on the roads as part of harvest practices. Winter periods will require special attention as entrance to construction areas on agricultural properties may be delayed due to muddy conditions so that damage from construction equipment is minimized. Any measures to manage traffic must be responsive to the concerns of agricultural operators.

Response O2-12

As stated in APM AGR-1 and provided on page 3.3-14 of the Draft EIR, PG&E will coordinate with landowners to minimize construction-related disruptions to seasonal farming operations. To the extent reasonably feasible, PG&E will schedule construction activities to minimize disruptions to harvesting, planting, and crop maintenance activities. Additionally, "…impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure." Furthermore, as stated in APM TRA-1, and provided on page 3.16-10, in Section 3.16, "Transportation," "PG&E will obtain any necessary transportation and encroachment permits from

Caltrans and the local jurisdictions, as required, including those permits related to state route crossings and the transport of oversized loads and certain materials, and will comply with permit requirements designed to prevent excessive congestion or traffic hazards during construction." Additionally, "PG&E will establish a Traffic Management Plan (TMP) to address haul routes, timing of heavy equipment and building material deliveries, potential street or lane closures, signing, lighting, and traffic control device placement." No revision of the Draft EIR analysis or further response is required.

Comment O2-13

D. The Foregoing Impacts Emphasize the Importance of Selecting a Route for the Project That Minimizes Effects to Agricultural Resources – The Applicant Needs to Sharpen its Pencil to Focus on More Accommodating Options

Although the DEIR recognizes there are significant impacts to agricultural resources, it does not convey the full effect that construction, maintenance and operation may have on the valuable, specialized crops that are inherent to the Project area. Loss of productivity on farmland as a result of the impacts and related disruptions to operations will reduce profitability and may eliminate jobs in the community. As the comments herein address, contrary to the DEIR's general observation about compatibility between transmission and agriculture, there are a number of factors that create significant incompatibility issues between many agricultural crops and transmission corridors.

Appendix J provides a reasonable way to compare and contrast the various alternatives and related impacts from them. Farm Bureau does not recommend any particular route, but notes that several of the options proposed appear to be very similar to the selected Project alternative. For example, the Central Route seems to distinguish itself from being chosen merely for aesthetic reasons. The Northern Route is similar in nature.

Of particular concern in assessing options is the fact that cost constraints are raised, which should not be a factor in the analysis. Transmission costs are not absorbed by the utility, but are authorized for collection through FERC proceedings and spread across all ratepayers. It is an appropriate methodology, since all ratepayers benefit from the attributes the transmission system provides. CPUC requirements and CEQA acknowledge that impacts from the Project outweigh costs. It is contradictory logic to posit that cost impacts to those burdened by the project should be ignored during the analysis of alternatives but then raise the cost of the alternatives as a reason to not adopt them. Furthermore, although undergrounding portions of the Project may increase the costs, the environmental impacts will be significantly reduced. PG&E itself has argued the benefits of undergrounding their distribution system for reducing ignitions in wildfire prone areas. Costs and benefits can clearly be weighed in order to fulfill community benefits.

In fact, as the DEIR recognizes[16] the CPUC mandates that alternatives that reduce environmental effects even if more costly must be reviewed. Such an approach would also assume that the alternatives would be eligible for adoption, otherwise there would be no value in reviewing them. Likewise, the requirement of Public Utilities Code Section 1001 to consider community values supports the fair evaluation of alternatives that may cost more than the applicant's preferred alternative.

Response O2-13

The CPUC requires that project applicants identify alternatives that are capable of substantially reducing or eliminating significant environmental effects. The PEA prepared by PG&E identifies a range of alternatives. The CPUC built upon this alternative assessment in the Draft EIR, informed by the resource evaluations in Chapter 3 of the Draft EIR. The key finding of the resource analysis is that the proposed project would not generate significant and unavoidable impacts. While cost, which can factor into feasibility, is mentioned generally in the EIR, alternatives are not dismissed based on cost alone. Alternatives are dismissed based on their ability to meet most of the basic project objectives and avoid or substantially reduce significant environmental impacts.

Comment O2-14

E. Mitigation Measures That Should be Revised or Added to Account for Impacts to Agricultural Resources

1. Farm Bureau Recommends Designation of a PG&E Contact Person to Address Agricultural Impacts

Included in the DEIR are recommendations for a designated specialist to be available to manage concerns related to Archaeological, Historical, and Tribal Cultural Resources[17] matters as well as a specialist for Biological Resources.[18] As identified in these comments, there are a multitude of issues that can arise during the activities associated with preconstruction, construction and the after effects of the disruption caused to agricultural operations. Perhaps such a point person, who understands the agricultural operations in the Project area would be able to facilitate concerns and resolutions to them. For example, it is very likely that construction would occur during the growing and harvesting season. As much as protocols might be in place to ensure that traffic impacts on access roads do not interfere with cultural practices, conflicts could arise and delays in contacting someone who can resolve the matter could exacerbate the situation. It is very important that members of the community be able to reach someone every day of the week. Although construction activities may not occur on the weekends, impacts from those activities may likely require resolution without waiting for Monday. Farming and ranching are 24/7 enterprises. Identification of agricultural related concerns in these comments highlight the instances where an outreach officer could prove invaluable to the community and the utility. Not only would such a contact person facilitate any conflicts that arise but would also strengthen the support of community values, which is a required consideration by the CPUC.[19]

Response O2-14

Mitigation is appropriate where a significant environmental impact would occur. Although conversion of Farmland to nonagricultural uses is considered under CEQA as the loss of a resource, temporary impairment and inconvenience is not a physical effect on the environment. Therefore, CPUC lacks the appropriate nexus to require designation of a agricultural resources contact as a mitigation measure. (See CEQA Guidelines Section 15126.4[a][4][A].)

However, PG&E has committed, as part of the proposed project under review, to "coordinate with landowners to minimize construction-related disruptions to seasonal farming operations" (see APM-AGR-1). It may be appropriate for individual land owners to request that PG&E designate a specialized contact for ongoing concerns specific to agricultural operations as part of this coordination.

Comment O2-15

2. Soils in Agricultural Areas (Pages 3.10-23 and 3.10-24)

There is an unsupported presumption in the discussion about construction activities' exposure of hazardous materials that pesticides, herbicides or fumigants would be found in land used for agricultural purposes. Use of chemicals in the agricultural industry is highly regulated and subject to extensive testing and reporting. The website for the California Department of Pesticide Regulation provides a review of the testing and safety procedures inherent in the regulations. (www.cdpr.ca.gov) The DEIR provides only a broad, unsubstantiated declaration that: "Based on the history of agricultural use in the area, it is reasonably foreseeable that ground disturbance associated with pole foundations could result in exposure of residual soil contamination associated with pesticide use or unrecorded historical UST sites."[20]

Mitigation measure APM HAZ-5 should be modified to take advantage of the extensive reporting requirements applicable to agricultural operations to better assess any necessity for soil testing and to properly tailor the testing. Agricultural users are required to submit use reports with the County Agricultural Commissioner, which information is accessible under appropriate circumstances. It is more appropriate to tailor any testing to the circumstances required by the particular information obtained.

Furthermore, the measure should be revised to require that for areas where the land has been or is currently being farmed, information shall be requested from the County Agricultural Commissioner to determine if any herbicides, pesticides or fumigants have been used within a time period that would warrant testing soil. If testing is warranted, the sampling and testing plan shall be prepared and conducted by an appropriate California licensed

professional and sent to a California Certified laboratory. The plan shall also be provided to the subject landowner. Results of the laboratory testing and recommended resolutions for handling and excavation of material shall be provided to the landowner. These measures would not apply to testing triggered by the discovery of a UST.

Response O2-15

The analysis in Section 3.10, "Hazards and Hazardous Materials," is not intended to imply that contemporary agricultural practices are unregulated or generate substantial hazardous materials. Rather, the analysis acknowledges that the area has a long history of agriculture. As a result, there is a potential for a historical spill or release of persistent chemicals that pre-date the current regulatory environment and could be disturbed when excavating foundations for the TSPs.

APM HAZ-5 has been submitted by PG&E as part of its application. It includes the following commitment:

- **APM HAZ-5. PG&E Potentially Contaminated Soil or Groundwater.** Soil or groundwater occurring at PG&E project components that is suspected of being contaminated (based on existing analytical data or visual, olfactory, or other evidence) and is removed during excavation activities will be segregated and tested if pre-characterization has not occurred. If the soil or groundwater is contaminated above hazardous levels, it will be contained and disposed of offsite at a licensed waste facility. The presence of known or suspected contaminated soil or groundwater will require testing and investigation procedures to be supervised by a qualified person, as appropriate, to meet state and federal regulations.

These construction practices are consistent with federal and state regulations and are intended to provide the maximum protection to onsite workers and the environment. The suggestion to not test soils that appear contaminated if existing reporting indicates proper use of pesticides does not improve the environmental protections afforded by the APM and ignores the reality that areas of undocumented contamination could be encountered. No revisions have been made to the Draft EIR in response to this comment.

Comment O2-16

3. The DEIR Should Acknowledge Electric Field Effects on Apiaries

Power line electric fields have been shown to cause bees to leave their hives. Significant impacts to apiaries located near a new transmission line would occur.[21] Much of the orchards and vineyards in the project area depend on bees for pollination and apiaries may be in the area during energization of the line PG&E should be required to survey the approved route and determine if apiaries will potentially be impacted. Honeybee populations are being significantly impacted and management of any preventable loss is important.

Response O2-16

The effects of EMF on managed honeybee colonies used in agriculture is not considered an impact to the environment under CEQA. As explained in Section 2.6.14, "Electric and Magnetic Fields," of the Draft EIR (pages 2-7 and 2-8), PG&E's application includes a Preliminary Transmission EMF Management Plan and Substation Checklist, which includes design element incorporated into the project to reduce EMF. In addition, as described in Response O2-4, above, PG&E has committed to coordinate with landowners to minimize effects on agriculture pursuant to APM AGR-1. The commentor may wish to raise the issue of methods to avoid or relocate apiaries at the time of this coordination.

Comment O2-17

4. The Impact of Access Roads in Agricultural Areas is Unclear (Page 3.3-16)

The DEIR addresses access roads for the various routes, referencing the fact private ranching roads, both paved and unpaved, will be used for construction related activities. The implication appears to be that the use of private ranching roads creates no new impacts. That is not the case and recognition of the increased use and new effect on adjoining properties should be analyzed. The DEIR assumes that agricultural equipment impacts are synonymous with heavy construction equipment used for the Project. There are multiple fallacies embedded in that assumption, including the fact that there has been no showing regarding comparative weights of equipment and that multiple trips on such roads will significantly impact their life span.

Response O2-17
The Draft EIR does not assume no impacts would result from the temporary use of existing access roads during construction. The impact area associated with use of these roads (21.3 acres) is calculated (see Table 2-3 in Chapter 2, "Project Description," and addressed throughout the resource analyses. On page 2-32, the Draft EIR explains how the existing access roads would be modified, including winterization to accommodate heavy loads, and restoration of the roads following construction.

Comment O2-18

5. Lines Should Be Placed Along Parcel Lines Where Appropriate

Location of transmission lines can significantly affect the long-term viability of agricultural resources. Siting lines along parcels or boundaries does not eliminate but can reduce long-term effects.

Response O2-18
The proposed alignment was designed to follow parcel lines where possible and appropriate. Alternative alignments for the new PG&E 230 kV transmission line were considered and dismissed from further evaluation, as described in Section 6.3.2, "Siting Alternatives," in the Draft EIR (also see Appendix J of the Draft EIR). Two siting alternatives were evaluated in detail in the Draft EIR: the Central Route and Northern Route alternatives. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior.

Comment O2-19

6. The Mitigation Measures Need to Provide for Timely Resolution

The methodologies used for mitigation monitoring, reporting and compliance require additional refinements to ensure that the measures identified for implementation will be carried out in order to actually reduce impacts to less than significant levels. The measures cannot be considered feasible if the utility retains too much discretion.

The DEIR depends upon PG&E coordinating with landowners to address construction impacts, which may or may not be resolved on a timely basis if the utility is resistant to the needs of the landowner. This is another example of why it is essential that a PG&E responsible contact person be available at all times during the construction of the Project.

Response O2-19
Refer to Response O2-14, above, regarding designation of a PG&E contact to address agricultural impacts. If the project is approved, the APMs cited in the Draft EIR as reducing environmental impacts would be included in a mitigation monitoring and reporting program that would provide further details about responsibility and timing and would be monitored by CPUC.

Comment O2-20

F. Conclusion

Farm Bureau appreciates the opportunity to engage in consideration of how to make adjustments to the Project proposal that will ultimately result in a Project that the community can live with and avoids unnecessary conflicts. These comments reflect proposed adjustments to the DEIR that support the host community by promoting robust information sharing, communication that reflects meaningful engagement, identification and delivery of benefits to the community, and ensure accountability that reflects long-term commitments to the community. Because this Project has gone through a number of iterations that effectively undermined robust information sharing and provided for limited meaningful engagement about the Project, the need is even greater to scrutinize the DEIR and make appropriate adjustments. Farm Bureau considers the recommended changes reflected in these comments support a better result and urges their adoption.

Farm Bureau's focus on the project has been and continues to be how to ameliorate short and long-term impacts to agricultural land and related operations. It is troubling to review a document that unabashedly identifies agricultural related attributes such as private roads and clear pathways for use in its construction, yet does not do the

work to understand agricultural activities and thereby dismissing any impacts to agriculture as insignificant. Shortcomings identified herein, if not corrected will result in significant impacts to agriculture which must be mitigated. We urge the next steps in this process to be substantive and not just an exercise that only checks the necessary boxes.

Response O2-20

See responses to the detailed comments above. The project's potential impacts are evaluated throughout the Draft EIR and mitigation measures are identified to reduce significant impacts, where appropriate, as required by CEQA.

Letter O2 Footnotes

[1] San Joaquin Farm Bureau Federation is a member-controlled, grassroots policy driven organization. Founded in 1914, it currently represents 1,400 families throughout the area. It is governed by a Board of Directors and provides a voice for promoting the common interests of farmers and ranchers in San Joaquin County. The California Farm Bureau Federation is a voluntary, non-profit corporation representing approximately 26,000 members in 54 county Farm Bureaus (including San Joaquin Farm Bureau Federation) from 56 counties in the State.

[2] Food & Agr. Code, § 802(a).

[3] CALFED Final Programmatic EIS/EIR, July 2000, p. 7.1-1; California Assembly Committee on Jobs, Economic Development, and the Economy, Jose Medina, Chair (2014) *Fast Facts on California's Agricultural Economy*, available at: https://ajed.assembly.ca.gov/sites/ajed.assembly.ca.gov/files/Fast%20Facts%20on%20California's%20Agricultural%20Economy.pdf

Philip Martin, *California Farm Labor 2024* (April 4-5, 2024) p. 1, available at: https://s.gifford.ucdavis.edu/uploads/pub/2024/04/02/martinfarm_labor2024_GUL4y4w.pdf; Philip Martin, Brandon Hooker, Muhammad Akhtar, and Marc Stockton, *How many workers are employed in California agriculture?* California Agriculture, Vol. 71, No. 1 (August 2016).

[4] Littleworth & Garner, California Water II (Solano Press Books 2007) p. 8.

[5] See CA Dept. of Conservation Farmland Mapping and Monitoring Program, available at https://www.conservation.ca.gov/dlrp/fmmp/

[6] California Department of Food and Agriculture, California Agricultural Statistics Review 2022-2023, p. 3, available at https://www.cdfa.ca.gov/Statistics/PDFs/2022-2023_california_agricultural_statistics_review.pdf.

[7] Food & Agr. Code, § 802(g).

[8] Food & Agr. Code, § 803.

[9] Food & Agr. Code, § 821(c).

[10] Pursuant to CEQA, "[s]ignificant effect on the environment" means, "a substantial, or potentially substantial, adverse change in the environment." (Pub. Resources Code, § 21068.) The CEQA Guidelines make it clear the "environment" in question encompasses, "any physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance." (Pub. Resources Code, § 21060.5.)

[11] Any and all adverse environmental effects on agricultural resources resulting from the project, as well as cumulative impacts that will occur over time, must be fully assessed and disclosed under CEQA, as well as avoided or mitigated as required by CEQA.

[12] Cal. Code Regs., tit. 14, § 15000 et seq, ("CEQA Guidelines, Appendix G").

[13] 13 D.09-07-024, July 9, 2009, Order Modifying Decision 08-12-058 and Denying Hearing of Decision as Modified.

[14] https://www.sjgov.org/business/industries

[15] https://www.sjgov.org/business/industries

[16] DEIR Appendix J, Page 2-4.

[17] DEIR Page 3.5-18.

[18] DEIR Page 3.6-29.

[19] The CPUC is required to consider such values independently of CEQA pursuant to Public Utilities Code Section 1002(a)(1).

[20] 20 DEIR, Page 3.10-23.

[21] https://pmc.ncbi.nlm.nih.gov/articles/PMC10181175/#:~:text=EMF%20exposure%20exerted%20strong%20physiological,levels%20of%20behavior%2Drelated%20genes.

Letter O3 Mettler Family Vineyards

Nora Sheriff and Elisa Rivas, Buchalter, Counsel for Mettler Family Vineyards
February 7, 2025

Comment O3-1

Mettler Family Vineyards submits these comments on the Draft Environmental Impact Report for PG&E's Northern San Joaquin 230 kV Transmission Project (Draft EIR).

I. INTRODUCTION

Mettler Family Vineyards prefers the proposed project route over the alternative routes contained in the Draft Environmental Impact Report (EIR),[1] and in PG&E's September 1, 2023 application.[2] The California Environmental Quality Act (CEQA) public comment review period provided ample time for parties to address their concerns over environmental impacts of the proposed route. In addition, the Draft EIR correctly concluded that the proposed route does not present any significant or unavoidable impacts.[3] As required by CEQA, the proposed route in the Draft EIR appears to be the environmentally superior route.

Response O3-1

The comment expresses support for the project as proposed. This comment is acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment O3-2

II. COMMENTS

A. The CEQA Process Allowed for Sufficient Time for the Public to Comment on the Environmental Impacts of the Proposed Route

The public comment period provided an adequate amount of time for the public and interested parties to voice their concerns about the potential environmental impacts of PG&E's project. The public had 60 days to comment and provide input about the project's environmental impact, including two remote public comment meetings on January 15, 2025, at 2:00 PM and 6:00 PM, during which members of the public could and did submit oral comments; additionally, members of the public could provide written comments (such as these) on the Draft EIR.

Response O3-2

No specific issues related to the content, analysis, or conclusions in the Draft EIR are raised in this comment. No response is required.

Comment O3-3

B. There Are No Significant or Unavoidable Impacts Associated with the Proposed

After a review of impacts like project feasibility, agricultural impacts, archeological, historic, and tribal cultural resources, the Draft EIR concludes the proposed route does not present any significant or unavoidable impacts.[4] Though three other alternatives were considered, none were identified to be environmentally superior. The first alternative, involving no construction of the project, would yield a reduction or elimination of potential environmental effects. However, that alternative would fail to meet the project objectives surrounding reliability.[5] The second and third alternatives would have similar environmental effects as the proposed route, but the location of the power lines would result in higher aesthetic impacts.[6] CEQA requires the environmentally superior route, which for this project is the proposed route included in the Draft EIR.

Response O3-3
No specific issues related to the content, analysis, or conclusions in the Draft EIR are raised in this comment. No response is required.

Comment O3-4

C. Mettler Family Vineyards Prefers the Route Included in the Draft EIR, but Flags Potential Economic and Agricultural Losses

Mettler Family Vineyards reiterates its preference for the proposed route over the alternative routes in the Draft EIR. Though these comments express a preference for that route, Mettler Family Vineyards also raises concerns regarding the proposed route's impacts, specifically economic and agricultural losses in the Southern and Western portions of the property. The proposed transmission project route borders the southwest corner of the property, and ultimately affects two of the four corners of the entire Mettler Family Vineyards' property. There should be compensation for the economic and agricultural losses in this area resulting from the project. Specifically, the economic losses associated with decreased property value (in the context of future development and potential sales); and agricultural losses due to the damage or removal of old vine Zinfandel grapes that cannot be replanted as "old vine Zinfandel."

CEQA's definition of environmental impact does not include economic effects, unless the effects result in a change to the physical environment.[7] With regard to the old vine Zinfandel vines, the removal of or damage to the vines is an economic effect that undoubtedly results in a change to the physical environment.

Response O3-4
As explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of potential economic losses associated with property value is not required by CEQA because it is not an impact to the natural or physical environment. As stated in Section 15131 of the CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. An EIR can trace a path between a social or economic effect (such as blight) to determine if there is a cause and effect between a social or economic effect and a change in the environment. However, no information has been provided to suggest that a change in property values, if it were to occur, would result in a significant change to the physical environment.

The potential impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," of the Draft EIR. Regarding potential removal of the commenter's vineyard, APM AGR-1 (on page 3.3-14 of the Draft EIR) requires the following to minimize impacts on active agricultural areas:

- PG&E will establish temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure (including irrigation lines, wells, pumps, ditches, and drains) to the greatest extent reasonably feasible. If necessary, and upon agreement between PG&E and the landowners, agricultural infrastructure will be protected with temporary materials (for example, steel plates, blankets) to prevent inadvertent damage during construction. Where feasible, overland routes within orchards and vineyards will be aligned with the planting layout or otherwise to minimize tree and vine removal.
- If trees or other crops cannot be avoided by PG&E as specified previously, impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure.

Comment O3-5

III. CONCLUSION

Mettler Family Vineyards prefers the proposed route to the alternative routes in the Draft EIR as the environmentally superior route. And while Mettler Family Vineyards expresses a preference for the Draft EIR's proposed route, consideration of the interrelated economic and agricultural impacts described above is warranted. Mettler Family Vineyards appreciates the opportunity to submit comments.

Response O3-5
The comment provides an opinion regarding the merits or qualities of the project and does not address the content, analysis, or conclusions in the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision makers for consideration. Regarding the project's potential economic and agricultural impacts, see Response O3-4.

Letter O3 Footnotes
[1] Draft Environmental Impact Report: Northern San Joaquin 230 kV Transmission Project, A.23-09-001. Dec. 2024 (The Draft EIR).
[2] Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Northern San Joaquin 230 kV Transmission Project, A.23-09-001, Sept. 1, 2023 (The Application).
[3] Draft EIR at p. 5-2.
[4] Draft EIR at p. 5-2.
[5] Draft EIR at p. 6-15.
[6] Draft EIR at p. 6-33.
[7] Draft EIR at p. 3-1.

2.2.3 Individuals

Letter I1 Jeff Jenner
December 13, 2024

Comment I1-1
Just to let you know, I have been left totally in the dark about this project from the beginning. Not a word, either mail or e-mail, from PG&E or anyone else other than when they sent a team to walk through my property a few years ago. My property was not even included in the design document prepared for the CPUC application. Yet my house is the only one that the proposed transmission lines will go almost directly over. Luckily, I have been somewhat kept informed by my neighbors and friends who are all listed in the application design document and project service list. I would appreciate my property being identified in the project documentation and being included in communications for people affected by this project. Thanks.

Response I1-1
The portion of the property owned by the commenter nearest to the proposed alignment is shown on page 11 of Appendix B to the Draft EIR and would be separated from the proposed alignment by Paddy Creek. The commenter was sent a postcard with information about CPUC's release of a Draft EIR at the address provided in the County's property ownership records and will be added to the list of interested parties for future email communication from CPUC.

Letter I2 James J Grady Jr. and James J Grady III (Letter 2)
January 9, 2025

Comment I2-1
We (my son and I) own a vineyard and home at 14051 N. Hwy 88 on the east side of Lodi. My current understanding is that PG&E plans to construct the power line down a dirt drive that bisects our vineyard. This is not a public roadway and is used only by my son to access his home and our vineyards. The neighbor to our west and south of the roadway is also allowed access on this dirt road. It is an undeveloped road and not intended for any regular traffic other than tractors working in the field.

Response I2-1
The comment expresses concern about the effect of the transmission line on the access provided by a dirt drive that bisects the commenter's vineyard. Responses to this and related comments are provided below.

Comment I2-2
I have 2 main objections to the CPUC approval of this construction. First, the line as planned will be going right in front of my son's home, less than 100 feet from his front door. This will essentially devalue his home to O as no one is going to purchase a home that lies under a high voltage power line. I have not seen any definitive articles regarding any health risk of living so close to a high voltage line, but that is a concern as well. There is an existing PG&E line on the south border of our vineyards and since they already have a right of way there it would seem to be a more logical route. We also have a roadway on the north boundary of the property and at the very least feel the route should be moved there. The current placement would effect our farming as well, as the soil is clay soil and tends to dry out later in the spring, so in wet years we occasionally have had to have sulfur dust flown onto the grapes due to the vineyard soil being too wet for tractor work.

Response I2-2
As part of the CPCN application process, PG&E was required to identify and evaluate numerous project alternatives. Alignment alternatives were developed by PG&E's teams of planners and engineers to reflect considerations such as effects on property and existing infrastructure, as well as system planning considerations and regulatory requirements. The PEA, which identifies the proposed project evaluated in this EIR, includes a summary of these alternatives and the benefits and drawbacks of each. The Draft EIR discloses the environmental effects of the proposed alignment. Alternatives are considered that address identified environmental effects pursuant to CEQA.

As explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of potential changes to property values is not required by CEQA because it is not an impact to the natural or physical environment CEQA Guidelines Section 15131). An EIR can trace a path between a social or economic effect (such as blight) to determine if there is a cause and effect between a social or economic effect and a change in the environment. However, no information has been provided to suggest that a change in property values, if it were to occur, would result in a significant change to the physical environment. Therefore, no changes have been made to the Draft EIR in response to this comment.

Concern about the health risks of living close to a high voltage power line are noted. As explained in the Draft EIR (pages 2-71-2-72), PG&E has established guidelines to limit electromagnetic fields in alignment with CPUC policy. PG&E prepared a Preliminary Transmission EMF Management Plan and Substation Checklist (Preliminary Field Management Plan), which it submitted to CPUC as Appendix G to its application. The Preliminary Field Management Plan evaluates the no-cost and low-cost measures considered for the project, the measures proposed for adoption, and reasons that certain measures were not proposed for adoption. Design measures to reduce public exposure to EMFs include:

- **Optimal Conductor Phasing.** The new 230 kV loop and new 230 kV line are configured with optimal phasing to minimize EMF at the ROW boundary.
- **Raising Tower Height.** PG&E will raise the height of 15 towers for the new 230 kV lines by 10 feet to reduce EMF near residences along the proposed route.

If the project is approved, PG&E will revise and finalize the Preliminary Field Management Plan as needed to incorporate design or routing changes that are incorporated into the final approved project, if any.

Regarding the comment that the existing electrical right of way (ROW) at the southern boundary of the property is a "more logical route," an alternative that would use the existing 60 kV rights of way was evaluated in the Draft EIR (pages 6-10 through 6-11). As explained in detail therein, the PG&E Lockeford-Lodi No. 3 60 kV route does not contain enough ROW width at the residential structures east of Bear Creek to accommodate a 230 kV line. In addition, putting both lines on the same structures (underbuild) is not a preferred design option for safety and reliability reasons. Multiple circuits on a line limit operations flexibility because all circuits on a line need to be taken offline for maintenance. Additionally, three circuits on a structure would create a single point of failure for all circuits and is a nonstandard design.

The effects of the project on agriculture, including the aerial application of pesticides, are evaluated in Section 3.3, "Agriculture," of the Draft EIR. The potential restrictions on aerial application of materials is acknowledged.

Comment I2-3
The second objection is to the proposed placement of a storage and staging area on the East neighbor's property with plans to utilize our dirt farm road for access to equipment and storage. This will dramatically increase truck traffic down the roadway which is not designed for that usage as well as dust and noise pollution for their access. I feel it would be much more appropriate for them to find a property immediately adjacent to a paved road such as Hwy 88 or Kettleman to place this storage yard so that their access can be directly off a developed road that is intended for traffic. While it may not seem significant to PG&E, the increase in noise and dust from significant traffic on our dirt ranch road will significantly impact the quality of life in the country.

Response I2-3
Potential staging areas are identified in Table 2-4 and Appendix B of the Draft EIR. Staging Area 8 is described in Table 2-4 as abandoned vineyard and illustrated on Draft EIR Appendix B (pages 13 and 14) as west of the driveway access from SR 88. The maps in Appendix B show that the primary construction access to Staging Area 8 would be from the west, not down the dirt driveway. The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to noise and dust as a result of using staging areas (see Sections 3.13, "Noise," and 3.11, "Hydrology and Water Quality").

Comment I2-4
We have met with Boris Sanchez of PG&E several months ago and were encouraged that he seemed to feel it would not be difficult to move the line to the north boundary. However, the proposed staging area in the middle of country vineyard property and all the additional noise and dust pollution would still be a major problem unless the staging area is moved to a site directly along an existing developed roadway.

I will plan to attend the zoom meeting on 1 /15 to voice our concerns.

Response I2-4
As described above in Response I2-3, Staging Area 8 is proposed north of Harney Lane and west of the residence noted in the comments. Potential staging areas were identified by PG&E and included in the applicant's PEA. The PEA notes that staging areas "may be relocated or adjusted as necessary at the time of construction based on land use changes, unanticipated impacts, and other factors" (see PEA page 3-46). Supplemental CEQA evaluation would be required for any new or amended staging areas that differ from those evaluated in this EIR. Also as described above, the temporary effects of construction staging, including the generation of noise and the effects of dust on air and water quality, are addressed in this EIR. No significant and unavoidable impacts are identified.

Additionally, see responses to Comments PH6 and PH11.

Letter I3 Dwight and Sharon Busalacchi

January 29, 2025

Comment I3-1
Our property at 15467 E. Kettleman Lane, Lodi, California is noted as Parcel 16 of the Lockeford-Lodi Farms Subdivision, Unit 1. This subdivision is made up of 10 to 40 acre parcels, see "Exhibit B."

Response I3-1
The comment identifies the location of the commenter's property. This comment is acknowledged.

Comment I3-2
The Lockeford-Lodi Farms Subdivision, Unit 1 is shown on the San Joaquin County GIS database as a "Special Soils Area." I can believe this, for the grapes we grow on our property are equal to or better in flavor and acids as grown in the premium viticulture areas in California.

Response I3-2
The comment, which is related to mapped soils and wine grape cultivation, is acknowledged.

Comment I3-3
Included with this letter of concern are four Exhibits.

Exhibit "A"	Map of how the proposed new transmission line will affect my vineyard and operations.
Exhibit "B"	Details both the existing and proposed new transmission lines encumbering the parcels of land as shown on above said Map from Jory Rd. to Tully Rd.
Exhibit "C"	PG&E Propose Routing Map, Figure 4.4-1, showing the tie in to the Brighton-Bellota line.
Exhibit "D"	Close up view of said intersection.

Response I3-3
The inclusion of these exhibits is noted. CPUC has reviewed and considered these exhibits in responding to the other comments in this letter.

Comment I3-4
Exhibit B

As shown on Exhibit B, the proposed new 230kv transmission line will cause severe property value loss to the most North Westerly parcel, Parcel 2 as shown on said map. With the current building offset requirements up to 175 feet along with the added 100 foot wide easement makes it impossible to develop as a home site and vineyard, which are being developed for agro-tourism as being constructed on several parcels in Lodi.

Our Property, Parcel 16

Looking at Exhibit B, background image, you can see how we planted our vineyard. This was to take advantage of the different soil types on our farm. Because of the soils on the northern end of our parcel, we planted small blocks of both Bordeaux and Italian wine grapes. These small blocks served two purposes.

Besides taking advantage of the soil types, the production of around 4-5 tons per acre was perfect for our business plan to share these unique grapes with our customers while being able to produce the needs of our winery and tasting room which is in the process of getting ready to open.

As with our neighbors parcel to the West, the proposed easement would also prevent us from building our home with access to Smith Road.

The proposed pole location will remove 24% of our Nero d'Avola and 16% of our very rare Cabernet Sauvignon grapes out of production. Looking at this year's price per ton, we would have lost $6,000 if this project was in place. Currently we receive anywhere from 5 to 6 times the average price for our Lodi districts grapes. Based on our 2023 harvest income, this potential loss represents about 13% of our grape income.

The reason our Cabernet grapes are so rare, is that UC Davis pulled this clone out of their nursery several years ago due to its susceptibility to viruses. Most vineyards having this clone, have pulled it out due to rapid loss of quality and production. What is unique about our Cabernet, is that it has the fatal virus but shows no decline at all. The question is, is "are our grape vines holding the DNA that will make all grape vines in the future be disease resistant?"

Response I3-4
As part of the Final EIR and project record, this information about potential economic loss will be forwarded to the applicant and to the decision makers for consideration. With regard to CEQA's requirements, as explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of potential changes to property values is not required because it is not an impact to the natural or physical environment. As stated in Section 15131 of the CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. An EIR can trace a path between a social or economic effect (such as blight) to determine if there is a cause and effect between a

social or economic effect and a change in the environment. However, no information has been provided to suggest that a change in property values, if it were to occur, would result in a significant change to the physical environment.

The potential impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," of the Draft EIR. Regarding potential removal of the commenter's vineyard, APM AGR-1 (on page 3.3-14 of the Draft EIR) requires the following to minimize impacts on active agricultural areas:

- PG&E will establish temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure (including irrigation lines, wells, pumps, ditches, and drains) to the greatest extent reasonably feasible. If necessary, and upon agreement between PG&E and the landowners, agricultural infrastructure will be protected with temporary materials (for example, steel plates, blankets) to prevent inadvertent damage during construction. Where feasible, overland routes within orchards and vineyards will be aligned with the planting layout or otherwise to minimize tree and vine removal.
- If trees or other crops cannot be avoided by PG&E as specified previously, impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure.

Comment I3-5
Exhibit A

As you can see on the attached Exhibit A, the proposed new ROW will cause the following issues.

1) The existing 440 foot deep AG and Domestic water well is now only 21.2 feet away from the 230kv conductors. This will require the well to be abandoned and a new well to be drilled. Our current well has been tested at the time of development, tested at 700gpm. (Estimated cost for a new well, $160,000). That does not include the abandonment of the existing well.

Please also note that the proposed conductors will impact my neighbors well located adjacent to Jory Road. Using Goggle Earth, I measure about 32 feet distance.

2) The Irrigation Control Building were all my internet, irrigation controller and wireless communication to remote sensors in the field will need to be moved to the new well location due to interference from being close to the proposed lines.

3) All the main and submain irrigation lines, irrigation valve control circuits along with the domestic water storage tank will have to be relocated to the new well site.

4) The existing power pole with stepdown transformer is too close to the 230kv lines and will have to be moved.

5) Our electrical distribution system has to move to the new well location. This will be very costly due to the need to re-route existing double 4" PVC conduits containing 500mcm conductors in a direct line from the winery to the distribution panels.

6) We would need new blocks to be planted to meet our existing production requirements to fulfill our customers' needs and our model for wine production at our new winery.

Response I3-5
The comment notes various existing infrastructure that may be affected by the project, including a domestic water well, irrigation control building (including internet, irrigation controller, and wireless communication), irrigation lines, power pole, and electrical distribution system; as well as loss of an existing vineyard. See Response I3-4, above, regarding the measures proposed to be implemented by PG&E to minimize and compensate for impacts on active agricultural areas.

Comment I3-6
Exhibit C & D, PG&E Routing Map

If you look at the current PG&E routing map, Exhibit "C & D" you will notice that the main line tying in from the South shows double dots along the transmission line path to the intersection of the current line heading west to the Lockeford sub-station. The drawing does not show this in the drawing notes, but as a Land Surveyor working for the Santa Clara Valley Water District as their Right of Way Agent, I have seen this on utility maps shown as double conductors per phase.

Since the main transmission line that PG&E is tying into is a two circuit single conductor per phase line and that the Lockeford substation looks like it has a common bus feeding all the switches along with transformers, can't PG&E double the existing conductors on the existing towers? Current is current. This would have very little impact to all parcels under said ROW.

Response I3-6
Chapter 6, "Alternatives," in the Draft EIR describes the key considerations used to identify and screen potential alternatives, explains why some potential alternatives were eliminated from further consideration, describes the alternatives that were carried forward for more detailed analysis, and presents a comparative analysis of the environmental impacts of the project and alternatives.

At the eastern end of the alignment, the project would loop the PG&E Brighton-Bellota 230 kV Transmission Line through a newly installed 230 kV bus (a node where different power lines are connected) at the PG&E Lockeford Substation. The loop provides a secondary power supply that improves reliability for the system. An alternative that stacks the proposed 230 kV line on top of the existing towers has not been considered because it would not confer the desired reliability benefits.

Comment I3-7
In closing, using the current proposed route through these small parcels will have a much greater environmental and economic impact to the owners of said parcels than using either the Northern or Southern route which go through large tracks of land.

Response I3-7
The Central Route and Northern Route alternatives were both evaluated in detail in the Draft EIR. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior.

The potential impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," of the Draft EIR, and the impacts of the alternatives on agricultural resources are evaluated in Chapter 6, "Alternatives," of the Draft EIR. Economic impacts are not required to be addressed in the Draft EIR, as described in Response I3-4.

Letter I4 David and Sandra Simpson

February 3, 2025

Comment I4-1
I believe the DEIR/CEQA process for the Northern San Joaquin 230 KV Transmission Project is inadequate and has been used to "rubber stamp" the selection of one solution - the lowest cost "siting" solution. The question for the PUC is:

Is the lowest cost siting solution for the applicant the best solution for all?

Response I4-1
The comment provides an opinion regarding the merits or qualities of the proposed project and does not address the content, analysis, or conclusions in the Draft EIR. The comment is noted and will be forwarded to the decision makers for consideration.

Comment I4-2
After reading much of the Draft EIR, I am convinced several potential alternatives were dismissed out of hand. I was struck by comments in 3.3.1 and Table 3-1, the summary of Alternatives. In Table 3-1, System Alternatives, D. it states Undergrounding, is "Not Economically Feasible." Please dig deeper (no pun intended) into the meaning of economically feasible. Since I can't find an explanation of who economically feasible applies to, I'll use the applicant's logic and make one up. The Project should not be carried forward as the impact to the viewshed of the Project is one order of magnitude higher than undergrounding the project. It is blatantly obvious that undergrounding will meet all CEQA criteria. It is being dismissed for cost to the applicant and cost alone.

Response I4-2
The alternatives screening process is described in Chapter 6, "Alternatives," as well as Appendix J of the Draft EIR. As required by CEQA, potentially feasible alternatives were developed with consideration of avoiding or lessening the significant adverse impacts of the project. As described in Section 6.2.3, "Environmental Impacts of the Project," the project would not result in any significant and unavoidable impacts, and all significant impacts related to archaeological, historical, and tribal cultural resources as well as biological resources would be reduced to less-than-significant levels with mitigation.

Undergrounding was considered and dismissed from further evaluation, as described on pages 6-7 and 6-8 of the Draft EIR (also see Appendix J of the Draft EIR). As described therein, undergrounding would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could increase impacts to other resources, such as air quality, noise, and traffic. For these reasons, undergrounding was dismissed from further evaluation in the Draft EIR.

Regarding economic feasibility, CPUC considered whether each alternative would be potentially feasible, where feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors (Public Resources Code Section 21061.1; CEQA Guidelines Sections 15126.6 and 15364).

Comment I4-3
Similarly, in 3.3.3 and Table 3-1, Energy Storage Alternatives, L. Hybrid BESS is dismissed with an interesting partial explanation. This alternative requires reconductoring and construction of a battery storage plant, presumably at the City of Lodi's expense. However, there is no discussion of reduced stress on existing transmission lines if the City of Lodi were to install a large solar facility or simply ran their new 48 MW power plant more frequently. Again, it's all about cost and since there is no explanation of why the alternative is dismissed without a more detailed examination, I'll make one up. The permanent loss of property value and cropping restrictions placed on landowners in the new project corridor make the project too costly and all Siting Alternatives should be dismissed.

Response I4-3
A hybrid BESS alternative was dismissed from further evaluation, as described on pages 6-12 and 6-13 of the Draft EIR (also see Appendix J of the Draft EIR). As described therein, this alternative was dismissed because it would not meet most of the project objectives, including mitigating thermal overloads, meeting PG&E's legal obligations, and satisfying the projected electrical demand of the region in a timely manner. In addition, the alternative would have similar impacts to archaeological, historical and tribal cultural resources, and biological resources.

See Response I4-2 regarding economic feasibility of the alternatives.

Comment I4-4
There are more examples of the flawed presentation of alternatives but what is the point in arguing or commenting. That is for politicians and attorneys. I'll call your attention to a 9-page letter submitted by Daniel Stein of Fennemore Dowling Arron on behalf of a client impacted by the Project in Appendix A, Attachment D. Section F Conclusion of the letter says it all. I implore you to read the letter, and especially the conclusion. The PUC can and needs to do better than simply accepting the DEIR.

To answer the question I initially posed, clearly the lowest cost siting solution for the applicant is NOT the best solution for all.

Response I4-4
See responses to Letter I7, submitted by Daniel Stein, Director, Fennemore Dowling Aaron, representing Robert Batch.

The comment is directed towards the project approval process and does not address the content, analysis, or conclusions in the Draft EIR. Therefore, no further response is provided here. All comment letters submitted during the Draft EIR public review period will be reviewed and considered by CPUC before a decision on the project is rendered.

Letter I5 James J Grady Jr. and James J Grady III (Letter 2)

February 1, 2025

Comment I5-1
This letter is regarding our vineyard property located at 14051 N. Hwy 88 in Lodi. As you know from your visit to our vineyards, my son lives at that address on a dirt farm road that bisects our property between 2 blocks of different varieties of grapes. PG&E proposes to put the power line down that road, less than 100 feet in front of my son's home. They further plan to lease land from the absentee land owner of the property to our west along the same road. The problems are as follows:

Response I5-1
The comment provides introductory remarks to more detailed comments that follow. Responses to specific comments concerning environmental issues are provided below.

Comment I5-2
1. This will impact my son's home value making it basically worthless. Who is going to purchase a home that sits almost directly under a high voltage power line? He has worked very diligently to purchase this home and develop the yard around it and maintain it. It is totally unfair to destroy the value of all of his efforts at home ownership.

Response I5-2
Please see Response I2-2. As explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of potential changes to property values is not required by CEQA because it is not an impact to the natural or physical environment. As stated in Section 15131 of the CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. An EIR can trace a path between a social or economic effect (such as blight) to determine if there is a cause and effect between a social or economic effect and a change in the environment. However, no information has been provided to suggest that a change in property values, if it were to occur, would result in a significant change to the physical environment.

Comment I5-3
2. This will impact our farming practices. The soil is a clay soil that does not dry out very rapidly in the spring after winter rains. There are some years when we have had to fly on sulfur dust in the spring to prevent mildew on the grapes because the ground was too wet to use a tractor to do so or it would get stuck in the mud. Once this power line is there right between our 2 blocks of vineyard I am quite sure **we will** not be able to fly on the sulfur dust. This will impact crops in wet years. I doubt PG&E is going to reimburse us for the crop loss due to mildew damage.

Response I5-3
See Response I2-2. PG&E has committed to "provide the agricultural owner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure" (APM AGR-1). The financial implications of lost crops due to restrictions on farming practices are outside the scope of this EIR.

Comment I5-4

3. Aesthetically, my son should not look out the front door or windows of his house to look at PG&E's towers, or have to listen to the hum from the wires. He chose to put his home in the vineyard because he prefers the quiet of the country lifestyle.

Response I5-4

The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to aesthetics and noise, including corona noise (see Sections 3.2, "Aesthetics," and 3.13, "Noise"). As explained on page 3.13-26 of the Draft EIR, "noise generated levels during rain events, when corona noise is at its loudest, would reach approximately 25 dBA and would not generate noise exceeding the county's 45 dBA Leq nighttime threshold" (reference Table 3.13-12 and Table 3.13-15). This comment is acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment I5-5

4. As proposed, PG&E plans to utilize land from the absentee owner of the property to the west of our vineyards as a staging and storage area. If the staging area is placed in the middle of the country property and our farm road used for access continually that will create a lot of vehicle noise as well as dust in our vineyards. We have irrigation pipes that traverse under the road for our drip irrigation system that are not going to tolerate the kinds of heavy equipment you plan to bring in and out on our road. The staging area clearly would be much better placed directly adjacent to an existing highway or paved roadway to avoid effecting existing homes in the area. Surely there is some undeveloped land somewhere along the route of this power line that would be a better location for this purpose.

Response I5-5

Potential staging areas are identified in Table 2-4 and Appendix B of the Draft EIR. The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to noise and dust as a result of using staging areas (see Sections 3.13, "Noise," and 3.11, "Hydrology and Water Quality").

Regarding potential impacts to existing irrigation pipes, APM AGR-1 (on page 3.3-14 of the Draft EIR) requires the following to minimize impacts on active agricultural areas:

- PG&E will establish temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure (including irrigation lines, wells, pumps, ditches, and drains) to the greatest extent reasonably feasible. If necessary, and upon agreement between PG&E and the landowners, agricultural infrastructure will be protected with temporary materials (for example, steel plates, blankets) to prevent inadvertent damage during construction. Where feasible, overland routes within orchards and vineyards will be aligned with the planting layout or otherwise to minimize tree and vine removal.
- If trees or other crops cannot be avoided by PG&E as specified previously, impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure.
- PG&E will restore agricultural land temporarily impacted by construction to pre-project conditions following completion of construction, including areas impacted by establishment of temporary staging, laydown and storage areas, overland access, guard structures, and pull sites. If grading occurs in actively planted agricultural areas, topsoil will be stockpiled and used to backfill excavations to pre-existing grade when construction is complete. Restoration of sites will involve removing any rock or material imported to stabilize the site, replacing topsoil, decompacting any soil that has been compacted by heavy equipment, and replanting agricultural crops. The responsibility of performing these various tasks may be stipulated in an agreement between PG&E and the landowner. If a landowner is better equipped or prefers to replant crops or perform other tasks themselves, then PG&E will provide just compensation for this work.

Comment I5-6

5. At the very least, the power line should be moved to the north border of our property as we discussed with you at our site visit several months ago. While not ideal that would at least mitigate the loss of property value of my son's home to some degree and make plane application of sulfur dust a possibility when needed.

Response I5-6

See Response I5-2 regarding property values and Response I5-3 regarding farming practices. Alternatives to the project, including alternative alignments for the new PG&E 230 kV transmission line, are discussed in Chapter 6, "Alternatives," of the Draft EIR.

Comment I5-7

6. While I am not aware of any proven health consequences to living adjacent to a high voltage power line, it does not seem like a good idea. I very much doubt you would choose to live in such a location. Had the line been there prior to our developing the land we certainly would not have purchased or developed it. The sale of our land in the future will be drastically effected by the presence of the line, especially if it goes down the middle of the vineyard as proposed. I doubt PG&E is going to pay for the loss of land value that will occur once this is built.

Response I5-7

Refer to Response I2-2 for a discussion of the health effects associated with operation of a transmission line. Impacts related to property values are not required to be addressed in the Draft EIR for the reasons explained in Response I5-2. This comment is acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment I5-8

Those are my specific issues. However, as a a general comment it would seem much less intrusive for PG&E to underground this line along an existing rite of way or street to avoid all of the objections to the project. The line is going out of it's way to go south of the destination and then back north at the end. I have to think this is because on viewing all of the parcels along the various proposed routes the one chosen effects fewer land owners and therefore upsets fewer people. If not undergrounded, then at least it should be routed along existing PG&E rite of ways such as the one on the south border of our vineyards. It would seem possible to place the high voltage lines at one level and the other lower voltage existing lines at a different level or side of the same tower.

Response I5-8

Undergrounding was considered and dismissed from further evaluation, as described on pages 6-7 and 6-8 of the Draft EIR. As described therein, undergrounding would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could increase impacts to other resources, such as air quality, noise, and traffic. For these reasons, undergrounding was dismissed from further evaluation in the Draft EIR.

Alternative alignments for the new PG&E 230 kV transmission line were also considered and dismissed from further evaluation, as described in Section 6.3.2, "Siting Alternatives," in the Draft EIR. Two siting alternatives were evaluated in detail in the Draft EIR: the Central Route and Northern Route alternatives. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior.

Comment I5-9

In conclusion, I would ask that we receive a written response from PG&E at their earliest convenience regarding plans to proceed with the project as presented or if adjustments will be made. This whole process has been very frustrating as there has been no response from PG&E to any of the complaints. It gives one the sense that there is no one listening to any of the many legitimate concerns of property owners. I understand the legitimacy of the policy of eminent domain, but a sense of fairness would seem to me to require some degree of cooperation between "big business" and the common man.

Please provide either email or written confirmation that this letter was received and a date by which we might hear back from PG&E regarding the issues raised.

Response I5-9
Section 1.4, "Project Review Process," of the Draft EIR describes the CEQA process conducted to date for this project, including the opportunities for public involvement. This CEQA review is based on the project described in the application PG&E submitted to CPUC and is intended to identify and disclose the potential for environmental impacts. Comments submitted to CPUC related to EIR scoping and the analysis in the EIR are not responded to by PG&E.

This Final EIR includes comments on the Draft EIR received during the public review period, responses to those comments, and any necessary clarifications or revisions to the Draft EIR in response to public comments. CPUC has and will continue to solicit opportunities for public participation and has thereby satisfied CEQA.

Although correspondence with CPUC regarding project design and property owner coordination is outside the scope of this CEQA process, this comment is acknowledged for the record and will be forwarded to the decision makers and the applicant for consideration.

Letter I6 Andrea Kutlik

February 6, 2025

Comment I6-1
The following are comments and concerns regarding DEIR for the Northern San Joaquin 230kV Transmission Project. CPCN Application Number: A23-09-001

Thank you for taking the time to read and consider my comments. First off, I believe that the DEIR falls far short of complete. Due diligence has not been done to fully analyze and investigate alternatives for this project. Since "day one" PG&E decided that the southern route was their choice to establish a new 230 kV power corridor through the rural east Lodi countryside continuing out to the Lockeford substation. We are a tight knit rural community, not a metropolis in the bay area. Therefore, it appears the feeling is that they can do what they want and get away with rolling over the residents and property of upstanding individuals who do not deserve to be dismissed and treated this way. Treat us with the respect we deserve, and fully investigate all options.

Response I6-1
The comment expresses concern about the project and process. The comments are noted and as part of the Final EIR and project record, will be forwarded to the decision makers for consideration. With regard to alternatives, Chapter 6, "Alternatives," in the Draft EIR describes the key considerations used to identify and screen potential alternatives, explains why some potential alternatives were eliminated from further consideration, describes the alternatives that were carried forward for more detailed analysis, and presents a comparative analysis of the environmental impacts of the project and alternatives.

Comment I6-2
- 6.3.1 System Alternatives Undergrounding states, "This alternative would meet the objectives of CPUC because it would reduce thermal overload and voltage issues, accommodate anticipated increases in demand, and would separate PG&E and LEU's 60 kV systems. Most of PG&E's project objectives would also be met. This alternative would avoid the aesthetic and other impacts of aboveground alternatives."
    - Yes, this alternative would result in more construction activity and ground disturbance and could potentially encounter other concerns. However, as I read the document this is a potential issue and no further investigation has been done. Unfortunately, the CPUC has chosen to dismiss this alternative from further evaluation.
    - It is proven that underground transmission lines can be installed in dedicated public thoroughfares with dense populations (Riverside Transmission Reliability Project).

- Undergrounding would take longer. True, however the City of Lodi has a 48-megawatt power plant designed to handle overload situations if they occur. Remember the rolling power outages in Lodi in September of 2022 were due to equipment failure at it's Industrial Substation. LEU made the repairs and had to wait until PG&E inspected the repairs before re-energizing.
- The DEIR states, "The economic feasibility of this alternative is also uncertain." We know that it would cost more but those costs should be distributed to the people who would benefit from receiving reliable power. PG&E and LEU will not go broke. They will pass the costs on to their rate payers.
- 28,000 Lodi Electric Utility customers and 10,000 PG&E customers will see improved system reliability. That means 73% of the power from this proposed project will benefit the City of Lodi. Lodi needs to find an alternative to meet their own needs. They have two power plants now. Build a solar farm or wind turbines out by White Slough.
- Do the right thing the first time!!! Bury the lines and quit asking our peaceful rural community to pay a much higher burden by having the 230kV lines above ground. We will permanently be paying the price by having unsightly towers throughout our community, increased health risks, corona noise from the lines, increased wildfire risks, and decreased property values.
- Take the lead from the Jefferson-Martin 230 kV Transmission Project in the bay area. The conclusion was to bury 24 miles of 230 kV transmission lines (of the 27-mile route). Do the same thing here down Victor Road, Kettleman Lane or Harney Lane.
- Instead of dismissing this alternative ... analyze and investigate it further!!! The DEIR states that additional engineering and routing analysis would be required. So do it! Rather than fully analyze the impact, it appears a least cost approach or the "path of least resistance" has been taken.

Response I6-2

The comment is correct that undergrounding was dismissed from further evaluation, as described on pages 6-7 and 6-8 of the Draft EIR. As described therein, undergrounding would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could increase impacts to other resources, such as air quality, noise, and traffic. Undergrounding was dismissed from further evaluation in the Draft EIR because it would not substantially reduce environmental impacts from the project. Environmental review under CEQA is designed to disclose and identify feasible ways to reduce environmental effects. CPUC could have invested the resources in conducting preliminary engineering and routing studies to develop a potentially feasible underground alternative and evaluated that alternative in the Draft EIR. However, because the alternative would not avoid or substantially lessen a significant environmental impact and because there is potential for greater impacts than the project, the underground alternative would not be environmentally superior.

Regarding cost, as explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of the potential cost of the project and alternatives is not required by CEQA because it is not an impact to the natural or physical environment. As stated in Section 15131 of the CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. An EIR can trace a path between a social or economic effect to determine if there is a cause and effect between a social or economic effect (such as blight) and a change in the environment. However, no information has been provided to suggest that the cost of the project or alternatives would result in a significant change to the physical environment.

The commenter also suggests that LEU find an alternative that meets its needs, such as a solar farm or wind turbines. In fact, a distribution energy resources improvement (DERI) alternative was considered and dismissed from further evaluation in the Draft EIR (see pages 6-13 and 6-14). As described therein, the City of Lodi is not subject to PG&E's control and LEU is not subject to CPUC's jurisdiction; therefore, there is no legal mechanism available in this CPCN proceeding to mandate that the City of Lodi or LEU implement DERI alternatives.

There are also practical limitations to the effectiveness of these alternative solutions. Energy sources like solar power are not instantaneous and dependable during all times of the day; therefore, a non-wire alternative for the City of Lodi would involve constructing a new 200 MW utility-grade solar system and a battery backup. According to the City

of Lodi, this alternative is not feasible because of land requirements and infrastructure costs. Further, PG&E notes that DERI alternatives cannot achieve sufficient load reduction to rectify the voltage issues and thermal overloads occurring on PG&E's 60 kV system.

The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to aesthetics, health risks, noise, and wildfire risks (see Sections 3.2, "Aesthetics," 3.4, "Air Quality," 3.9, "Greenhouse Gas Emissions," 3.13, "Noise," and 3.18, "Wildfire"). Impacts related to property values are not required to be addressed in the Draft EIR for the reasons explained above.

Comment I6-3

- 6.3.3 Energy Storage Alternatives - Battery Energy Storage Solutions
  - The BESS and Hybrid BESS alternatives were dismissed as alternatives because they would not meet the objectives of CPUC or PG&E, including mitigating thermal overloads and meeting PG&E's legal obligations according to the DEIR.
  - Under Discussion and Conclusions about the BESS alternative the DEIR states, "Although this alternative appears potentially feasible, there is some uncertainty given the unknown timeline for a BESS to be built". The City of Lodi has a 48-megawatt power plant by Lodi Lake to handle overload situations while Lodi designs and plans a BESS.
  - Under Public and Agency Comments about BESS the DEIR also states, "In 2017, CAISO evaluated the NEER - Lodi 40MW BESS Project as an alternative and determined that, while it would address thermal overloads, there were other lower-cost alternatives."
  - A 400-Megawatt battery Storage facility is being planned South West of Manteca. Why does it work for them and not the City of Lodi?
  - While more residents and business are adding solar and battery storage to their facilities, won't that lessen the load on the power grid?

Response I6-3

The comment is correct that BESS alternative and hybrid BESS alternative were dismissed from further evaluation because they would not meet project objectives, as described on pages 6-12 and 6-13 of the Draft EIR. Load forecasting generally considers the effects of projected conversion to onsite renewable power sources and power plants available to serve peak load. These and other factors were considered in CAISO's determination of need and identification of a 230 kV transmission line as the preferred scenario.

Comment I6-4

- 6.3.4 Demand Response Alternatives
  - The DEIR States, "If DERI (distribution energy resources improvement) alternatives could achieve the necessary load reduction to mitigate current voltage issues and thermal overloads, a significant portion of the load reduction that would need to be achieved by DERI alternatives would have to be implemented by a third party, the City of Lodi. Given that the City of Lodi is not subject to PG&E's control, and that LEU is not subject to CPUC's jurisdiction, there is no legal mechanism available in this CPCN proceeding to mandate that the City of Lodi or LEU implement DERI alternatives. PG&E does not control LEU and cannot modify LEU's electrical grid to reduce load on Industrial Substation. Likewise, CPUC does not have jurisdiction over LEU and cannot require LEU to modify its electrical grid, including to undertake DERI alternatives, that would reduce load on Industrial Substation."
  - So basically, does that mean that if the City of Lodi and LEU do not want to do the right thing, they don't have to?
  - The City of Lodi needs to build a second 296-megawatt power plant like Lodi Energy Center at White Slough to meet their energy needs.

Response I6-4

The commenter is correct that a DERI alternative was considered but dismissed from further evaluation in the Draft EIR (see pages 6-13 and 6-14). See Response I6-2, above.

Comment I6-5

► 6.4.2 Alternatives 2: Central Route Alternative

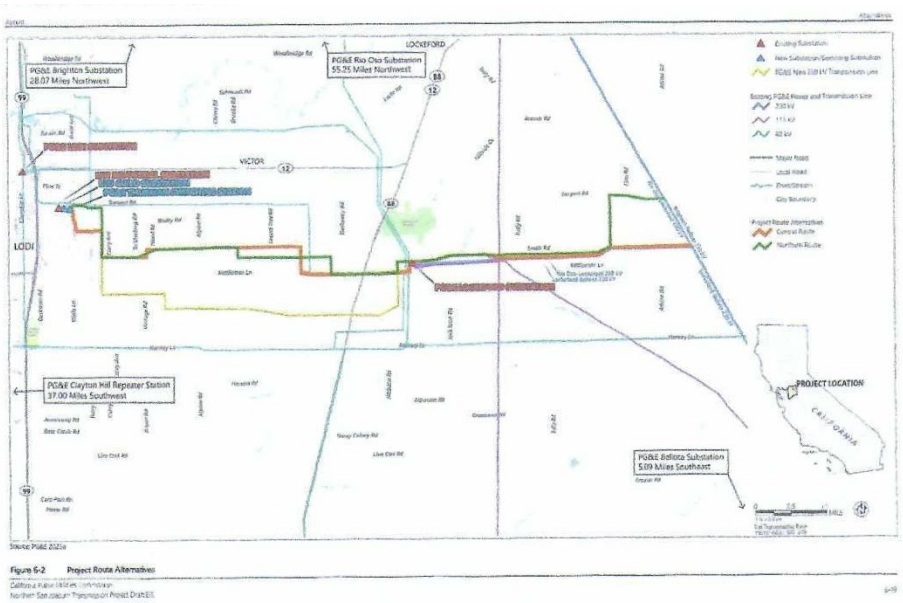

Figure 6-2 Project Route Alternatives

- The DEIR conclusion states, "The Central Route Alternative would result in generally similar potential for environmental effects as the proposed project. In addition, all of CPUC's project objectives would be met. Existing thermal overload and voltage issues would be resolved, the system would be upgraded to accommodate anticipated demands for increased electrical distribution, and the PG&E and LEU 60 kV systems would be separated."
- Appendix J, Table 3-1, Siting Alternatives states
  - "E. Central Route Meets project purpose and most objectives. Alternative appears potentially feasible. Impacts would likely be similar to the project.
- This alternative utilizes a longer portion of Kettleman Lane as a siting route than the Northern Route Alternative. This would mean that more than 1/3 of the Central Route (western portion) would follow a public road / utility easement and not transverse prime agriculture land.

Response I6-5

The Central Route Alternative would utilize a longer portion of Kettleman Road compared to the Northern Route Alternative (see pages 6-18 through 6-26 and Figure 6-1). The Draft EIR describes the potential impacts of this alternative related to agriculture, including Prime Farmland (see pages 6-21 and 6-22). As described therein, although slightly reduced effects on agricultural land conversion are anticipated under this alternative, the overall impacts to Farmland would be similar to the proposed project's less-than-significant impact.

Comment I6-6

► 6.4.3 Alternative 3: Northern Route Alternative

- The DEIR conclusion states, "The Northern Route Alternative would result in generally similar potential for environmental effects as the proposed project. In addition, all of CPU C's project objectives would be met. Existing thermal overload and voltage issues would be resolved, the system would be upgraded to accommodate anticipated demands for increased electrical distribution, and the PG&E and LEU 60 kV systems would be separated."

- Appendix J, Table 3-1, Siting Alternatives states,
    - F. Northern Route Meets project purpose and most objectives. Alternative appears potentially feasible. Impacts would likely be similar to the project.

Response I6-6
The comment quotes text in the Draft EIR regarding the Northern Route Alternative (see pages 6-26 through 6-33); however, no specific issues related to the content, analysis, or conclusions in the Draft EIR are raised in this comment. No further response is provided here.

Comment I6-7
In conclusion it is the responsibility of the CPUC to fully investigate all possible options and alternatives for this project. PG&E filed an application including a PEA that states their interpretation of the best solution for this situation (which is mainly driven by Lodi Electric Utility who stands to benefit most). The least cost approach is being pushed as the best option. Listen and hear comments from everyone.

Alternative 6.3.1 Undergrounding should be reconsidered and pushed to the head of the line. Other alternatives like 6.3.3 Battery Energy Storage Solutions needs to be reconsidered too, as new technologies make them a better way to deliver clean energy. As a last resort 6.4.2 Alternative 2 Central Route Alternative should be chosen since it utilizes 1/3 of the route along an existing public road, not through prime agriculture land.

Response I6-7
See responses to the detailed responses to comments I6-1 through I6-6, above. All comment letters submitted during the Draft EIR public review period will be reviewed and considered by CPUC before a decision on the project is rendered.

Letter I7 Robert Batch

Daniel Stein, Director, Fennemore Dowling Aaron, representing Robert Batch
February 7, 2025

Comment I7-1
I am writing in regards to the Draft EIR for the proposed Northern San Joaquin 230 kV Project (SCH#2024010207) As previously indicated, our office represents Mr. Robert Batch, who is the owner of Assessor's Parcel No 061-133-060-000 located at 14384 N Vintage Rd Lodi, which will be significantly impacted from the Project's proposed alternative.

We have reviewed the Draft EIR for Pacific Gas and Electric Company's Northern San Joaquin 230 kV Transmission Project and have prepared the following comments regarding the scoping of the proposed Project that are being submitted on behalf of our client. Overall, we were disappointed to see that the Draft EIR failed to address most of the key issues that had been raised in our prior comments to the scoping letter. As a result, we do not believe that PG&E can satisfy its duty in evaluating the impacts caused by the proposed Project or those of General Order 131-D, based on Public Utilities Code §1001, which generally requires the CPUC to certify that the "public convenience and necessity" requires such construction. Here, my client maintains that PG&E cannot reasonably justify its chosen alternative because it has not fully and fairly evaluated the impacts of the Project and that there are less impactful means of achieving the Project's objectives.

Response I7-1
In this EIR CPUC, as the lead agency under CEQA, evaluates the environmental effects of the project proposed by PG&E. CPUC has not identified significant impacts that could be avoided or substantially reduced through an alternative. The process of determining public convenience and necessity is separate from environmental review under CEQA. The CPCN application process focuses on utility ratepayer and public benefit issues and is undertaken by CPUC's Administrative Law Judge Division. The CEQA process for utility applications is led by CPUC's Energy

Division. CPUC will use the CEQA document in conjunction with other information prepared for CPUC's formal record to act on PG&E's application.

The comment expresses the view that the Draft EIR did not address key issues raised in the commenter's scoping letter. Details are not provided. Note, however, that the scoping letter submitted on behalf of Robert Batch was summarized in the Scoping Report and considered in preparation of this EIR. This comment is acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment I7-2

A. CPUC's Mandates and Statutory Duties.

As you know, the CPUC has an independent obligation and responsibility to properly evaluate all of the potential impacts caused by a project to the surrounding environment and communities. This is done in accordance with both the California Environmental Quality Act (CEQA) and with its own environmental rules, which includes evaluations of environmental issues such as water and air quality, noise, land uses, agricultural, biological, and cultural resources, mineral resources, public services, recreation, population, housing, transportation and aesthetics.

At the same time, CPUC is charged with ensuring that public utilities "furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities ... as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public." (Public Utilities Code § 451.) Thus, no electrical corporation may begin construction or extension of lines "without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require such construction." (Public Utilities Code § 1001.) In granting the Certificate of Public Convenience and Necessity ("CPCN") pursuant to section 1001, the Commission "shall give consideration to the following factors:

"(1) Community values.

"(2) Recreational and park areas.

"(3) Historical and aesthetic values.

"(4) Influence on environment...."

(Public Utilities Code § 1002.)

In addition, when considering an application for an electric transmission facility, "the commission shall consider cost-effective alternatives to transmission facilities that meet the need for an efficient, reliable, and affordable supply of electricity, including, but not limited to, demand-side alternatives such as targeted energy efficiency, ultraclean distributed generation, as defined in Section 353.2, and other demand reduction resources." (Public Utilities Code § 1002.3 (Emphasis added).) The electric corporation's application for a CPCN "shall include ... [a] cost analysis comparing the project with any feasible alternative sources of power. The corporation shall demonstrate the financial impact of the plant, line, or extension construction on the corporation's ratepayers, stockholders, and on the cost of the corporation's borrowed capital." (Public Utilities Code § 1003, subd. (d)(Emphasis added).)

The CPUC's general proceeding, as a formal review process, considers how projects could potentially benefit or harm the public, including its potential effects on utility ratepayers and seeks to strike a balance among power production, land use, and environmental stewardship.

Commission's Rules of Practice and Procedure, section 14.3, governing written comments made by the parties on proposed or alternate decisions reads in part: "Comments shall focus on factual, legal or technical errors in the proposed or alternative decision and in citing such errors shall make specific references to the record or applicable law." (Cal.Code Regs., tit. 20, § 14.3, subd. (c), italics added.)

As noted in the Draft EIR, State CEQA Guidelines Section 15123(b)(3) requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the project, the major issues to be resolved include decisions by CPUC, as lead agency, related to:

- Whether the identified mitigation measures should be approved or modified.

- *Whether there are other mitigation measures that should be applied to the project besides those mitigation measures identified in this EIR.*
- *Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the project and achieve most of the basic project objectives.*

(DEIR at ES-5 (Emphasis added).)

Response I7-2

The comment summarizes CPUC's decision-making authority and the "issues to be resolved" identified in the EIR. These introductory remarks are acknowledged for the record and will be forwarded to the decision makers for consideration.

Comment I7-3

With this in mind the following comments concerning siting, alternatives, environmental impacts and concerns are submitted with the argument that despite raising these issues previously, they have not been fully investigated and fairly evaluated as part of the Draft EIR. (CEQA, Section 15082 (b).)

Response I7-3

CPUC has reviewed and considered all comments submitted during scoping and will consider all those submitted on the Draft EIR. The portion of the CEQA Guidelines cited does not establish a requirement for CPUC to provide direct response to, or follow the direction of, scoping comments submitted by the public. Section 15082(b) of the CEQA Guidelines establishes the requirement the "each responsible and trustee agency" shall provide the lead agency with "with specific detail about the scope and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility" within 30 days of receiving the NOP. It is, therefore, related to submittal of comments and specific to those with statutory responsibility. Responses I7-4 through I7-14, below, provide responses to raised concerning siting, alternatives, and environmental impacts.

Comment I7-4

B. *The DEIR's Aesthetics Evaluation is Insufficient Given the Unique Nature of the Surrounding Properties Impacted by the Proposed Location of the Project or Properly Consider Alternatives that would Mitigate Aesthetic Impacts of Large 230 kV lines.*

The Draft EIR's methodology for evaluating aesthetic impacts is a visual analysis based on review of existing site photos and visual simulations provided by PG&E, which represent selected key vantage points, and the nature, scale, and design of proposed project components and focuses on the magnitude of visual change expected of the proposed project. Notably, CEQA does not exempt aesthetic evaluations where there are potentially significant aesthetic effects on an official state scenic highway or on historical or cultural resources. (Public Resources Code § 21081.3(b).) Nor does it alter, affect, or otherwise change the authority of a lead agency to consider aesthetic issues and to require the mitigation or avoidance of adverse aesthetic effect pursuant to other laws. (Public Resources Code §21081.3(c).) CEQA regulations specifically include aesthetics in the definition of "environment" under CEQA. (See, CEQA Guidelines at § 5360.)

Response I7-4

There is no conflict between the methodology used in the analysis of aesthetic impacts in Section 3.2, "Aesthetics," of the Draft EIR, as summarized in the comment, and CEQA. The Draft EIR fully evaluates aesthetic resources and makes no attempt to exempt the project from analysis or exclude aesthetics from the range of environmental resources considered in the EIR.

Note also that the PRC citations provided in the comment relate specifically to the exception established in the statute for evaluating the aesthetic impacts of "the refurbishment, conversion, repurposing, or replacement of an existing building" that meets certain requirements (PRC Section 21081.3[a]). The proposed NSJTP does not meet these requirements and the Draft EIR has not attempted to exempt the project from analysis.

The comment cites portions of the CEQA Statute and Guidelines that convey the importance of Aesthetics in environmental analysis. While those specific examples (i.e., exceptions to exemptions and building modifications) are noted, they are inapplicable to the project. In accordance with CEQA, the Draft EIR fully evaluated the effects of the project on aesthetics. See Section 3.2, "Aesthetics," of the Draft EIR. No revisions to the Draft EIR have been made in response to this comment.

Comment I7-5

Unlike the prior PEA, the Draft EIR's discussion on aesthetics generally attempts to downplay the surrounding aesthetics to minimize the impacts from the Project. Of note, in the prior PEA the project area was "bordered by the Sierra Nevada foothills on the east and the inner Central Coast Range on the west. Located in San Joaquin County near the confluence of the Sacramento River to the north and the San Joaquin River to the south that drain the western flank of the Sierra Nevada mountains, the regional landscape includes a complex network of water conveyance and flood control infrastructure, as well as large riparian areas that connect the San Joaquin Valley with the San Francisco Bay to the west." (PEA at §5.1.1.1.) Whereas the Draft EIR characterizes the surrounding landscape as "generally reflect[ing] a high level of human modification that includes vast areas of agricultural land and important population centers, such as Stockton, located approximately 12 miles to the south of the project area. Smaller semirural and suburban communities located closer to the project area include the community of Lockeford, with a population of approximately 3,400, located approximately 3 miles northeast of the project area, while approximately 4 miles to the south is the Town of Morada, with a population of approximately 3,800. With a population of approximately 62,000, the City of Lodi is the largest urban center in the immediate project area." (DEIR at §3.2-2) There is no explanation for why the description of the surrounding area has been altered from the PEA to the Draft EIR and presumably the character of the surrounding area has not changed since the two documents were drafted,

Both the PEA and the Draft EIR acknowledge that the at least two roads are close to the new 230 kV double-circuit line, including Clements Road, and North Jack Tone Road, as County-designated scenic routes. (DEIR at §3.2-2) Further, vegetation in the project vicinity recognizes that the area includes "agricultural crops—primarily vineyards, orchards, and forage cropland—as well as grassland and riparian corridors." (*Id*.) Yet the analysis thereafter goes on to downplay the visual impacts from developing additional 230kV double-circuit lines by stating that "[b]ecause of the predominantly flat terrain and prevailing poor visibility, scenic resources in the project area generally are limited to near- and medium-range viewpoints available within public recreation areas within the City of Lodi and from several public roadways. The foothills of the Sierra Nevada mountains begin to rise approximately 6 to 8 miles east of the project connection with the PG&E Brighton-Bellota 230 kV transmission corridor and occasionally they can be seen from some locations within the project vicinity during winter months; however, views of the mountains are largely obscured by atmospheric haze that persists in the area throughout much of the year." (DEIR at §3.2-5.) This was the exact same language used in the prior PEA.

Response I7-5

The description of the visual setting is drawn from various sources, including the PEA, San Joaquin County General Plan EIR, and site visits. In accordance with Section 15125 of the CEQA Guidelines, the Draft EIR describes the existing visual conditions in the vicinity of the project at a level of detail sufficient to understand the impacts of the proposed project. In addition to the location information quoted in the comment, the Draft EIR also provides text noting natural features of the project area that parallel the information in the PEA.

For example, the regional setting provided on page 3.2-1:

> San Joaquin County is set within the greater San Joaquin Valley, with the Sacramento–San Joaquin River Delta and large expanses of flat, agricultural lands and urban development framed by the foothills of the Diablo Range to the west and the foothills of the Sierra Nevada to the east. The foothills of the Diablo Range separate San Joaquin County from Alameda County and Contra Costa County to the west, with the main access between these counties being Interstate 205 (I-205), which cuts through the Altamont Pass. The eastern portion of San Joaquin County, and adjoining Amador County and Calaveras County to the east, share the rolling terrain of the Sierra Nevada foothills. To the south, the Stanislaus River separates San

> Joaquin County from Stanislaus County. Other major rivers passing through San Joaquin County include the San Joaquin River, the Calaveras River, the Mokelumne River, and Dry Creek.

And the following description of the project area beginning on page 3.2-1:

> The project area is bordered by the Mokelumne River to the north, and Bear Creek and the Calaveras River to the south. Gently undulating grassland near the project's eastern margin gives way to the low-lying, largely flat former floodplain of the Mokelumne River to the west.

To further clarify, the text about visibility and haze identified in the comment as similar in the Draft EIR and PEA is setting information. It is not, as stated, intended to provide analysis of the visual impacts of the proposed project. As stated in the comment, these consistencies are appropriate, presuming the character of the project area has not changed substantially since preparation of the PEA.

Comment I7-6

The Draft EIR acknowledged that "[m]ost of the scoping comments (more than 80 percent) include mention of topics related to alternatives, generally including non-wire options that the City of Lodi could implement independently, ***route modification requests***; suggestions to upgrade existing lines instead of constructing new ones, and ***requests to pursue undergrounding of the transmission line***. In addition, several common topics raised in the comments related to property value, ***conflicts with agricultural production (including limiting the use of aerial spraying), the effect of the project on the aesthetic qualities of the project area***, and human health hazards from potential exposure to electromagnetic fields." (DEIR at § ES-4 (Emphasis added.)) However, the Draft EIR does little to substantively address those concerns or fairly evaluate the alternatives, like relocating the lines or undergrounding them.

Most significantly, in its dismissal of the undergrounding alternative, the Draft EIR seems to have a fundamental misunderstanding of the requirements of the law on considering alternatives under CEQA. "CEQA requires that an EIR, in addition to analyzing the environmental effects of a proposed project, also consider and analyze project alternatives that would reduce adverse environmental impacts." (*In re Bay–Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1163, *(In re Bay–Delta*).) According to the Guidelines: "An EIR shall 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." (Guidelines, § 15126.6, subd. (a).)

"The basic framework for analyzing the sufficiency of an EIR's description of alternatives is set forth" in the statute, in the CEQA Guidelines, and in *Citizens for Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 (*Goleta II*); *In re Bay–Delta*, supra, 43 Cal.4th at pp. 1162–1163.) Under those authorities, the analysis of alternatives is evaluated against a rule of reason. (*Goleta II* at p. 565; Guidelines, § 15126.6, subds. (a), (f).) While it is true that CEQA establishes no categorical legal imperative as to the scope of alternatives to be analyzed in an EIR, "[e]ach case must be evaluated on its facts, which in turn must be reviewed in light of the statutory purpose." (*Id*.) However, the EIR "must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." (Guidelines, § 15126.6, subd. (a).)

Significantly, for purposes of the Draft EIR, its "discussion of alternatives ***must contain analysis sufficient to allow informed decision making***." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 404 (*Laurel Heights*). It also "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project" thereby fostering "meaningful participation and criticism by the public." (*Id*. at p. 405.) "As with the range of alternatives that must be discussed, the level of analysis is subject to a rule of reason." (*Id*. at p. 407.)

"In determining the nature and scope of alternatives to be examined in an EIR, the Legislature has decreed that local agencies shall be guided by the doctrine of 'feasibility.' " (*Goleta II*, supra, 52 Cal.3d at 565.) "An EIR need not consider ... alternatives that are infeasible." (In re Bay–Delta, supra, 43 Cal.4th at p. 1163, 77 Cal.Rptr.3d 578, 184 P.3d 709; Guidelines, § 15126.6, subd. (a).) As statutorily defined, " 'Feasible' means capable of being accomplished in

a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (PRC § 21061.1; see also, Guidelines, § 15364 [same definition but with addition of "legal" factors].)

"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)." (Guidelines, § 15126.6, subd. (f)(1).) As to that last factor, "the government's power of eminent domain and access to public lands suggest that alternative sites may be more feasible, more often, as it is here, when the developer is a public rather than a private agency." (*Goleta II*, supra, 52 Cal.3d at p. 574.)

Response I7-6

To clarify, the Draft EIR is required to identify areas of controversy known to the lead agency in the summary (CEQA Guidelines 15123[b][2]). The text quoted in the comment from Draft EIR page ES-4 provides those points of known controversy. Areas of controversy are not, however, the same as significant environmental impacts identified through an objective evaluation conducted in accordance with state regulations.

Here, CPUC, after thorough review, did not identify significant environmental impacts associated with the proposed project. As summarized in the comment, the purpose of assessing alternatives in an EIR is to identify modifications to the proposed project that would avoid or substantially lessen the project's significant environmental impacts. Within this context, the Draft EIR provides sufficient information on a reasonable range of alternatives to foster informed decision-making. For further discussion of the evaluation of alternative, refer to Responses I7-8 and I7-10, below.

Comment I7-7

The issue of feasibility arises at two different junctures: (1) in the assessment of alternatives in the EIR and (2) during the agency's later consideration of whether to approve the project. (See *Mira Mar Mobile Community v. City of Oceanside (*2004) 119 Cal.App.4th 477, 489 (Mira Mar).) But "differing factors come into play at each stage." (1 Kostka & Zischke, Practice Under the Cal. Environmental Quality Act (Cont.Ed.Bar 2d ed.2009) § 15.9, p. 740.) Significantly, for purposes here, the first phase—inclusion in the EIR—***the standard is whether the alternative is potentially feasible***. (*Mira Mar*, supra 119 Cal.App.4th at 489; Guidelines, § 15126.6, subd. (a).) By contrast, at the second phase—the final decision on project approval—the decision-making body evaluates whether the alternatives are actually feasible. (See Guidelines, § 15091, subd. (a)(3).) At that juncture, the decision-makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible. (*Mira Mar*, supra, 119 Cal.App.4th at 489.)

Where an EIR has identified significant environmental effects that have not been mitigated or avoided, the agency may not approve the project unless it first finds that "[s]pecific economic, legal, social, technological, or other considerations ... make infeasible the mitigation measures or alternatives identified in the environmental impact report." (PRC § 21081, subd. (a)(3); Guidelines, § 15091, subd. (a)(3).) For these purposes, rejected alternatives must be "truly infeasible." (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341, 369 (*Marina*).) "The required findings constitute the principal means chosen by the Legislature to enforce the state's declared policy '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....' " (*Id*. at 350, quoting PRC § 21002.)

"If the agency finds certain alternatives to be infeasible, its analysis must explain in meaningful detail the reasons and facts supporting that conclusion. The analysis must be sufficiently specific to permit informed decision-making and public participation, but the requirement should not be construed unreasonably to defeat projects easily." (*Marin Mun. Water Dist. v. KG Land California Corp*. (1991) 235 Cal.App.3d 1652, 1660, 1664.) Notably, the infeasibility findings must be supported by substantial evidence. (PRC § 21081.5; Guidelines, § 15091, subd. (b).)

Response I7-7

The comment provides a summary of case law that does not apply to the Draft EIR at hand because the requirements are predicated on the lead agency identifying "significant environmental effects that have not been mitigated or avoided." As described in Response I7-6, above, no significant and unavoidable effects were identified in the Draft EIR. Those effects that would require mitigation (i.e., biological resources and cultural resources) would be potentially exacerbated by an undergrounding alternative.

Comment I7-8

The Draft EIR acknowledges that an undergrounding alternative would construct the new 230 kV lines underground along existing roadways and "would avoid the aesthetic and other impacts of aboveground alternatives." (DEIR at §6.3.) Further, the Draft EIR admits that "This alternative would meet the objectives of CPUC because it would reduce thermal overload and voltage issues, accommodate anticipated increases in demand, and would separate PG&E and LEU's 60 kV systems. Most of PG&E's project objectives would also be met." (*Id*.) However, the Draft EIR did not fairly or reasonably consider this alternative. Instead, the Draft EIR simply eliminated undergrounding the lines from detailed analysis. The Draft EIR section 6.3 admits that undergrounding was a project alternative that was merely "considered" by the CPUC but "not evaluated further in this Draft EIR." (DEIR at §6-7.)

Ultimately, the Draft EIR violates the requirement that an EIR's discussion of alternatives "***must contain analysis sufficient to allow informed decision making***." (*Laurel Heights*, supra, 47 Cal.3d at 404. The Draft EIR also does not contain the required detail "detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project" thereby fostering "meaningful participation and criticism by the public." (*Id*. at p. 405.)

Instead, the rejection of the "Undergrounding" alternative contains broad, unsubstantiated conclusions that do not allow for informed decision making. For example, the Draft EIR finds that one of the reasons for rejecting the undergrounding alternative is that "could not be constructed on agricultural land because it would prevent any use of the land in the ROW." Further, the Draft EIR broadly states that "construction of the underground lines would require substantially more construction activity and ground disturbance resulting in greater air quality, noise, and traffic impacts over a longer period of time compared to the project. Air quality and traffic impacts during construction would be substantially greater than for the project due to both ground disturbance and the need to export excavated materials and trench within roadways. The greater ground disturbance would increase the potential to encounter buried cultural resources or contaminated soils along the alignment. Furthermore, these activities would result in greater potential for soil erosion that could degrade water quality and would increase noise impacts to the residences located along the underground portion of the alignment over a longer period of time." Notably, none of these statements is backed up by any data, analysis or reason.

What appears to be the driver in rejecting this alternative is the economic feasibility of this alternative which the Draft EIR admits is "uncertain". The Draft EIR broadly concludes, again without support, that undergrounding construction costs "would be an order of magnitude greater than the project or other alternatives that meet most project objectives." The Draft EIR further concludes that "[t]his alternative would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could increase impacts to other resources." Notably there is no explanation for how it could be the same or greater, nor provides any basis for making that ambiguous conclusion. There is no analysis on how archeological resources could be affected by this alternative, nor how it could or even would affect any historical, tribal/cultural, or biological resources.

Ultimately, the Draft EIR analysis does not contain enough information about the undergrounding alternative and CEQA mandates its evaluation as long as it is "***potentially feasible***". Actual feasibility would then be decided at the hearing for consideration. For these reasons, this Draft EIR's evaluation of the undergrounding alternative, in light of its ability to mitigate the large concerns about aesthetic impacts, is in violation of the requirements of an EIR under CEQA, making it properly subject to judicial challenge for its inadequacies.

Response I7-8

The undergrounding alternative is not carried forward for detailed analysis in the Draft EIR because the alternative would not avoid or substantially lessen a significant project impact and preliminary assessment indicates that it could

result in greater impacts. Greater impacts are associated with additional restrictions on agricultural practices that would be required with undergrounding; increased ground disturbance, which is documented throughout the resource sections of the EIR; and associated impacts related to resources such as habitat for protected species and undocumented archaeological resources. Note that the project was determined to have less-than-significant impacts to aesthetics. An alternative that would further reduce or avoid aesthetic impacts would not, therefore, address a significant environmental impact. As a result, CEQA does not mandate evaluation of the potentially feasible underground alternative.

CPUC appropriately identifies the alternatives that were considered but rejected in the scoping process. The lead agency is required to "briefly explain" the reasons underlying the determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are failure to meet most of the basic project objectives, infeasibility, and inability to avoid significant environmental effects (CEQA Guidelines Section 15126.6[c]). The Draft EIR adequately explains that the project would not result in significant impacts that could be avoided with an undergrounding alternative. Therefore, despite the preference for an underground alternative expressed in scoping comments and documented in the Draft EIR, CPUC is not obligated by CEQA to consider such an alternative in detail.

Comment I7-9

Finally, the Draft EIR's conclusions that the project would result in less than significant aesthetic impacts is not supported by the document. The Draft EIR admits that the project components "would result in visual changes that would be noticeable to varying degrees" yet concludes, without support that it "would not substantially degrade the existing visual character or quality of public views in non-urbanized areas, or conflict with applicable zoning and other regulations governing scenic quality in the urbanized area of Lodi." There is no explanation of how the construction and operation of the project "would be largely visually consistent and compatible with existing uses and infrastructure surrounding the project area", while it simultaneously acknowledges that KOP 2 is an areas of high viewer sensitivity that will be affected. There is likewise no explanation for how the implementation of the APMs and BMPs would mitigate the impacts in a manner that would not substantially degrade the existing visual character of the landscape surrounding the project area.

Response I7-9

The analysis of the project's potential to degrade the existing visual character or quality of public views is provided in Impact AES-2 on pages 3.2-15 through 3.2-22 of the Draft EIR. This analysis supports the less-than-significant impact conclusion. Specifically, the application of APMs and BMPs and the impact reduction assumed with their implementation is provided under the "Implementation of APMs and BMPs" subheading beginning on page 3.2-21. Noticeable changes do not necessarily equate to "substantial degradation" and visual consistency is established by describing the existing setting, including existing infrastructure, and the characteristics of the proposed project.

Comment I7-10

The fact of aesthetic impacts from the project is also acknowledged in the Draft EIR, which states that "[t]he project would results in visual modifications to the landscape resulting from PG&E project construction would be experienced by motorists, residents, and visitors to area wineries and would be seen within the context of a working landscape with considerable modification related to agricultural activity, and where irrigation infrastructure along with agricultural processing, storage, and transport facilities are established visible landscape features." (DEIR at §3.2-19.) The inadequacy of the failure to evaluate undergrounding" alternatives analysis is only heightened by the recognition that this area is well known for its wineries and agriculture. (DEIR at §2.5.) The Draft EIR acknowledges visual change associated with the project would likely be most noticeable where the alignment closely parallels or "passes near more visually sensitive areas, such as residential properties or publicly accessible commercial wineries, which provide relatively close-range, medium- to long-duration views of project elements." (DEIR at §3.2-5; 3.2-19.)

Building a large electrical transmission line right in the middle of this type of landscape is certain to reduce the visual aesthetic and character of the surrounding properties and those who travel to this area to go wine tasting. Yet the Draft EIR concludes, again without support, that "the project components would generally be screened from view by landscaping and would blend in within existing adjacent development. As a result, the project components would be minimally visible from off-site locations and would be compatible with the existing visual quality and

character of the surrounding area." Preserving visual aesthetics in an area known for wine tasting and surrounding agriculture should be a high priority and mitigating those impacts using alternatives, like burying electrical lines, even though more expensive, should still be considered as feasible alternatives under these circumstances. Yet the underground alternative was rejected because of the costs. The conclusion that the visual impacts are less than significant are not supported by substantial evidence under these circumstances and should be re-evaluated along with the alternatives to bury portions of the lines to mitigate those impacts.

Response I7-10

The comment expresses the view that "[p]reserving visual aesthetics in an area known for wine tasting and surrounding agriculture should be a high priority." As summarized the comment, the Draft EIR has disclosed the potential change to the aesthetic conditions that would result from the project, accounting for both the unique setting of the Lodi wine region and the visibility of the infrastructure from public vantage points such as major roadways. In so doing, CPUC has conducted a good-faith analysis and disclosure of potential effects. See also Impact AES-2: Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and Its Surroundings (Draft EIR pages 3.2-15 to 3.2-22) and Impact PUB-1: Substantially Change the Character of a Recreational Facility or Area by Reducing the Scenic, Biological, Cultural, Geologic, or Other Important Characteristics That Contribute to the Value of Recreational Facilities or Areas (Draft EIR pages 3.15-9 to 3.15-10).

As described in Response I7-9, above, the Draft EIR presents substantial evidence to support the conclusions reached. The quoted text attributed to the discussion of "visual aesthetic character" in the comment does not appear in Section 3.2, "Aesthetics," of the Draft EIR (although a similar statement is provided in the context of evaluating potential for effects on scenic vistas). Further, as explained above in Response I7-8, the underground alternative was not rejected in the CEQA evaluation solely due to cost.

Comment I7-11

C. The Project's Impacts to Agricultural Resources are Inadequately Addressed in the PEA.

The Draft EIR's discussion of the Project's impacts on agricultural resources is similarly insufficient. The PEA recognizes that "San Joaquin County is in the center of California's vast agricultural heartland, commonly known as the Central Valley. San Joaquin County encompasses approximately 921,600 acres (or about 1,440 square miles) of relatively level, agriculturally productive lands. Agriculture remains the economic base of the County and is a $6.6 billion industry that employs nearly 17% of the County's population (San Joaquin County 2016). San Joaquin County is the top producer, statewide, of asparagus with 24,000 acres of farmland dedicated to this single crop. In recent years, the leading crop in San Joaquin County has shifted to wine grapes (San Joaquin County 2022)." (DEIR at §3.3-1.)

The Draft EIR also admits that 43.67 acres of designated important farmland will be temporarily impacted while "permanent PG&E project components would be installed on approximately 1.41 acres of Important Farmland. The project would require installation of approximately 57 TSP structures to support new PG&E transmission lines, which would permanently convert approximately 0.44 acre of Prime Farmland, 0.16 acre of Unique Farmland, and 0.14 acre of Farmland of Statewide Importance to nonagricultural uses associated with electrical infrastructure. In addition, modifications to the existing PG&E Lockeford Substation on PG&E property would permanently convert approximately 0.49 acres of Prime Farmland and approximately 0.18 acres of Farmland of Statewide Importance to accommodate the expanded footprint of the substation on the north side of the existing facility's fence line, where agricultural uses have encroached onto the northeast corner of the PG&E substation property occurs through direct encroachment." (DEIR at §3.3-16.) Further, the agricultural crop removal needed to establish permanent facility footprints and maintain conductor clearances in accordance with General Order 95, will require the permanent removal of approximately 7 almond trees, 42 walnut trees, 37 cherry trees, 97 apple trees, 108 olive trees, and 2,695 grape vines to accommodate the installation and operation of the new PG&E 230 kV line since crops would be prevented from growing within 10 feet of the base of the new transmission structures. (DEIR at §3.316-17.)." Some of that property is Williamson Act parcels, which are designed to preserve agricultural and open space lands. (See, DEIR at §3.3-2.)

Notably, there is no discussion in the Draft EIR about the impacts on the 230kV line extension on cultivation practices of local farmers, which includes cultivation practices, loss of implement turning radius from the Project

impacts, limits to future crop-dusting, helicopter drying, spraying and fertilizing practices, including temporary impacts to scheduling those activities that can be done with adequate re-entry intervals.

Section 15002(g) of the CEQA Guidelines, "a significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project." As stated in Section 15064(b) of the CEQA Guidelines, the significance of an activity may vary with the setting. Yet despite this definition and the noted significance of agricultural resources being impacted by the line extension, the agricultural impacts are noted to be either "Less-Than-Significant". (DEIR at §3.3-21.) The reality of the Project is that it will have the direct effect of impacting the surrounding farms to the point where, over time, it is more likely that those agricultural uses will be pushed out by residential expansion as a result of making it more difficult to farm those parcels in the immediate areas of the Project. This includes the results from installing new tubular steel poles and conductors for approximately 11 miles where PG&E will be extending an existing 230 kV transmission line through PG&E Lockeford Substation to a new PG&E Thurman Switching Station in Lodi. The Draft EIR's conclusions in this regard are not supported by substantial evidence and must be re-evaluated with any substantial impacts fully mitigated.

Response I7-11

CEQA compels the lead agency to disclose the potential for a project to directly or indirectly result in the conversion of Farmland to non-agricultural uses. The Draft EIR has done so. CPUC, as lead agency, is granted the discretion to determine whether the conversion of agricultural land would be substantial. Here, CPUC concluded that the direct conversion of 1.41 acres spread over 10 miles would not be a significant conversion, based on a methodology explained as follows in the Draft EIR (page 3.3-13):

> The conversion of Important Farmland to non-agricultural use would be considered significant if the project reduces a mapping unit of Important Farmland to less than 10 acres. The California Important Farmland Map employs 10 acres as the minimum mapping unit on the maps, with features smaller than 10 acres absorbed into the surrounding classifications. Therefore, parcels that fall below this threshold may lose the Farmland designation at the next bi-annual update.

In addition to calculating the acreage directly affected by project construction and operation, the Draft EIR considers changes to agricultural practices with potential to indirectly result in inability to use the land for agriculture. For example, on page 3.3-17, the Draft EIR provides:

> Agricultural operations, such as the movement of farm equipment and aerial application of pesticides, in the vicinity of overhead power lines and TSPs may be restricted. However, the presence of this utility infrastructure would not prevent ongoing use of any individual property for agricultural use. The conversion of Important Farmland would be distributed over 42 parcels, ranging from 0.013 to 0.040 acre of conversion per parcel.

The comment does not provide evidence to support the assertion that there would be a substantial adverse change to the environment or that CPUC established an inappropriate threshold, nor does it support the concept that transmission infrastructure would make the area more desirable for residential development. The Draft EIR accurately discloses potential agricultural impacts. No changes or revisions have been made in response to this comment.

Comment I7-12

D. Green House Gas (GHG) Impacts and Alternatives Must Be Adequately Addressed.

In 2006, the Legislature adopted Assembly Bill 32, which required California to reduce its greenhouse gas (GHG) emissions to 1990 levels by 2020. (Health & Saf.Code § 38550, including Historical and Statutory Notes, 41B West's Ann. Health & Saf.Code (2010 supp.) foll. § 38550, p. 13.) The Commission adopted policies and rules designed to achieve these goals in the energy sector, including the recommendation that the electricity sector achieve renewable procurement at 33 percent renewable portfolio standard (RPS) by 2020. The California Air Resources Board (CARB) was tasked with implementing those rules. The CARB 2017 Scoping Plan states that "achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development." (p. 101.)

Greenhouse gas emissions from buildings, including indirect emissions from offsite generation of electricity, direct emissions produced onsite, and from construction with cement and steel, amounted to 21% of global GHG emissions in 2019. (IPCC Sixth Assessment Report, Climate Change 2022, WGIII, Mitigation of Climate Change, p. 9-4.)

On December 30, 2009, the California Resources Agency adopted amendments to the CEQA guidelines to include analysis of GHG emissions in CEQA documents, deferring significance thresholds to the lead agency. The amendments became effective on March 18, 2010. Appendix G of the CEQA guidelines, defines GHG emissions as significant if a project would: (a) generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or (b) conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The most recent California state policy requires the state to be net-zero by 2045. (See, AB 1279, signed into law on September 16, 2022, - requiring the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. It also requires the state to reduce statewide GHG emission by 85% compared to 1990 level and directs CARB to work with relevant state agencies to achieve these goals.) Therefore, any chosen alternative must meet California's broader policy goals of facilitating renewable energy development and reducing GHG emissions in the energy sector. I would urge the CPUC to adopt net-zero as the GHG significance threshold for this Project, and require full fair-share mitigation. (See, *Napa Citizens for Honest Gov't v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 364.) Here, this means mitigation of **all** of the Project's GHG impacts.

However, the Draft EIR notes that full mitigation is not being required. Instead, it states the following:

> It is recognized by multiple air quality planning agencies in their respective CEQA guidance documents that construction-related GHG emissions from projects occur over a relatively short-term period of time and contribute a relatively small portion of the overall lifetime project GHG emissions. (SCAQMD 2008: 3-9, BAAQMD 2022: 6-7). To provide a more comprehensive assessment of cumulative GHG emissions-related effects, as detailed in Section 3.9.1 "Environmental Setting," above, this analysis utilizes the method of amortizing (averaging annually) a project's construction emissions over the total life of the project, as endorsed by the South Coast Air Quality Management District (SCAQMD). This approach accounts for the persistence of GHG emissions in the environment (in other words, the temporary emission sources result in emissions that persist over many years), and also ensures that any potential mitigation measures account for construction GHG emissions as part of the total emissions considered and mitigated. Therefore, the proposed project's construction related emissions were quantified for total construction emissions and amortized over 30 years (i.e., the typical lifetime of a project as identified by SCAQMD) (SCAQMD 2008).
>
> (DEIR at §3.9.11.)

The Draft EIR appears to disregard any efforts to mitigate GHG emissions to net zero. Instead, the Draft EIR seems to take the approach that the improvements in reliability that will be created as a result of the Project, justify its decision not to further mitigate GHG emissions resulting from the project. (See, Draft EIR at §3.9-14-3.9-15.)There is no discussion about what impacts the increasing electrical supply capacity will have on GHGs from the power supplies or what effect, if any, increasing consumption of electricity from non-renewable sources like natural gas, which will increase GHG emissions. Those impacts should be evaluated and fairly considered as part of the project's CEQA analysis.

Response I7-12

As discussed on page 3.9-8 of the Draft EIR, the CEQA Guidelines do not provide a numeric or quantitative threshold for determining the significance of GHG emissions, and provides lead agencies discretion when developing thresholds for assessing whether a proposed project would have a cumulatively considerable contribution to global

climate change, provided that the lead agency's threshold is supported by substantial evidence (CEQA Guidelines Sections 15064.7[b] and 15064.7[c]). It is common practice that lead agencies defer to the guidance provided by the local air district for assessing the significance of air pollution and GHG emissions, if guidance is available. For the project, the local air district is SJVAPCD, which does have published guidance for determining the significance of GHG impacts; however, SJVAPCD's guidance was published in 2015 and supports the use of a "Business-as-Usual" approach that must be demonstrated to be consistent with achieving the goals of AB 32. Moreover, SJVAPCD's guidance has not been updated to reflect the State's more current and ambitious statewide reduction targets established by Assembly Bill (AB) 1279 (i.e., an 85 percent reduction from a 1990 statewide inventory and carbon neutrality by 2045). Therefore, in the absence of a defensible threshold provided by a local air district, the project was evaluated for its consistency with the California Air Resources Board's *2022 Scoping Plan to Achieve Carbon Neutrality* (2022 Scoping Plan). The 2022 Scoping Plan supersedes the 2017 Scoping Plan cited in the comment.

As discussed in Section 3.9, "Greenhouse Gas Emissions," construction of the project would result in a total of 4,023 metric tons of carbon dioxide equivalent ($MTCO_2e$) or 134 $MTCO_2e$ when amortized over the duration of the project's lifetime, which is assumed to be 30 years based on guidance provided by the South Coast Air Quality Management District. Combining these amortized emissions with the project's operational emissions, the project would result in 710 $MTCO_2e$ in the first year of operation.

The emissions estimates presented in Table 3.9-3 account for the electrical capacity of the project using the projected power content of PG&E for the first year of operation. As discussed on page 3.9-5, PG&E, as well as all other electrical utilities in the state, is required to comply with the benchmark targets of the Renewable Portfolio Standard (i.e., SB 100 and SB 1020), which mandates that electrical utilities procure their electricity from an increasingly stringent percentage of renewable resources. The mix of energy sources, both renewable and nonrenewable, used by a local utility, such as PG&E, is outside of the scope of the project; however, given the statutory requirements of the Renewable Portfolio Standard, it is expected that PG&E's power content will become increasingly more reliant on renewable energy as it adheres to the standard's compliance deadlines. As such, electricity throughout the state will continue to decarbonize, thus resulting in fewer GHG emissions from the combustion of nonrenewable resources.

As discussed under "Impact GHG-1: Generate Greenhouse Gas Emissions, Either Directly or Indirectly, That May Have a Significant Impact on the Environment or Conflict with an Applicable Plan, Policy or Regulation Adopted for the Purpose of Reducing the Emissions of Greenhouse Gases," the project would serve as an investment to improve the reliability of the electrical grid, which is a paramount action needed throughout the state to support the goals of decarbonizing the building and mobile source sectors. The project would therefore support the goals of the 2022 Scoping Plan, despite the project's small contribution of GHG emissions from project construction and operation. For this reason, CPUC concludes that the project would have a less-than-significant GHG impact.

As described above, the Draft EIR analysis accounts for construction emissions and discloses the GHG emissions indirectly associated with energy generation. No edits to the Draft EIR are required in response to this comment.

Comment I7-13

Further, there is no discussion on facilitating renewables and does not require full mitigation of GHG impacts necessary to achieve the State's broad policy goals of net zero. Renewable systems with abundant availability and zero carbon footprint are ideal for addressing and reducing GHG impacts. However, they have problems, including low energy density, instability, and unpredictability. In order to develop a robust, sustainable, and cost-effective energy system, the integration of diverse energy sources into an electric power grid has shown to have a contribution to address fossil fuel and renewable energy related concerns. There has been a considerable increase in the green energy integration with the conventional energy systems around the world. In fact, two of the alternatives proposed, but rejected, were a Battery Energy Storage Solution ("BESS"), which involved the installation of two blocks of 50-MW batteries and a new PG&E 60 kV switching substation at LEU Industrial Substation requiring no changes or additions to power or transmission lines, and reconductoring existing PG&E 60 kV lines and installing a BESS. (See, DEIR at §6.3.3-12.) 2

The Draft EIR notes that both of these alternatives were rejected because they supposedly did not meet project purpose and most objectives, including mitigating thermal overloads. However the Draft EIR also states that "[i]n 2017, CAISO evaluated the NEER – Lodi 40 MW BESS Project as an alternative and determined that it would address thermal overloads but there were other lower-cost alternatives." (DEIR at 6.3.3-12.) Yet the potential GHG reductions of this alternative were not fairly considered despite California's broader policy goals of facilitating renewable energy development with energy storage as one of those potentially viable options.

Like the situation with the undergrounding alternative discussed above, the Draft EIR improperly failed to evaluate the BESS alternative was requested to be reconsidered by CPUC, but rejected because of the unsupported claim that it would not meet most of the project objectives. (See, DEIR at §6.3.3-12.) However, the Draft EIR admits that "[a]lthough this alternative appears potentially feasible, there is some uncertainty given the unknown timeline for a BESS to be built, which would be done by a third party selected by CAISO through a competitive bid process. There is also a lack of a clear standard for battery sizing. Impacts would be less than the project because no new 230 kV lines would be constructed; however, there would be environmental impacts associated with installing an operating a BESS." The admission of the potential feasibility of the project itself in the Draft EIR requires this alternative to have been fairly evaluated and "***contain analysis sufficient to allow informed decision making***." (*Laurel Heights*, supra, 47 Cal.3d at 404.) The failure to do so under these circumstances is a violation of CEQA.

Response I7-13

As described above in Response I7-12, the Draft EIR includes an evaluation of the project's consistency with the State's GHG emission goals. The project would result in less-than-significant impacts and no mitigation is required. Also as described above, CEQA does not require the identification of alternatives to avoid or lessen less-than-significant effects.

To clarify the process of considering the BESS alternative, as summarized in the Draft EIR, the alternative was first evaluated by CAISO in 2017. This evaluation found that "while it would address thermal overloads, there were other lower-cost alternatives." CPUC then requested that PG&E consider a BESS alternative in the PEA. The PEA includes both a BESS Alternative and a Hybrid BESS Alternative, both of which were found to not satisfy PG&E's project alternatives. CPUC has not carried forward the BESS Alternatives in this EIR because they would not meet most of the project objectives, including mitigating thermal overloads and meeting PG&E's legal obligations, and the feasibility of the alternative satisfying the projected electrical demand of the region in a timely manner is considered speculative. These are sufficient grounds to dismiss an alternative from detailed analysis, particularly where there are no significant impacts. Contrary to the statement made in the comment, there is no requirement in statute or case law to support the assertion that all potentially feasible alternatives are carried forward for detailed analysis. CEQA requires analysis of a "reasonable range" of alternatives (CEQA Guidelines Section 15126.6[a]), which the Draft EIR provides.

Comment I7-14

E. *Conclusion.*

The CPUC has the fundamental duty and responsibility ensure that the environmental impacts on the surrounding environment and the community from this Project have been fully evaluated and fairly considered. To be fair, many of these issues were previously raised in the comments to the PEA, yet the Draft EIR has not addressed these issues. It is clear that the Draft EIR was not an evaluation document as much as it was an attempt to justify what PG&E has already decided it wants to do. I would urge the CPUC not to simply adopt PG&E's biased and incomplete environmental analysis as part of its own CEQA review, but to address the issues raised above to fully analyze and consider the potential impacts that the proposed Project will have. As it stands, there analysis by PG&E in this regard is woefully inadequate and would not likely pass judicial scrutiny. The CPUC should reject the proposed project unless and until the issues are fully and fairly evaluate as part of the EIR and consistent with the requirements of CEQA.

Response I7-14

Using data provided by PG&E and LEU, including the PEA, CPUC has prepared an independent analysis of the project's potential environmental effects. As described in the responses above, the Draft EIR complies with the requirements of CEQA. No revisions have been made to the Draft EIR in response to this comment.

2.2.4 Public Hearings

PH1 Katie Copeland

January 15, 2025

Comment PH1-1

Yeah, I was just wondering. It seems like we've been following all these rules the last year or two. We don't have to have everything in by a certain date. We have to have X amount of copies we have to, you know, send it to a certain person. We all have these concerns, yet we never hear back from anybody on what we've written in about. So, does it just go in the big round file, or where does all of our comments go? And when were we ever going to have a chance to talk to anybody about what any of the concerns were? It seems like we're just getting railroaded, and there's just more rules to follow. But we don't ever have a chance to really find out what anyone thought of our comments. That's it.

Response PH1-1

Section 1.4, "Project Review Process," of the Draft EIR describes the CEQA process conducted to date for this project, including the opportunities for public involvement. Public input was solicited in response to the notice of preparation (NOP) of the EIR. That input informed the content of the Draft EIR; however, CEQA does not require lead agencies to respond in writing to NOP comments. Public input was then solicited on the Draft EIR. As required by CEQA, written responses to environmental issues raised in those comments are provided as part of this Final EIR, and CPUC has provided written responses to comments submitted on the Draft EIR at least 10 days prior to certifying the Final EIR and has thereby satisfied CEQA. CPUC has and will continue to solicit opportunities for public participation.

PH2 George Perlegos

January 15, 2025

Comment PH2-1

Yeah, Hi, this is George Perlegos. We're one of the property owners that the power lines go through. I'd just like to know if 100 percent of the property owners subject to this power line going through. How can we get the public, the CPUC, the Public Utilities Commission to stop it, or put it by Highway 12? Where all the other PG&E power lines or all the other power lines are at because nobody wants this power line in their property and we have objected. We have written notes. We have come to meetings for a very long time now but this seems to be keep going and going, and doesn't start. So, what options do we have? Can somebody tell us? Thank you.

Response PH2-1

A Victor Road/SR 12 Route Alternative is evaluated in the Draft EIR (pages 6-8 through 6-9). This alternative was dismissed from detailed analysis due to technical feasibility, proximity to houses, and similarity in potential environmental impacts compared to the project.

The comment is directed towards the project approval process and does not address the content, analysis, or conclusions in the Draft EIR. Therefore, no further response is provided here. All comment letters submitted during the Draft EIR public review period will be reviewed and considered by CPUC before a decision on the project is rendered.

PH3 Kathi Vaughn

January 15, 2025

Comment PH3-1

My question. We have an existing 230 kV transmission line that's already running down properties, right? I've got two towers pegged for my property. The 230 kV line that's already in existence is right next to my property on my

neighbor's property. Why is PG&E not adding additional height and running additional lines down the already existing towers that we have in place? Why has that not been addressed?

Response PH3-1
At the eastern end of the alignment, the project would loop the PG&E Brighton-Bellota 230 kV Transmission Line through a newly installed 230 kV bus (a node where different power lines are connected) at the PG&E Lockeford Substation. The loop provides a secondary power supply that improves reliability for the system. An alternative that stacks the proposed 230 kV line on top of the existing towers has not been considered because it would not confer the desired reliability benefits.

PH4 Andi Kutlik

January 15, 2025

Comment PH4-1
Thank you, guys. I had a question about something in the Draft EIR, with the preliminary construction schedule. I'm not sure if you can clarify. It says the PG&E 230 kV transmission line west end construction would be completed November to March during the outage window, and the proposed schedule approximate date ranges are July 2026 to December 2027. Could you please define what the west end construction area is, and what it means by completing that in the November to March during the outage window?

Response PH4-1
Table 2-11 in the Draft EIR presents the preliminary construction schedule for the project. As shown in Table 2-11, construction of the PG&E 230 kV transmission line is anticipated to occur from July 2026 through December 2027. The table notes that "West end construction would complete November–March during outage window," which is described on page 2-63 of the Draft EIR as "…installation of the western extent of PG&E's Lockeford-Thurman 230 kV line, and testing and commissioning to place the new 230 kV source into service…"

The table indicates that construction of the 230 kV line, in total, is anticipated to occur between July 2026 and December 2027. Within the overall alignment, there is a small portion that can only be constructed when electrical demands are lowest in the area (November to March). This is because PG&E proposes to re-use some existing poles, and power to those lines must be shut down while the lines are reconfigured. The outage window is the period when lines can be temporarily de-energized without affecting service. A detailed map of the western end of the 230 kV transmission line is provided in Figure 2-5 of the Draft EIR.

As explained further in Comment O1-27, if the western end of PG&E Lockeford-Industrial Line is not removed as scheduled, the project would wait until the next line safety clearance (an action that deenergizes the line) window, likely the following November to March. The line would not be deenergized during the warmer months of the year when electricity demand is higher. The timing of work on the west end of the new 230 kV line will be scheduled to avoid planned customer outages by only deenergizing a single line when there is less electrical demand in the cooler winter months. The other PG&E 60 kV lines in the northern San Joaquin County area would remain energized and continue to provide service to PG&E's customers in the northern San Joaquin County area, including LEU.

PH5 Karen Mills, Vice President of Legal Advocacy, California Farm Bureau

January 15, 2025

Comment PH5-1
Yes, this is Karen Mills. I'm the Vice President of legal advocacy for the California Farm Bureau, and I'm disabled, and it takes me a little longer to talk and get my words out. So, I might need more than 3 minutes. And first of all, I know you can't answer any questions, but maybe you can direct things, either Boris or one of the Ascent people. Is there a table in the Draft EIR that reflects the changes that were made to it in comparison to the Proponent's Environmental

Assessment? It would be good to see what changes you guys made in response to comments that that were made with respect to the scoping period. So, I guess not.

Response PH5-1
PG&E prepared a proponent's environmental assessment (PEA), which was used as a source of information for preparation the Draft EIR by CPUC; however, a table or other explanation of differences between the PEA and Draft EIR was not prepared, nor is it required under CEQA.

Comment PH5-2
And then the other thing I wanted to point out is that boy your presentation has really missed the mark. It's going to be a little bit troubling for the community because so much of the line goes through agricultural properties. And you guys don't even mention it in your slideshow. So, that's very problematic and a bit tone deaf about what the audience is. There's very productive ag land on the route.

Response PH5-2
The comment provides an opinion regarding the public hearing presentation and does not address the content, analysis, or conclusions in the Draft EIR. The potential impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," of the Draft EIR.

Comment PH5-3
And finally, I think I'm going to be able to go through 3 minutes, get through 3 minutes, no problem. And, finally, I want to point out, and you guys need to consider this, that you find that the ag impacts are not significant. And yet, there is peppered throughout the Draft EIR a number of comments about how, oh it's great, it's ag land. We can use their private roads. We can use the flat areas to do things. So, you're using the ag attributes very much and don't have an issue with that. And yet you find that the ag is not impacted in one specific point, and I don't have the page number in front of me. But you know the statement is made that it's not a problem to run the lines over irrigation wells. And there's some instances where that happens. And in fact, it is because if any repair work or anything needs to be done, there's going to be a conflict, and there will be a number of comments that the California Farm Bureau makes along those lines, but the importance of ag in that area should not be ignored. Thank you.

Response PH5-3
The potential impacts of the project on agricultural resources, including potential conflicts with existing agricultural operations, are evaluated in Section 3.3, "Agriculture," of the Draft EIR. Also, see responses to comment letter O2 submitted by the California Farm Bureau.

PH6 James J Grady

January 15, 2025

Comment PH6-1
So, the vineyard I have is immediately to the west of Highway 88 and there are several issues with what PG&E is planning on doing. The first one is, they plan to put the line right down a dirt road that bisects the vineyard, goes right through the middle of the vineyard. It's a dirt road. It's not built for heavy traffic, and it runs less than a hundred feet in front of my son's house, so that will render my son's house worthless. And he spent a lot of time and energy paying for his house. Boris actually came out and was kind enough to meet in our vineyard and take a look at the property. I asked that they please try to mitigate this problem by moving the line to the north edge of our property, which would at least get it away from his house, so that perhaps the value is not 0.

Response PH6-1
Alternative alignments for the new PG&E 230 kV transmission line were also considered and dismissed from further evaluation, as described in Section 6.3.2, "Siting Alternatives," in the Draft EIR. Two siting alternatives were evaluated in detail in the Draft EIR: the Central Route and Northern Route alternatives. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to

be environmentally superior. Also, see responses to comment letter I2 submitted by James J Grady Jr. and James J Grady III.

Comment PH6-2
It also creates problems for farming. The dirt, in that side of town, is fairly thick, heavy dirt. It's clay soil. There are years where it's too wet to get in with a tractor to sulfur dust in the beginning of the season, and we have to try to fly on sulfur dust. I'm sure this line is going to make it impossible for the for airplanes to fly on sulfur dust beginning of the year.

Response PH6-2
The effects of the project on agriculture, including the aerial application of pesticides, are evaluated in Section 3.3, "Agriculture," of the Draft EIR. The potential restrictions on aerial application of materials is acknowledged.

Comment PH6-3
The second issue that I think creates a problem for us is there is a proposed development yard on a neighbor's parcel that's immediately to our west. So, PG&E is planning on driving their heavy equipment and road traffic up and down our dirt road a quarter of a mile off highway to get to their yard in order to support this project.

Response PH6-3
As explained above in Response I2-3, PG&E's plans do not identify the dirt driveway as the primary access route to the staging area.

Comment PH6-4
To me it would make a lot more sense, and would mitigate the problem if they found a piece of property that was right adjacent to an existing roadway that is a paved road, Highway 88, Harney Lane, someplace other than in the middle of the farmland. But yet in their wisdom, they've chosen to put it in the middle of farmland. Those are my comments.

Response PH6-4
See Response PH6-3 regarding staging areas. Additionally, the potential impacts of the project on agricultural resources, including temporary use of agricultural areas for construction staging, are evaluated in Section 3.3, "Agriculture," of the Draft EIR.

PH7 Lia McVicker

January 15, 2025

Comment PH7-1
Thank you. From what I understand is that the lines are supposed to, or at least one tower is supposed to come through my property. The problem is that if PG&E has to run in and out of my property. The 10-20 acres out there. I have irrigation pipes and irrigation pumps out there. Who's going to take care of that? Because they're going to be running over that stuff. I'm not going to go out and pull it out. PG&E will have to pay that to get it out of there. Second, I need PG&E to come and walk with me on my property to show me exactly where they're going to be placing these lines the towers at. And I also want to know who is going to pay for the taxes on the property that PG&E takes for the power poles. If I'm still being considered that I have 20 acres that I can use, and PG&E is taking up 2 or 3 acres. I can't use those 3 acres, and I probably can't use more than that that's surrounding the area. So, somebody needs to pay me for that.

Response PH7-1
The potential impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," of the Draft EIR. Regarding potential impacts to existing irrigation pipe and pumps, APM AGR-1 (on page 3.3-14 of the Draft EIR) requires the following to minimize impacts on active agricultural areas:

- PG&E will coordinate with landowners to minimize construction-related disruptions to seasonal farming operations. To the extent reasonably feasible, PG&E will schedule construction activities to minimize disruptions to harvesting, planting, and crop maintenance activities, such as fertilizer application and crop dusting.
- PG&E will establish temporary overland access routes and work areas to minimize disruptions to agricultural infrastructure (including irrigation lines, wells, pumps, ditches, and drains) to the greatest extent reasonably feasible. If necessary, and upon agreement between PG&E and the landowners, agricultural infrastructure will be protected with temporary materials (for example, steel plates, blankets) to prevent inadvertent damage during construction. Where feasible, overland routes within orchards and vineyards will be aligned with the planting layout or otherwise to minimize tree and vine removal.
- If trees or other crops cannot be avoided by PG&E as specified previously, impacts will be limited to the minimum necessary to construct the project, and PG&E will provide the agricultural landowner with fair market compensation for crops removed, crops unable to be harvested, lost planting cycles, and any damaged infrastructure.

If the project is approved, PG&E will complete final engineering. At this time, property owners may be contacted by ROW agents and have an opportunity to discuss the details of project siting. Note that the permanent footprint of a TSP is estimated to be 7.1 to 38.5 square feet; the affected area would be far less than an acre. Regarding the question of who will be responsible for paying taxes on property that may be acquired by PG&E, that is outside the scope of CEQA, as explained in Section 3.1.2, "Economic Effects," of the Draft EIR.

Comment PH7-2

And I also want to know how are the other counties tied into this? You know, Contra Costa County, Sacramento County, Yolo County. I've seen other various counties not just San Joaquin County. So, I'm just concerned about, if our taxes are going to be paid, our PG&E is going to be increased. Our bills there are going to be increased. And if we're the only ones, who's going to be paying for this? And if Contra Costa County and Sacramento County folks need to help pay this, since they're also going to be benefiting from these lines.

Response PH7-2

The reference to other counties appears to refer to the minor upgrades proposed at existing substations to update the system protection scheme at four existing, remote-end substations where existing 230 kV lines terminate (Bellota, Brighton, Lodi, and Rio Oso), which are located in Linden, Sacramento, Lodi, and Rio Oso, respectively. PG&E would also install two 6-foot dish antennas on an existing microwave tower at the existing Clayton Hill Repeater Station (on a communication tower) in Contra Costa County to create a new digital microwave path allowing redundant communication into PG&E Thurman Switching Station in support of PG&E's system protection scheme. All of these upgrades would help to monitor performance of the proposed transmission line and improve responsiveness to failures in the system.

Potential economic impacts of the project are outside the scope of CEQA, as explained in Section 3.1.2, "Economic Effects," of the Draft EIR. Nonetheless, there is no evidence to suggest that there would be service or monetary benefits realized in these counties.

Comment PH7-3

Well, I'll put all of this in my notes and stuff that I'm going to send in. Oh, I also need to know. I'm on the list but I haven't received too much, especially email from anybody about this. Do I need to constantly log in to look this stuff up, to know when I'm being notified of stuff? Or do I need to go back in and re-sign up with an email rather than my mailing address? Thank you.

Response PH7-3

Postcards were mailed to all property owners along the alignment, including the William M Jr & Lia L McVicker Trust. To be placed on the email list for further communications related to the EIR specifically, email NSJTP@ascent.inc. No additional comments were received from the commenter during the Draft EIR public review period.

PH8 Andi Kutlik

January 15, 2025

Comment PH8-1

Thank you. For those who haven't reviewed the 590 pages of the document or the 10 appendixes, I would like to bring a couple of items up to make you aware. So, as I already mentioned, a couple items in the Draft EIR are about environmental issues. I picked aesthetics, agriculture, land use and planning, and noise. As far as the Draft EIR is concerned, these items are less than significant for the project, and no mitigation is required.

Response PH8-1

The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to aesthetics, agriculture, land use and planning, and noise (see Sections 3.2, "Aesthetics," 3.3, "Agriculture," 3.12, "Land Use and Planning," and 3.13, "Noise"). As the commenter notes, the project's potential impacts to these resources would be less than significant, and no mitigation is required.

Comment PH8-2

It also states in there that 73 percent of the power from this project goes to the city of Lodi. Meanwhile we, the unincorporated in San Joaquin County, are paying the price by having 10.6 miles of high-power transmission lines on or nearby our properties. That's failure to plan to meet your own needs, city of Lodi.

Response PH8-2

The background and need for the project is described in Section 2.3, "Project Background, Purpose, and Need." As explained therein, the project was identified by CAISO to address existing overload and high voltage deviation on the 60 kV lines between PG&E Lockeford and PG&E Lodi Substations. The direct beneficiaries of this improved interconnection are LEU customers. In addition, because the project would "shift the LEU load, approximately 148 megawatts (MW), from the existing PG&E 60 kV system to a new PG&E 230 kV source" it "would reduce demand on the PG&E 60 kV system, which would provide greater reliability to other existing PG&E customers in northern San Joaquin County" (Draft EIR page 2-36). The source of the statement that 73 percent of the power would go to Lodi is unclear.

See also Comment O1-27, where PG&E explains:

> After the new 230 kV line is in service, the existing PG&E 60 kV lines connected directly to LEU's Industrial Substation will be disconnected. The PG&E 60 kV lines will be reconfigured in their alignments and will have increased capacity. The reconfigured 60 kV line between PG&E Lockeford and Lodi substation will allow more reliable service to the approximately 10,000 PG&E customers (other than LEU) who are served by the PG&E 60 kV network in northern San Joaquin County.

Comment PH8-3

Now, potentially, landowners will have permanent structures 130 feet tall, 7 feet in diameter at the base, dotting our peaceful country properties forever. They will have to work around the towers and easements forever. Some will have their current orchards transversed by high-power lines only to find their trees will be hacked back in the future due to minimum height requirements that need to be met under the lines. Many will have their existing dirt avenues disturbed, 21 acres worth for construction, and others will find they have new temporary access routes to be installed on their land

Response PH8-3

The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to aesthetics and agriculture (see Sections 3.2, "Aesthetics," and 3.3, "Agriculture"). As described on page 3.3-17 of the Draft EIR, PG&E would implement APM AGR-1 to minimize impacts on active agricultural areas.

Comment PH8-4
The Central Route and Northern Route alternatives were evaluated and found that they met the project objectives, and they were found to be similar to the scale as the current proposed project. We just heard from Ascent that the reason they were not chosen is because there was more aesthetic impacts on those routes. That's disturbing to me.

Response PH8-4
The commenter is correct that the Central Route and Northern Route alternatives were evaluated in detail in the Draft EIR. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior.

Comment PH8-5
It states that the PG&E construction activities are anticipated to occur 6 days a week, Monday through Saturday. And it also states that the applicant's proposed measures and best management practices—these are PG&E's—during construction would be to keep everything clean during construction. Vehicles only go 15 miles an hour. Trucks and equipment, including their tires, will be washed off prior to leaving the project sites. Wet power-vacuum street sweepers will sweep all paved access roads and public roads on a daily basis during construction. And they would minimize unnecessary construction vehicle idling time. That's what they're saying will happen during construction. We'll see if it does, if this project goes through. Thank you.

Response PH8-5
All of the APMs proposed by PG&E and LEU as part of the project application are listed in Section 2.8, "Applicant-Proposed Measures and Best Management Practices," of the Draft EIR project description (page 2-74 et. seq.). Because PG&E has committed to implementing these APMs through their application, CPUC considers these measures "binding descriptions of project design and implementation that are integral to the project." All APMs, with the exception of those superseded by mitigation proposed and adopted by CPUC through this EIR, will be included in a mitigation monitoring reporting program that is monitored by CPUC.

PH9 Robert Batch

January 15, 2025

Comment PH9-1
Yes, my name is Robert Batch. In fact, Andi Kutlik, who just spoke, is my neighbor on Vintage Road, and I'd just like to echo that I agree with all of her comments that she just mentioned. She referenced properties that will have impacts during construction and along the back of my 20 acres of cherries on Vintage Road. My parcel number is 06113306000. I'm at 14384 North Vintage Road in Lodi. I have a cherry orchard there, and what's proposed is a pulling station right in the middle of my orchard.

Response PH9-1
See responses to comments PH8-1 through PH8-5, above, provided by Ani Kutlik.

Comment PH9-2
My agricultural practices will be virtually and totally impacted by this project. And there's no discussion about. You know how this is going to affect all of our agricultural practices from weed spraying, from managing people in and around these pulling stations. You know there are some years we need to dry the cherries with helicopters. We have. That's one of the agricultural practices that we use to prevent crop damage during rain. In the springtime, we fly helicopters over our orchards. We blow the water off of the fruit. And that practice, I'm sure, is not going to allow us to do what we've done on that property.

Response PH9-2
The potential impacts of the project on agricultural resources are evaluated in Section 3.3, "Agriculture," of the Draft EIR. Regarding potential impacts to existing farming practices, including crop dusting, APM AGR-1 (on page 3.3-14 of the Draft EIR) requires the following to minimize impacts on active agricultural areas:

- PG&E will coordinate with landowners to minimize construction-related disruptions to seasonal farming operations. To the extent reasonably feasible, PG&E will schedule construction activities to minimize disruptions to harvesting, planting, and crop maintenance activities, such as fertilizer application and crop dusting.

Comment PH9-3
As far as being notified properly, even though I have this pulling station earmarked for my property, I'm not on the list of property owners that you gave out. I was not, you know, identified on that. I made a note of that in my letter to Boris Sanchez on February 9th. This was during the notice of preparation. A year ago, I sent this letter out. My attorney, Dan Stein, from Finmore, Dowling and Aaron, sent this. I've had no response to this letter, and I've made all these comments. I will continue to make comments on this, and we will pursue rectification and moving this line. You need to put it underground.

Response PH9-3
Public comments were solicited as part of the NOP process. Appendix A of the Draft EIR contains the scoping summary report that documents the scoping process and comments received. This public input informed the content of the Draft EIR; however, unlike comments on the Draft EIR, CEQA does not require written responses to NOP comments. The comment submitted by Dan Stein on behalf of Robert Batch is included in the scoping comments summarized in the Scoping Report and considered during preparation of the Draft EIR. In addition. Robert Batch is identified on the list of property owners prepared by CPUC for Draft EIR notification and was sent a postcard notification about the EIR. In addition, Dan Stein and Robert Batch were sent a notice of availability of the Draft EIR via email.

Undergrounding was considered and dismissed from further evaluation, as described on pages 6-7 and 6-8 of the Draft EIR (also see Appendix J of the Draft EIR). As described therein, undergrounding would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could increase impacts to other resources, such as air quality, noise, and traffic. For these reasons, undergrounding was dismissed from further evaluation in the Draft EIR.

Comment PH9-4
Well, I appreciate that. But you know, a minute and a half isn't a lot of time to discuss all of my concerns with this property, and there's many more like me in and about Lodi that are impacted severely. Okay, and you guys give us this that you know you ram this project down, down our throats. We have this opportunity to talk to you, but I feel like. You know, if this was your parents' home or your legacy that you worked for all your life, you wouldn't be sitting behind those desks thinking the way you think about how you think about us and the personal families that you're impacting. It's really a nightmare. And it's stress on some of these older individuals that have owned these properties that don't have the energy and the resources to be able to fight back. I do, and I will.

Response PH9-4
The comment provides an opinion regarding the merits or qualities of the proposed project and does not address the content, analysis, or conclusions in the Draft EIR. CPUC will take the commenter's opinions into consideration when making decisions regarding the project.

PH10 Gayle Oxford

January 15, 2025

Comment PH10-1
Yeah. Gayle Oxford at 13749 East Kettleman Lane, Lodi. We've been on this property since 1970. We have two homes and horse barns on our property. We do not have any towers or lines that are proposed to go on our property, but they are indicating that they will be using our private driveway as an access road, which we will not allow. We have trees, landscaping, and the roads come back into right next to our homes which would cause a lot of dust and noise. We have children and animals that would be affected. The lines that will be going behind our two homes are the lines that will be coming across from Jack Tone Road and heading out to Clements Road. And all three routes show it

going right in the same area along our fence line. Shows it's about 40 feet off of our property line, which makes these lines about a hundred feet from our back doors. We already have three huge 60 kV towers right in front of our homes that run right in the middle of our property. I'm like, why can't they use these towers and just add more insulators, or whatever they do to upgrade them?

Response PH10-1
Appendix B of the Draft EIR identifies the network of existing roads that are expected to be used during construction. Negotiation for use of the access roads identified therein would occur as a next step if the CPUC certifies this EIR and approves the project. Use of access roads that differ from those considered in this EIR would be evaluated for potentially new or substantially more severe environmental effects.

The comment suggests that the existing 60 kV towers be upgraded. Alternatives to the project are discussed in Chapter 6, "Alternatives," of the Draft EIR. System alternatives, including 60 kV Reconductoring and Upgrade PG&E Lockeford-Industrial 60 kV to 115 kV, were considered and dismissed from further evaluation as described in Section 6.3.1, "System Alternatives," of the Draft EIR.

Comment PH10-2
The lines do make noise so we can hear it buzzing, and don't know what kind of effect it has on our health. So, that is a concern of mine.

Response PH10-2
The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to noise and health (see Sections 3.13, "Noise," 3.4, "Air Quality," and 3.9, "Greenhouse Gas Emissions").

Comment PH10-3
They're also saying there will be a staging area right in the corner of the property, right behind our home. And this will be very disruptive. And we will be able to see it. It will be lit up, I'm sure, and just an eyesore.

Response PH10-3
Potential staging areas are identified in Table 2-4 and Appendix B of the Draft EIR. The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to the use of construction staging areas. Potential light and glare impacts are addressed in Section 3.2, "Aesthetics."

Comment PH10-4
And then also we are concerned about if they plan to use our driveway, which we will fight this, they will have to cut down trees that have taken years to grow. And so the impact, I would like to reiterate what Andi Kutlik said. There's a huge impact on our properties. And again, this affects our property values the legacy that we would like to leave to our grandchildren. So, I hope you will consider all this, and I will follow up with a written statement. I've already written in 3 or 4 times with our concerns. I'll do it one more time, if necessary. Thank you so much.

Response PH10-4
See Response PH10-1 regarding potential use of the commenter's driveway as an access road. PG&E has identified two trees that may require removal or trimming.

"PG&E would coordinate with landowners when planning tree, ornamental landscape, agricultural, or other vegetation trimming or removal on private property" (Draft EIR page 2-39). "Following construction, existing roads would be returned to pre-project conditions as reasonably feasible or as stipulated by landowner agreement" Draft EIR page 2-32).

As explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of potential changes to property values is not required by CEQA because it is not an impact to the natural or physical environment. As stated in Section 15131 of the CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. An EIR can trace a path between a social or economic effect (such as blight) to determine if there is a cause and effect between a social or economic effect and a change in the environment. However, no

information has been provided to suggest that a change in property values, if it were to occur, would result in a significant change to the physical environment.

No additional comments were received from the commenter during the Draft EIR public review period.

PH11 James J Grady

January 15, 2025

Comment PH11-1

I was trying to make sure that I got my major points in in the first 3 minutes, but since there's a chance for a second opportunity. I'll echo the fact that to me one of the biggest impacts of this line going is disruption of peace and quiet that living in the country provides for those people who choose to live there. It seems to me like it would have made a lot more sense to keep existing routes or roadways, not in the middle of the country. I, for the life of me, can't understand why they don't just go down Kettleman Lane or down Harney Lane, where there's a roadway there, and there's already a lot of noise and environmental impact rather than going through the middle of the peaceful part of the country where there's nothing but vineyards and agriculture. So, I would echo the people who spoke to the fact that this these things are important, and they should be considered I guess that's all I had to add. Thank you.

Response PH11-1

The environmental impacts of the project are evaluated throughout the Draft EIR, including those related to noise (see Section 3.13, "Noise").

Alternative alignments for the new PG&E 230 kV transmission line, including Southern Route East (which uses Harney Lane) and East Kettleman Lane, were considered and dismissed from further evaluation, as described in Section 6.3.2, "Siting Alternatives," in the Draft EIR (also see Appendix J of the Draft EIR). Two siting alternatives were evaluated in detail in the Draft EIR: the Central Route and Northern Route alternatives. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior.

PH12 David Simpson

January 15, 2025

Comment PH12-1

Just a couple of real quick comments. From my perspective, the system that's being proposed needs to be reevaluated from the standpoint of using existing lines or routes or putting it underground. You know, certainly with the fire situation in Southern California, with the previous fire situation in Paradise, and the events that we've all lived through with PG&E. You know, we're typically out of power here for at least 4 or 5 days a year. Our service is marginal at best, and I'm really concerned that not enough thought has been put into anything other than making a profit for PG&E. And while I understand that that's what they're in business to do, they're about to put in a project that's being sold as needed by the city of Lodi, which we would all support. But we're not even talking about the portion that then continues on to Clayton, 37 miles away, and serves the Bay Area. So, I did see one of the neighbors in the area brought up that comment, and I had really not even thought about that before.

Response PH12-1

Alternative alignments for the new PG&E 230 kV transmission line were considered and dismissed from further evaluation, as described in Section 6.3.2, "Siting Alternatives," in the Draft EIR (also see Appendix J of the Draft EIR). Two siting alternatives were evaluated in detail in the Draft EIR: the Central Route and Northern Route alternatives. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior.

Undergrounding was considered and dismissed from further evaluation, as described on pages 6-7 and 6-8 of the Draft EIR (also see Appendix J of the Draft EIR). As described therein, undergrounding would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could

increase impacts to other resources, such as air quality, noise, and traffic. For these reasons, undergrounding was dismissed from further evaluation in the Draft EIR.

The project's potential impacts related to wildfire risk are addressed in Section 3.18, "Wildfire," of the Draft EIR

As explained above in Response PH8-2, the direct beneficiaries of this improved interconnection are LEU customers. In addition, because the project would "shift the LEU load, approximately 148 megawatts (MW), from the existing PG&E 60 kV system to a new PG&E 230 kV source" it "would reduce demand on the PG&E 60 kV system, which would provide greater reliability to other existing PG&E customers in northern San Joaquin County" (Draft EIR page 2-36). In this manner, the project may reduce outages experienced by other PG&E customers. Also as explained above, the project does not extend to Clayton and would not serve the Bay Area. Rather, the Clayton Hill Repeater Station in Contra Costa County would be upgraded with two 6-foot dish antennas on an existing microwave tower at the to create a new digital microwave path allowing redundant communication into PG&E Thurman Switching Station in support of PG&E's system protection scheme.

Comment PH12-2

So, I think while your environmental assessment of the aesthetics in the two northern routes. You're saying there's more aesthetic impact there than there is in the southern route. I'm sorry, I don't agree with that at all. I think that's ridiculous. I just hope that when it gets to the CPUC, who's the ultimate authority that's gonna make the decision, that there's some wisdom there. And they say, you know what, maybe it's time we underground a line. And that's all I have to say. Thank you.

Response PH12-2

The Central Route and Northern Route alternatives were evaluated in detail in the Draft EIR. Because of the potential for slightly greater aesthetic impacts under the two route alternatives (see Table 6-1), the proposed project was determined to be environmentally superior. See Response PH12-1 regarding undergrounding.

The comment is directed towards the project approval process and does not address the content, analysis, or conclusions in the Draft EIR. Therefore, no further response is provided here. All comment letters submitted during the Draft EIR public review period will be reviewed and considered by CPUC before a decision on the project is rendered.

PH13 Robert Batch

January 15, 2025

Comment PH13-1

Yeah, I just wanted to follow up on aesthetics, which are rather subjective. I know that when we look to the East, we do see the beautiful Sierras and we are blessed to get that view on clear days. And it reminds us why we moved to the country, why we wanted to be out there. And I believe that the other locations may see that as well. But I also understood at the scoping meeting that it was possible to put these transmissions underground in the road. It was a matter of cost, and I don't know why the landowners in this route should be affected in their property values by having these big towers and lines going through their property. Why should we bear the loss of property value when PG&E saves money by putting these lines above ground?

Response PH13-1

The project's potential impacts related to aesthetics are addressed in Section 3.2, "Aesthetics," of the Draft EIR.

Undergrounding was considered and dismissed from further evaluation, as described on pages 6-7 and 6-8 of the Draft EIR (also see Appendix J of the Draft EIR). As described therein, undergrounding would have the same or greater impacts to archaeological, historical, and tribal cultural resources; as well as biological resources, and could increase impacts to other resources, such as air quality, noise, and traffic. For these reasons, undergrounding was dismissed from further evaluation in the Draft EIR.

As explained in Section 3.1.2, "Economic Effects," of the Draft EIR, an evaluation of potential changes to property values is not required by CEQA because it is not an impact to the natural or physical environment. As stated in Section 15131 of the CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. An EIR can trace a path between a social or economic effect (such as blight) to determine if there is a cause and effect between a social or economic effect and a change in the environment. However, no information has been provided to suggest that a change in property values, if it were to occur, would result in a significant change to the physical environment.

Comment PH13-2

And these weren't communication lines that were discussed when we were at the scoping meeting, there at the Lodi Grape Festival. The question was asked and answered. Can these lines be put underground? The answer was yes, but it was significantly higher in cost. Well, it's a significant cost impact to all of us to have these lines above ground on our property. Why should we bear the savings for PG&E to put these aboveground? I think that's as far from right as anything could be. So, I wanted to add that, and, aesthetically, we all love our countryside, our parcels of land. Our picket fences, our orchards, our vineyards, whatever we have worked hard to obtain. Hate to compare that to the two other alternatives. Thank you.

Response PH13-2

See Response PH13-1 regarding undergrounding, property values, and aesthetic impacts.

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3 REVISIONS TO THE DRAFT EIR

This chapter presents specific text changes made to the Draft EIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute "significant new information" requiring recirculation. (See Public Resources Code Section 21092.1; CEQA Guidelines Section 15088.5.)

3.1 REVISIONS TO THE EXECUTIVE SUMMARY

In response to Letter O1, the following clarifications have been made to the summary of the project on page ES-2 of the Draft EIR:

Original:

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double- circuit 230 kV transmission lines, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines, relocation or extension of two existing 12 kV lines, and upgrades at four remote-end substations and one repeater station.

Revised:

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double-circuit 230 kV transmission lines including a new double-circuit 230 kV line between PG&E facilities and Lodi Electric Utility (LEU) facilities, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines including disconnecting PG&E and LEU 60 kV facilities, installation of two new 60 kV lines, removal, relocation or extension of three existing 12 kV lines, and upgrades at four remote-end substations and one repeater station

To provide a correction and clarify the applicability of Mitigation Measure 3.5-2b, the last row of Table ES-1 on page ES-6 of the Draft EIR is revised as follows.

Original:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact ARC-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Archaeological Resources as Defined in State CEQA Guidelines Section 15064.5	S	**Mitigation Measure 3.5-2a [PG&E and LEU]: Inadvertent Archaeological Resource Discoveries** **Mitigation Measure 3.5-2b [LEU]: Establish a No-Disturbance Buffer for Unevaluated Archeological Resources**	LTS/M

Revised:

Impacts	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact ARC-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Archaeological Resources as Defined in State CEQA Guidelines Section 15064.5	S	**Mitigation Measure 3.5-2a [PG&E and LEU]: Inadvertent Archaeological Resource Discoveries** **Mitigation Measure 3.5-2b [PG&E]: Establish a No-Disturbance Buffer for Unevaluated Archeological Resources**	LTS/M

3.2 REVISIONS TO CHAPTER 1, "INTRODUCTION"

The following text on page 1-1 is revised to clarify that the existing reliability and capacity issues are on the PG&E system:

Original:

The proposed project is intended to address reliability and capacity issues on the existing Pacific Gas and Electric (PG&E) 230 kV and Lodi Electric Utility (LEU) 60 kV systems serving the area between the PG&E Lockeford and PG&E Lodi Substations (Lockeford/Lodi, or 230/60 kV system) in northern San Joaquin County (Northern San Joaquin Valley area).

Revised:

The proposed project is intended to address reliability and capacity issues on the existing Pacific Gas and Electric (PG&E) 230 kV and 60 kV systems serving the area between the PG&E Lockeford and PG&E Lodi Substations (Lockeford/Lodi, or 230/60 kV system) in northern San Joaquin County (Northern San Joaquin Valley area).

In addition, the following text on page 1-1 is revised to clarify the project components:

Original:

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double- circuit 230 kV transmission lines, an expanded substation, a modified substation, a new substation, a new switching station, reconfiguration of four existing 60 kV lines, relocation or extension of two existing 12 kV lines, and upgrades at four remote-end substations and one repeater station.

Revised:

The project consists of the construction and operation of a new 230 kV transmission system with approximately 10.6 miles of new double-circuit 230 kV transmission lines including a new double-circuit 230 kV line between PG&E facilities and Lodi Electric Utility (LEU) facilities. The project includes an expanded PG&E substation, a modified LEU substation, a new LEU substation, a new PG&E switching station, installation of two new LEU 60 kV lines, reconfiguration of four existing PG&E 60 kV lines, removal or relocation of two LEU existing 12 kV lines, or extension of one PG&E existing 12 kV lines, and upgrades at four PG&E remote-end substations and one PG&E repeater station

3.3 REVISIONS TO CHAPTER 2, "PROJECT DESCRIPTION"

The text on page 2-1 is revised as follows to clarify the proposed LEU actions:

Original:

In a related action, LEU proposes to construct new 230 kV facilities to replace its 60 kV facilities that currently receive electricity from PG&E.

Revised:

In a related action, LEU proposes to construct new 230 kV facilities to connect with the new 230 kV source from PG&E. After the new 230 kV source is in service, LEU proposes to modify its existing 60 kV Industrial Substation that currently receives electricity from three existing PG&E 60 kV lines. The PG&E 60 kV lines will be disconnected from their termination at LEU Industrial Substation.

The text on page 2-1 is revised as follows to clarify the spatial relationship between the switching station and substations in Lodi:

Original:

The project would loop the existing overhead PG&E Brighton-Bellota 230 kV Transmission Line through an expanded PG&E Lockeford Substation and install a new overhead double-circuit 230 kV transmission line between PG&E Lockeford Substation and the proposed PG&E Thurman Switching Station adjacent to LEU's existing Fred M. Reid Industrial Substation (Industrial Substation). LEU would construct the LEU Guild Substation, a new 230/60 kV substation, between its LEU Industrial Substation and the new PG&E Thurman Switching Station.

Revised:

The project would loop the existing overhead PG&E Brighton-Bellota 230 kV Transmission Line through an expanded PG&E Lockeford Substation and install a new overhead double-circuit 230 kV transmission line between PG&E Lockeford Substation and the proposed PG&E Thurman Switching Station near to LEU's existing Fred M. Reid Industrial Substation (Industrial Substation). LEU would construct the LEU Guild Substation, a new 230/60 kV substation, between its LEU Industrial Substation and the new PG&E Thurman Switching Station.

The text on page 2-1 is revised as follows to specify ownership of the Clayton Hill Repeater Station:

Original:

PG&E would also install two 6-foot dish antennas on an existing microwave tower at the existing Clayton Hill Repeater Station (on a communication tower) in Contra Costa County to create a new digital microwave path allowing redundant communication into PG&E Thurman Switching Station in support of PG&E's system protection scheme.

Revised:

PG&E would also install two 6-foot dish antennas on an existing microwave tower at the existing PG&E Clayton Hill Repeater Station (on a communication tower) in Contra Costa County to create a new digital microwave path allowing redundant communication into PG&E Thurman Switching Station in support of PG&E's system protection scheme.

The text on page 2-1 is revised as follows to include all electrical infrastructure that is proposed as part of the project:

Original:

The project would include construction, modification, and operation of electrical infrastructure (including power lines, transmission lines, a switching station, and substations)[1] from an existing PG&E 230 kV transmission corridor that traverses roughly northwest-southeast of Atkins Road in unincorporated San Joaquin County to an existing substation in eastern Lodi, approximately 9 miles to the west.

Revised:

The project would include construction, modification, and operation of electrical infrastructure (including distribution lines, power lines, transmission lines, a switching station, and substations)[1] from an existing PG&E 230 kV transmission corridor that traverses roughly northwest-southeast of Atkins Road in unincorporated San Joaquin County to an existing substation in eastern Lodi, approximately 9 miles to the west.

The text on page 2-2 is revised as follows to clarify project need:

Original:

The proposed project is needed because the existing PG&E 230/60 kV system is experiencing voltage issues and thermal overloads that could cause systemwide outages.

Revised:

The proposed project is needed because the existing PG&E 230/60 kV system is experiencing voltage issues and thermal overloads that could cause outages within the northern San Joaquin County area.

The text in the first row of Table 2-1 on page 2-12 of the Draft EIR is revised as follows to more accurately describe the control and battery facilities:

Original:

Table 2-1 Summary of Proposed Removed, Modified, and New Facilities

Component	Facilities Removed	Facilities Modified[1]	New Facilities
PG&E Lockeford Substation	Replace fence	Expand permanent facility fence line by approximately 2.32 acres or approximately 1,330 feet. Replace all existing perimeter fence line in kind and install new sections for new fence line. Expand retention pond and rebuild existing concrete stormwater drainage. Build new 230 kV bay, control, and battery buildings with potential ground system expansion; reconfigure existing 230 kV bay; move existing 230 kV control equipment to new building. Improve existing western internal drive path for all-weather use; install interior gate between western side yard and central yard. Extend AT&T fiber lines within substation. Update system protection scheme in existing control facilities.	None

Revised:

Table 2-1 Summary of Proposed Removed, Modified, and New Facilities

Component	Facilities Removed	Facilities Modified[1]	New Facilities
PG&E Lockeford Substation	Replace fence	Expand permanent facility fence line by approximately 2.32 acres or approximately 1,330 feet. Replace all existing perimeter fence line in kind and install new sections for new fence line. Expand retention pond and rebuild existing concrete stormwater drainage. Build new 230 kV bay, control, and battery enclosures with potential ground system expansion; reconfigure existing 230 kV bay; move existing 230 kV control equipment to new enclosure. Improve existing western internal drive path for all-weather use; install interior gate between western side yard and central yard. Extend AT&T fiber lines within substation. Update system protection scheme in existing control facilities.	None

The text in the first paragraph on page 2-18 is revised to correct the line names as follows:

Original:

The northern approximately 0.5 miles of the PG&E Industrial Tap Line would be modified between the PG&E Lockeford-Lodi No. 2 Power Line at SR 12 south to the alignment of new PG&E Lockeford-Lodi No. 1 Line.

Revised:

The northern approximately 0.5 miles of the PG&E Industrial Tap Line would be modified between the PG&E Lockeford-Lodi No. 2 Power Line at SR 12 south to the alignment of existing PG&E Lockeford-Industrial Line.

The text on page 2-18 is revised as follows to correct the description of the voltage conversion:

Original:

The switching station would switch the PG&E 230 kV feed from PG&E Lockeford-Thurman 230 kV No. 1 and No. 2 Transmission Lines to a lower voltage suitable for LEU's system.

Revised:

The switching station would switch the PG&E 230 kV feed from PG&E Lockeford-Thurman 230 kV No. 1 and No. 2 Transmission Lines to LEU's system via the new PG&E and LEU 230 kV Thurman-Guild 230 kV No. 1 and No. 2 Transmission Lines.

The text on page 2-21 is revised as follows to clarify fiber optic cable location:

Original:

The fiber optic cable would be installed down the structure, connecting to an underground conduit and into the switching station to the control enclosure.

Revised:

The fiber optic cable would be installed down transmission line structure (W49), connecting to an underground conduit and into the switching station to the control enclosure.

The text on page 2-27 is revised as follows to add in the name, line length, and voltage of 230 kV loop into Lockeford Substation in the first sentence for consistent presentation:

Original:

The proposed PG&E Brighton-Lockeford Line and PG&E Lockeford-Bellota No. 2 Line would have an average span length of approximately 880 feet with approximately 23 structures.

Revised:

The proposed PG&E Brighton-Bellota extension, an approximately 3.8-mile loop of PG&E Brighton-Lockeford 230 kV Line and PG&E Lockeford-Bellota 230 kV No. 2 Line into PG&E Lockeford Substation would have an average span length of approximately 880 feet with approximately 23 structures.

The text on page 2-36 describing the types of work area disturbance has been revised as follows to specify that the undergrounding would be for distribution lines:

Original:

Construction activities would result in temporary disturbance for pole placement, undergrounding lines, station construction, and staging.

Revised:

Construction activities would result in temporary disturbance for pole placement, undergrounding distribution lines, station construction, and staging.

The following change is made to the subheading on page 2-45 to better reflect the project components:

Original:

Removal of PG&E Transmission Tower

Revised:

Replacement of PG&E Transmission Tower

The following change is made to the subheading on page 2-45 to better reflect the project components:

Original:

Installation of PG&E Microwave Towers

Revised:

Installation and Modification of PG&E Microwave Towers

The following change is made to the description of the fiber optic cable on page 2-47 to clarify that there would be more than one substation connection point:

Original:

The new fiber optic cable, or OPGW would be installed in the top conductor position of the new transmission line and would be routed into the substation and switching stations using a new underground conduit.

Revised:

The new fiber optic cable, or OPGW would be installed in the top conductor position of the new transmission line and would be routed into the substations and switching stations using a new underground conduit.

In response to Comment A3-2 from East Bay Municipal Utilities District, the following row is added to Table 2-15 on page 2-73 of the Draft EIR, which lists the permits and approvals that may be required for PG&E's portion of the project.

Permit/Authorization | Status	Agency | Contact	Purpose
Local		
Encroachment Permit (ministerial)	East Bay Municipal Utilities District Douglas A. Hooper Assistant Superintendent of Aqueduct Section 1804 West Main Street Stockton, CA 95203	Use of Mokelumne Aqueduct right of way for temporary construction access

In response to Comment A2-6 from the San Joaquin Valley Air Pollution Control District, the following row of Table 2-15 on page 2-73 of the Draft EIR is revised as follows:

Original:

Permit/Authorization | Status	Agency | Contact	Purpose
Regional		
Dust Control Plan (Rule 3135) PG&E would apply after CPCN issued	San Joaquin Valley Air Pollution Control District Central Region Office 1990 E. Gettysburg Avenue Fresno, CA 93726-0244	Projects in which construction-related activities would disturb 5 or more acres of surface area

Revised:

Permit/Authorization | Status	Agency | Contact	Purpose
Regional		
Dust Control Plan (Rules 3135 and 8021) PG&E would apply after CPCN issued	San Joaquin Valley Air Pollution Control District Central Region Office 1990 E. Gettysburg Avenue Fresno, CA 93726-0244	Projects in which construction-related activities would disturb 5 or more acres of surface area

The subheading at the top of page 2-48 is revised as follows for clarification.

Original:

TRANSMISSION LINE CONSTRUCTION (UNDERGROUND)

Revised:

DISTRIBUTION LINE CONSTRUCTION (UNDERGROUND)

3.4 REVISIONS TO SECTION 3.2, "AESTHETICS"

The following revision is made to the environmental setting on page 3.2-1 to correct the interstate naming in the Altamont pass:

Original:

The foothills of the Diablo Range separate San Joaquin County from Alameda County and Contra Costa County to the west, with the main access between these counties being Interstate 205 (I-205), which cuts through the Altamont Pass.

Revised:

The foothills of the Diablo Range separate San Joaquin County from Alameda County and Contra Costa County to the west, with the main access between these counties being Interstate 580 (I-580), which cuts through the Altamont Pass.

3.5 REVISIONS TO SECTION 3.3, "AGRICULTURE"

To clarify the applicability of City of Lodi General Plan policy, Policy C-P5 has been removed from the list of regulations in Section 3.3.2, "Regulatory Setting":

Original:

- C-P5: Ensure that urban development does not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices. Use appropriate buffers consistent with the recommendations of the San Joaquin County Department of Agriculture (typically no less than 150 feet) and limit incompatible uses (such as schools and hospitals) near agriculture.

3.6 REVISIONS TO SECTION 3.5, "ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES"

To provide a correction and in response to comment Letter A4 and Letter O1, descriptions of archaeological resources on pages 3.5-5 and 3.5-6 are revised as follows:

Original:

P-39-004471
This historic-era site was originally recorded as a row of oak trees along SR 12 (Far Western 2004). Far Western relocated this site as part of the 2022 pedestrian survey.

...

BD-02
This site consists of an old agricultural and railroad equipment debris scatter. Most of the equipment is agricultural, sans one old railroad sign and a railway lever. The agricultural equipment includes historic-era disc plows, disc harrows, pedestrian tractor parts, and various other metal hardware. These materials do not

have potential archaeological significance and are not potentially eligible for listing in the CRHR or NRHP (Far Western 2023).

Revised:

P-39-004471

This historic-era site was originally recorded as a row of oak trees along SR 12 (Far Western 2004). Far Western relocated this site as part of the 2022 pedestrian survey. Far Western confirmed there are no trees within the API project boundary. This resource is adjacent to a project access road with no scheduled ground disturbance and will be avoided. Therefore, this site will not be discussed further in this section.

BD-02

This site consists of an old agricultural and railroad equipment debris scatter. Most of the equipment is agricultural, sans one old railroad sign and a railway lever. The agricultural equipment includes historic-era disc plows, disc harrows, pedestrian tractor parts, and various other metal hardware. These materials do not have potential archaeological significance and are not potentially eligible for listing in the CRHR or NRHP (Far Western 2023). Therefore, this site is not considered a historical resource and will not be discussed further in this EIR.

To provide a correction and in response to Letter A4 and Letter O1, Impact ARC-2 on pages 3.5-22 and 3.5-23 of the Draft EIR is revised as follows:

Original:

Impact ARC-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Archaeological Resources as Defined in CEQA Guidelines Section 15064.5

Approximately 85 percent of the project area has a very low or low sensitivity rating, while 15 percent has a high sensitivity for precontact archaeological sites. There is a high potential for buried precontact resources in the central portion of the project area, near SR 88 and Bear Creek, based on the close proximity of this portion of the project to freshwater and the relatively recent age of the sediments. Therefore, this portion has a high potential for previously unidentified archaeological remains to be encountered during blading of the existing road and excavation of tower footings. However, aside from this small portion of the project area, no subsurface precontact archaeological remains are expected because of the relatively low sensitivity in the project area overall.

The depth of ground disturbance would not exceed approximately 30 feet for the majority of the project. Up to approximately four grounding wells would be installed to approximately 100 feet in depth within PG&E Thurman Switching Station. Exact structure type, configuration, and dimensions will be determined by CPUC or City of Lodi requirements. Final engineering and other factors and are likely to change (expanding or reducing areas of ground disturbance) but would not exceed the depths identified above or the disturbance parameters identified in Chapter 2, "Project Description." Although new roads are not being constructed, some existing roads in the project area may be bladed.

The records search identified three archaeological sites within the project area (P-39-004279, P-39-004471, and P-39-004901). P-39-004279 consists of four dilapidated flat-top telegraph poles, P-39-004471 consists of a row of oak trees along SR 12, and P-39-004901 is a 61-meter segment of SR 12. All three sites were revisited as part of the pedestrian survey and updated accordingly. P-39-004279, P-39-004471, and P-39-004901 were not evaluated for the CRHR because there is no proposed ground disturbance within the boundaries of these three archaeological sites. Two new archaeological sites were identified by the pedestrian survey. BD-01 consists of two historic-era portable hydrants; one water catchment feature; an abandoned vineyard with rows of old grape vines; and a row of three old oak stumps. BD-02 consists of an old agricultural and railroad equipment debris scatter. These two resources were not evaluated for the CRHR because there is no proposed ground disturbance within the boundaries of BD-01 and BD-02.

PG&E Project Components

The pedestrian survey and the records search results did not identify any archaeological sites near PG&E's proposed project components. Components of the project that would involve earth-moving and excavation may result in the discovery of previously undiscovered archaeological resources, both precontact and historic-era. Project-related ground disturbance could result in the damage or destruction of these as yet undiscovered archaeological resources.

Implementation of APMs

Components of the project that require earth-moving and excavation may result in impacts to previously undisturbed and unrecorded archaeological deposits, the risks of which would be reduced through compliance with implementation of APM CUL-1 through APM CUL-3. Implementation of APM CUL-1 would require the development of a worker environmental awareness program prior to construction. PG&E would design and implement a worker environmental awareness program that would be provided to all project personnel involved in earth-moving activities. Implementation of APM CUL-2 would require archaeological construction monitoring in high-sensitive areas where surveys did not identify archaeological resources (PG&E structures W12, W13, and W14). Implementation of APM CUL-3 would require ground-disturbing activities to stop if archaeological resources are inadvertently discovered and provides the necessary procedures to be followed. However, APM CUL-3 would only be implemented to the extent feasible and does not recommend preservation in place as the primary form of mitigation to avoid direct and indirect effects during construction or O&M.

LEU Project Components

The pedestrian survey and the records search results identified five archaeological sites within the LEU project components (P-39-004279, P-39-004471, P-39-004901, BD-01, and BD-02). None of these resources were evaluated for CRHR because it is anticipated that the proposed project would not result in ground disturbance within any of the five site boundaries. However, exact structure type, configuration, and dimensions of the infrastructure would be determined by City of Lodi requirements. Final engineering and other factors are likely to change, which could result in impacts to these unevaluated resources. An analysis of sensitivity for buried precontact sites determined that the LEU portion of the project has a low potential. However, archival research found moderate potential for historic-era surface and subsurface deposits. Components of the project that would involve earth-moving and excavation may potentially damage known archaeological resources or result in the discovery and damage or destruction of previously undiscovered archaeological resources.

Implementation of BMPs

Implementation of BMP CUL-1 would require the development of a worker environmental awareness program prior to construction. LEU would design and implement a worker environmental awareness program that would be provided to all project personnel involved in earth-moving activities. Implementation of BMP CUL-3 would require ground-disturbing activities to stop if cultural resources are inadvertently discovered and provides the necessary procedures to be followed.

Components of the project that require earth-moving and excavation could impact known archaeological resources or undiscovered archaeological deposits. The potential for impacts to undiscovered archeological deposits would be minimized through implementation of BMP CUL-1 and BMP CUL-3. However, BPM CUL-3 would only be implemented to the extent feasible and does not recommend preservation in place as the primary form of mitigation, to avoid direct and indirect effects during construction or O&M. In addition, the potential exists for construction activities to damage or destroy identified, but unevaluated resources.

Significance before Mitigation

There are five archaeological sites within the project area. Components of the project that require earth-moving and excavation could impact unevaluated resources (P-39-004279, P-39-004471, P-39-004901, BD-01, and BD-02), although ground disturbance is not proposed within their boundaries. In addition, project-related

ground-disturbance could result in discovery and damage of yet undiscovered archaeological resources as defined in CEQA Guidelines Section 15064.5. This would be a **significant** impact.

Revised:

Impact ARC-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Archaeological Resources as Defined in CEQA Guidelines Section 15064.5

Approximately 85 percent of the project area has a very low or low sensitivity rating, while 15 percent has a high sensitivity for precontact archaeological sites. There is a high potential for buried precontact resources in the central portion of the project area, near SR 88 and Bear Creek, based on the close proximity of this portion of the project to freshwater and the relatively recent age of the sediments. Therefore, this portion has a high potential for previously unidentified archaeological remains to be encountered during blading of the existing road and excavation of tower footings. However, aside from this small portion of the project area, no subsurface precontact archaeological remains are expected because of the relatively low sensitivity in the project area overall.

The depth of ground disturbance would not exceed approximately 30 feet for the majority of the project. Up to approximately four grounding wells would be installed to approximately 100 feet in depth within PG&E Thurman Switching Station. Exact structure type, configuration, and dimensions will be determined by CPUC or City of Lodi requirements. Final engineering and other factors and are likely to change (expanding or reducing areas of ground disturbance) but would not exceed the depths identified above or the disturbance parameters identified in Chapter 2, "Project Description." Although new roads are not being constructed, some existing roads in the project area may be bladed.

The records search identified two archaeological sites within the project area (P-39-004279 and P-39-004901). P-39-004279 consists of four dilapidated flat-top telegraph poles and P-39-004901 is a 61-meter segment of SR 12. Both sites were revisited as part of the pedestrian survey and updated accordingly. P-39-004279 and P-39-004901 were not evaluated for the CRHR because there is no proposed ground disturbance within the boundaries of these two archaeological sites. BD-01 was identified by the pedestrian survey which consists of two historic-era portable hydrants; one water catchment feature; an abandoned vineyard with rows of old grape vines; and a row of three old oak stumps. This site was not evaluated for the CRHR because there is no proposed ground disturbance within its boundaries.

PG&E Project Components

The three sites identified above (P-39-004279, P-39-004901, and BD-01) are within the PG&E project components. None of these resources were evaluated for CRHR because ground disturbing activities are not proposed within any of the three site boundaries. However, exact structure type, configuration, and dimensions of the infrastructure would be determined by PG&E requirements. Final engineering and other factors are likely to change, which could result in impacts to these unevaluated resources. Components of the project that would involve earth-moving and excavation may damage known archaeological resources or result in the discovery of previously undiscovered archaeological resources, both precontact and historic-era. Project-related ground disturbance could result in the damage or destruction of these as yet undiscovered archaeological resources.

Implementation of APMs

Components of the project that require earth-moving and excavation may result in impacts to previously undisturbed and unrecorded archaeological deposits, the risks of which would be reduced through compliance with implementation of APM CUL-1 through APM CUL-3. Implementation of APM CUL-1 would require the development of a worker environmental awareness program prior to construction. PG&E would design and implement a worker environmental awareness program that would be provided to all project personnel involved in earth-moving activities. Implementation of APM CUL-2 would require archaeological construction monitoring in high-sensitivity areas where surveys did not identify archaeological resources

(PG&E structures W12, W13, and W14). Implementation of APM CUL-3 would require ground-disturbing activities to stop if archaeological resources are inadvertently discovered and the necessary procedures to be followed. However, APM CUL-3 identifies data recovery as a method of treatment, which may not adequately protect archaeological resources from substantial adverse change. In addition, the potential exists for construction activities to damage or destroy identified, but unevaluated, resources.

LEU Project Components

The pedestrian survey and the records search results did not identify any archaeological sites near LEU's project components. An analysis of sensitivity for buried precontact sites determined that the LEU portion of the project has a low potential. However, archival research found moderate potential for historic-era surface and subsurface deposits. Components of the project that would involve earth-moving and excavation may result in the discovery and damage or destruction of previously undiscovered archaeological resources.

Implementation of BMPs

Implementation of BMP CUL-1 would require the development of a worker environmental awareness program prior to construction. LEU would design and implement a worker environmental awareness program that would be provided to all project personnel involved in earth-moving activities. Implementation of BMP CUL-3 would require ground-disturbing activities to stop if cultural resources are inadvertently discovered and provides the necessary procedures to be followed.

Components of the project that require earth-moving and excavation could impact known archaeological resources or undiscovered archaeological deposits. The potential for impacts to undiscovered archeological deposits would be minimized through implementation of BMP CUL-1 and BMP CUL-3. However, BPM CUL-3 identifies data recovery as a method of treatment, which may not adequately protect archaeological resources from substantial adverse change. In addition, the potential exists for construction activities to damage or destroy identified, but unevaluated resources.

Significance before Mitigation

There are three archaeological sites within the project area. Components of the project that require final design changes could result in impacts to these unevaluated resources (P-39-004279, P-39-004901, and BD-01), although ground disturbance is not anticipated within the boundaries of these resources. In addition, project-related ground-disturbance could result in discovery and damage of as yet undiscovered archaeological resources as defined in CEQA Guidelines Section 15064.5. This would be a **significant** impact.

To correct and clarify the agency responsible for implementation, the text of Mitigation Measure 3.5-2a on pages 3.5-23 and 3.5-24 of the Draft EIR is revised as follows.

Original:

Mitigation Measure 3.5-2a [PG&E and LEU]: Inadvertent Archaeological Resource Discoveries

The following mitigation measure shall supersede and replace AMP CUL-3 and BMP CUL-3 for inadvertent discoveries:

- If any precontact or historic-era subsurface archaeological features or deposits (e.g., ceramic shard, trash scatters), including locally darkened soil ("midden"), which may conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted, and a qualified professional archaeologist (one who meets the Secretary of the Interior's Professional Qualification Standards for archaeology) shall be retained to assess the significance of the find.
- The construction crew would protect the discovery from further disturbance until it has been assessed by a qualified archaeologist.
- The construction supervisor would immediately contact the project construction inspector and LEU or CPUC (as appropriate).

- LEU or CPUC would coordinate with the state lead officials to determine appropriate procedures to reduce effects on the resource.
- If the discovery can be preserved in place (which shall be the preferred manner of mitigating impacts on archaeological and tribal sites) and no further impacts would occur, then the resource would be documented on DPR 523 forms, and no further effort would be required.
- If the resource cannot be avoided and may be subjected to further impacts, qualified archaeologist in coordination with LEU or CPUC (as appropriate) would evaluate the significance of the discovery in accordance with the state laws outlined previously; personnel would implement data recovery or other appropriate treatment measures, if warranted. A qualified historical archaeologist would complete an evaluation of historic-period resources, while evaluation of precontact resources would be completed by a qualified archaeologist specializing in California prehistoric archaeology.
- If it is determined that by the qualified archaeologist in coordination with LEU or CPUC (as appropriate) that the discovery has the potential to be a tribal cultural resource, then Mitigation Measure 3.5-3 shall be followed.
- Ground disturbance within the discovery shall resume only when LEU or CPUC (as appropriate) have determined that all necessary investigation and evaluation of the resource has been completed.

Revised:

Mitigation Measure 3.5-2a [PG&E and LEU]: Inadvertent Archaeological Resource Discoveries

The following mitigation measure shall supersede and replace APM CUL-3 and BMP CUL-3 for inadvertent discoveries:

- If any precontact or historic-era subsurface archaeological features or deposits (e.g., ceramic shard, trash scatters), including locally darkened soil ("midden"), which may conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted, and a qualified professional archaeologist (one who meets the Secretary of the Interior's Professional Qualification Standards for archaeology) shall be retained to assess the significance of the find.
- The construction crew would protect the discovery from further disturbance until it has been assessed by a qualified archaeologist.
- The construction supervisor would immediately contact the project construction inspector and City of Lodi or CPUC (as appropriate).
- City of Lodi or CPUC would coordinate with the state lead officials to determine appropriate procedures to reduce effects on the resource.
- If the discovery can be preserved in place (which shall be the preferred manner of mitigating impacts on archaeological and tribal sites) and no further impacts would occur, then the resource would be documented on DPR 523 forms, and no further effort would be required.
- If the resource cannot be avoided and may be subjected to further impacts, qualified archaeologist in coordination with City of Lodi or CPUC (as appropriate) would evaluate the significance of the discovery in accordance with the state laws outlined previously; personnel would implement data recovery or other appropriate treatment measures, if warranted. A qualified historical archaeologist would complete an evaluation of historic-period resources, while evaluation of precontact resources would be completed by a qualified archaeologist specializing in California prehistoric archaeology.
- If it is determined that by the qualified archaeologist in coordination with City of Lodi or CPUC (as appropriate) that the discovery has the potential to be a tribal cultural resource, then Mitigation Measure 3.5-3 shall be followed.

- Ground disturbance within the discovery shall resume only when City of Lodi or CPUC (as appropriate) have determined that all necessary investigation and evaluation of the resource has been completed.

To provide a correction and clarify the applicability of Mitigation Measure 3.5-2b, text on page 3.5-24 of the Draft EIR is revised as follows.

Original:

Mitigation Measure 3.5-2b [LEU]: Establish a No-Disturbance Buffer for Unevaluated Archeological Resources

To ensure that unevaluated archeological resources are properly protected, fencing or stake markers (as appropriate) will be established around P-39-004279, P-39-004471, P-39-004901, BD-01, and BD-02. Before any ground-disturbing activities are conducted in the vicinity of the resources, a qualified archaeologist shall establish a 5-foot buffer of construction fencing around each of the five archaeological resources. After it is established, the fencing or stake markers shall be checked periodically by the archaeologist to make sure it stays in place and no damage has occurred. This will ensure that the five archaeological resources continue to be avoided during project-related work. The fences shall remain in place until project work in the vicinity of the resources is complete; fence removal shall be overseen by the archaeologist.

Revised:

Mitigation Measure 3.5-2b [PG&E]: Establish a No-Disturbance Buffer for Unevaluated Archeological Resources

The following mitigation shall be implemented prior to any ground disturbance (including grading and excavations) associated with poles 18-22 on the PG&E Industrial Tap.

To ensure that unevaluated archeological resources are properly protected, fencing or stake markers (or appropriate markers) will be established around P-39-004279, P-39-004901, and BD-01. Before any project related activities are conducted in the vicinity of the resources, a qualified archaeologist and/or PG&E cultural resources specialist shall establish construction fencing or stakes immediately adjacent to each of the three archaeological resources. After it is established, the fencing or stake markers shall be checked periodically by the archaeologist to make sure it stays in place and no damage has occurred. This will ensure that the three archaeological resources continue to be avoided during project-related work. The fences or stakes shall remain in place until project work in the vicinity of the resources is complete; fence or stake removal shall be overseen by the archaeologist.

Text on page 3.5-24 is revised as follows to correct a typographical error:

Original:

Mitigation Measures 3.5-2a and 3.5-b would supersede and replace AMP CUL-3 and BMP CUL-3 to require implementation and preservation in place as the primary form of mitigation.

Revised:

Mitigation Measures 3.5-2a and 3.5-b would supersede and replace APM CUL-3 and BMP CUL-3 to require implementation and preservation in place as the primary form of mitigation.

The following revision is made to the text of Mitigation Measure 3.5-3 on pages 3.5-25 and 3.5-26 to clarify the cross reference:

Original:

Mitigation Measure 3.5-3: Inadvertent Discoveries of Tribal Cultural Resources

The following mitigation measure would be employed (after stopping work and following the procedure for determining eligibility in Mitigation Measure 3.5-1), and shall supersede and replace APM TCR-1 and BMP TCR-1 for inadvertent discoveries:

- As noted on mitigation 3.5-1, construction work shall stop within 100 feet of a resource inadvertently discovered that could potentially be a tribal cultural resource.
- The LEU or CPUC (as appropriate) would identify and contact the lead contact person for the California Native American Tribe(s) potentially associated with the cultural resource and with a traditional and cultural affiliation with the geographic area of the proposed project. The CPUC would communicate with the lead contact person to set up a meeting with LEU (if within LEU jurisdiction) or the CPUC.
- LEU or CPUC would participate in discussions with the California Native American Tribe(s) to determine whether the resource is a "tribal cultural resource" as defined by PRC Section 21074 and the tribe(s)' preferred method of mitigation, if the resource is determined to be a TCR.
- Procedures may include preservation in place (which shall be the preferred manner of mitigating impacts on tribal sites).
- If the tribal cultural resource cannot be avoided and may be subjected to further impacts, the California Native American Tribe(s) in coordination with LEU (if applicable) or CPUC would evaluate the significance of the discovery in accordance with the state laws outlined previously and shall develop the appropriate method of treatment.
- Ground disturbance within the area of discovery shall resume only when LEU or CPUC (as appropriate), in coordination with the California Native American Tribe(s), have deemed appropriate to do so for tribal cultural resources.

Revised:

Mitigation Measure 3.5-3: Inadvertent Discoveries of Tribal Cultural Resources

The following mitigation measure would be employed (after stopping work and following the procedure for determining eligibility in Mitigation Measure 3.5-2a), and shall supersede and replace APM TCR-1 and BMP TCR-1 for inadvertent discoveries:

- As noted on Mitigation Measure 3.5-2a, construction work shall stop within 100 feet of a resource inadvertently discovered that could potentially be a tribal cultural resource.
- The LEU or CPUC (as appropriate) would identify and contact the lead contact person for the California Native American Tribe(s) potentially associated with the cultural resource and with a traditional and cultural affiliation with the geographic area of the proposed project. The CPUC would communicate with the lead contact person to set up a meeting with LEU (if within LEU jurisdiction) or the CPUC.
- LEU or CPUC would participate in discussions with the California Native American Tribe(s) to determine whether the resource is a "tribal cultural resource" as defined by PRC Section 21074 and the tribe(s)' preferred method of mitigation, if the resource is determined to be a TCR.
- Procedures may include preservation in place (which shall be the preferred manner of mitigating impacts on tribal sites).
- If the tribal cultural resource cannot be avoided and may be subjected to further impacts, the California Native American Tribe(s) in coordination with LEU (if applicable) or CPUC would evaluate the significance of the discovery in accordance with the state laws outlined previously and shall develop the appropriate method of treatment.
- Ground disturbance within the area of discovery shall resume only when LEU or CPUC (as appropriate), in coordination with the California Native American Tribe(s), have deemed appropriate to do so for tribal cultural resources.

The following text on page 3.5-26 is revised to correct a typographical error:

Original:

If human remains are discovered, PG&E would implement AMP CUL-4, which satisfies PRC requirements.

Revised:

If human remains are discovered, PG&E would implement APM CUL-4, which satisfies PRC requirements.

3.7 REVISIONS TO SECTION 3.6, "BIOLOGICAL RESOURCES"

To provide clarification, the introduction paragraph of Section 3.6.1, "Environmental Setting," on page 3.6-1 of the Draft EIR is revised as follows:

Original:

The following environmental setting describes landcover within the biological study area (BSA), as well as special-status species known to occur in the vicinity of the BSA and their potential for occurrence in the BSA. The BSA encompasses the project area, plus a 50-foot buffer for proposed access roads and a 250-foot buffer for all other proposed project elements. The BSA is intended to incorporate the area of direct and indirect physical impacts that could occur as a result of project implementation. Impacts on some biological resources (e.g., special-status birds) may occur at greater distances and are not limited to the BSA; a larger area is considered in the evaluation of these resources, and this area is described, where applicable, in the impact analysis below.

Revised:

The following environmental setting describes landcover within the biological study area (BSA), as well as special-status species known to occur in the vicinity of the BSA and their potential for occurrence in the BSA. The BSA encompasses the project area, plus a 50-foot buffer for proposed access roads and a 250-foot buffer for all other proposed project elements. The BSA is intended to incorporate the area of direct and indirect physical impacts that could occur as a result of project implementation. Direct and indirect impacts on some biological resources (e.g., special-status birds, wetlands) may occur at greater distances and are not limited to the BSA; a larger area is considered in the evaluation of these resources, and this area is described, where applicable, in the impact analysis below.

To provide clarification, the description of the PG&E San Joaquin Valley Habitat Conservation Plan on page 3.6-27 of the Draft EIR is revised as follows:

Original:

PG&E's San Joaquin Valley Habitat Conservation Plan

PG&E's San Joaquin Valley Habitat Conservation Plan (SJVHCP) covers infrastructure operation and maintenance (O&M) activities in the San Joaquin Valley. The SJVHCP covers 23 wildlife and 42 plant species, some of which may occur in the BSA, for routine O&M activities for PG&E's electric and gas transmission and distribution systems within nine counties of the San Joaquin Valley. The project is included within the boundaries of the SJVHCP. While construction of the proposed project is not a covered activity under the SJVHCP, O&M activities for the proposed project, including inspections and electrical system tower replacement or repair would be covered activities. The SJVHCP includes 11 avoidance and minimization measures (AMMs) that would be implemented by PG&E during O&M activities as part of the proposed project.

Revised:

PG&E's San Joaquin Valley Habitat Conservation Plan

PG&E's San Joaquin Valley Habitat Conservation Plan (SJVHCP) covers infrastructure operation and maintenance (O&M) activities in the San Joaquin Valley. The SJVHCP covers 23 wildlife and 42 plant species,

some of which may occur in the BSA, for routine O&M activities for PG&E's electric and gas transmission and distribution systems within nine counties of the San Joaquin Valley. The SJVHCP provides incidental take authorization for those covered species that were listed or candidates for listing under ESA and/or CESA at the time of adoption of the plan. Take of fully protected species (e.g., white-tailed kite) is not authorized by SJVHCP permits. The project is included within the boundaries of the SJVHCP. While construction of the proposed project is not a covered activity under the SJVHCP, O&M activities for the proposed project, including inspections and electrical system tower replacement or repair would be covered activities. The SJVHCP includes 11 avoidance and minimization measures (AMMs) that would be implemented by PG&E during all O&M activities as part of the proposed project. Nineteen additional AMMS are included in the SJVHCP, AMMs 17, 18, 19, 22, and 23 would apply to O&M activities associated with the project. Applicable SJVHCP AMMs are listed below:

- AMM-1: Employees and contractors performing O&M activities will receive ongoing environmental education. Training will include review of environmental laws and guidelines that must be followed by all personnel to reduce or avoid effects on covered species during O&M activities.
- AMM-2: Vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas to the extent practicable.
- AMM-3: The development of new access and ROW roads by PG&E will be minimized, and clearing vegetation and blading for temporary vehicle access will be avoided to the extent practicable.
- AMM-4: Vehicles will not exceed a speed limit of 15 mph in the ROWs or on unpaved roads within sensitive land-cover types.
- AMM-5: Trash dumping, firearms, open fires (such as barbecues) not required by the O&M activity, hunting, and pets (except for safety in remote locations) will be prohibited in O&M work activity sites.
- AMM-6: No vehicles will be refueled within 100 feet of a wetland, stream, or other waterway unless a bermed and lined refueling area is constructed.
- AMM-7: During any reconstruction of existing overhead electric facilities in areas with a high risk of wildlife electrocution (e.g., nut/fruit orchards, riparian corridors, areas along canal or creek banks, PG&E's raptor concentration zone [RCZ]), PG&E will use insulated jumper wires and bird/animal guards for equipment insulator bushings or will construct lines to conform to the latest revision of PG&E's Bird and Wildlife Protection Standards.
- AMM-8: During fire season in designated State Responsibility Areas (SRAs), all motorized equipment will have federal or state approved spark arrestors; a backpack pump filled with water and a shovel will be carried on all vehicles; and fire-resistant mats and/or windscreens will be used when welding. In addition, during fire "red flag" conditions as determined by California Department of Forestry (CDF), welding will be curtailed, each fuel truck will carry a large fire extinguisher with a minimum rating of 40 B:C, and all equipment parking and storage areas will be cleared of all flammable materials.
- AMM-9: Erosion control measures will be implemented where necessary to reduce erosion and sedimentation in wetlands, waters of the United States, and waters of the state, and habitat occupied by covered animal and plant species when O&M activities are the source of potential erosion problems.
- AMM-10: If an activity disturbs more than 0.25 acre in a grassland, and the landowner approves or it is within PG&E rights and standard practices, the area should be returned to pre-existing conditions and broadcast-seeded using a commercial seed mix. Seed mixtures/straw used for erosion control on projects of all sizes within grasslands will be certified weed-free. PG&E shall not broadcastseed (or apply in other manner) any commercial seed or seed-mix to disturbance sites within other natural land-cover types, within any vernal pool community, or within occupied habitat for any plant covered-species.
- AMM-11: When routine O&M activities are conducted in an area of potential VELB habitat, a qualified individual will survey for the presence of elderberry plants within a minimum of 20 feet from the

worksite. If elderberry plants have one or more stems measuring 1 inch or more in diameter at ground level are present, the qualified individual will flag those areas to avoid or minimize potential impacts on elderberry plants. If impacts (pruning/trimming, removal, ground disturbance or damage) are unavoidable or occur, then additional measures identified in the VELB conservation plan and compliance brochure will be implemented. The VELB compliance brochure must be carried in all vehicles performing O&M activities within the potential range of VELB.

- AMM-17: If suitable habitat for covered amphibians and reptiles is present and protocol-level surveys have not been conducted, a qualified biologist will conduct preconstruction surveys prior to O&M activities involving excavation. If necessary, barrier fencing will be constructed around the worksite to prevent reentry by the covered amphibians and reptiles. A qualified biologist will stake and flag an exclusion zone of 50 feet around the potentially occupied habitat. No monofilament plastic will be used for erosion control in the vicinity of listed amphibians and reptiles. Barrier fencing will be removed upon completion of work. Crews will also inspect trenches left open for more than 24 hours for trapped amphibians and reptiles. A qualified biologist will be contacted before trapped amphibians or reptiles (excluding blunt nosed leopard lizard and limestone salamander) are moved to nearby suitable habitat.
- AMM-18: If western burrowing owls are present at the site, a qualified biologist will work with O&M staff to determine whether an exclusion zone of 160 feet during the non-nesting season and 250 feet during the nesting season can be established. If it cannot, an experienced burrowing owl biologist will develop a site-specific plan (i.e., a plan that considers the type and extent of the proposed activity, the duration and timing of the activity, the sensitivity and habituation of the owls, and the dissimilarity of the proposed activity with background activities) to minimize the potential to affect the reproductive success of the owls.
- AMM-19: If a Swainson's hawk nest or white-tailed kite nest is known to be within 0.25 mile of a planned worksite, a qualified biologist will evaluate the effects of the planned O&M activity. If the biologist determines that the activity would disrupt nesting, a buffer and limited operation period (LOP) during the nesting season (March 15–June 30) will be implemented. Evaluations will be performed in consultation with the local DFG representative.
- AMM-22: All vegetation management activities will implement the nest protection program to avoid and minimize effects on Swainson's hawk, white-tailed kite, golden eagle, bald eagle, and other nesting birds. Additionally, trained pre-inspectors will use current data from DFG and CNDDB and professional judgment to determine whether active Swainson's hawk, golden eagle, or bald eagle nests are located near proposed work. If pre-inspectors identify an active nest near a proposed work area, they will prescribe measures to avoid nest abandonment and other adverse effects to these species, including working the line another time of year, maintaining a 500-foot setback, or if the line is in need of emergency pruning, contacting HCP Administrator.
- AMM-23: If medium or large disturbance covered activities take place within 0.5 miles of an active breeding colony of tricolored blackbirds or bank swallows or a small disturbance covered activities take place within 350 feet of an active breeding colony of these species a qualified biologist will evaluate the site prior to work during the breeding season (April 1-July 31). If an active colony of either species could be disrupted by the covered activity, the biologist will stake and flag an exclusion zone of at least 350 feet around the colony prior to O&M activities at the site. This exclusion zone will be established in the field based on site conditions, the covered activity, and professional judgment by a qualified PG&E biologist and will be greater than the minimum distance. Work will not occur in this exclusion zone during April 1–July 31.

To provide clarification, the discussion regarding impacts on California tiger salamander on pages 3.6-39 and 39 of the Draft EIR is revised as follows:

Original:

PG&E Project Components

Grassland that may provide upland habitat for California tiger salamander is present within work areas (i.e., where vehicle and equipment use or structure foundation excavation, drilling, construction, or removal could occur during construction) and staging areas, particularly east of the PG&E Lockeford Substation, where there are documented occurrences of the species and potential breeding habitat within the typical dispersal distance (i.e., 1.2 miles). O&M of PG&E project components would include temporary disturbances like those described above for construction activities, such as activities occurring in work areas surrounding proposed structures, temporary access routes, and overland access. Vehicle and equipment use, as well as excavation and construction activities, could inadvertently crush rodent burrows occupied by California tiger salamanders or injure or kill adult salamanders while moving between the grassland habitat to or from nearby vernal pool habitat.

Implementation of APMs

APM BIO-1 would require implementation of a worker environmental awareness program, through which PG&E employees and contractors would become familiar with the identification of special-status species, the regulatory status of the species, and procedures should a salamander be detected in the BSA. APM BIO-4 would, at the discretion of a PG&E biologist, require exclusion fencing to be installed around work areas near habitat for special-status species prior to any ground-disturbing work. APM BIO-5 would, at the discretion of the PG&E biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the PG&E biologist. APM BIO-6 would require that all open holes, pits, and trenches at PG&E work areas be protected and inspected to ensure that wildlife does not become entrapped during wet weather or the rainy season.

Implementation of APMs would minimize potential impacts on California tiger salamanders. While APMs BIO-1, BIO-4, BIO-5, and BIO-6 would reduce impacts on California tiger salamanders, impacts on this species remain significant because the requirements of APMs BIO-4 and BIO-5 are only required at the discretion of a PG&E biologist and would not ensure that installation would occur around all potential upland habitat areas. Furthermore, APMs would not require a survey of grassland habitats in the BSA prior to installation of exclusion fencing; therefore, California tiger salamanders aestivating in uplands may not be detected prior to project implementation.

LEU Project Components

Although grassland habitat is present where LEU project components would be implemented, this area is approximately 5.6 miles west of the nearest documented occurrence of the species (i.e., farther than the typical dispersal range), and there is dense industrial development (e.g., large buildings, paved parking lots, CCT railroad tracks) surrounding the grassland habitat in this portion of the BSA, which would be a substantial barrier for migrating salamanders. Habitat suitable for California tiger salamanders is not present in the LEU portion of the BSA because there are no documented occurrences or vernal pools within 1.2 miles and there are substantial barriers to dispersal surrounding the LEU portion of the BSA; therefore, direct loss of California tiger salamanders or their habitat would not occur as a result of LEU project construction or O&M.

Implementation of BMPs

No applicable BMPs are proposed as part of the project.

Significance before Mitigation

PG&E project construction and O&M activities may result in direct loss of California tiger salamanders in upland grassland habitat, if present. APMs do not require adequate survey protocols or avoidance measures to identify and protect California tiger salamanders, if present, in the PG&E portion of the BSA. Therefore, impacts on California tiger salamanders from implementation of the project would be **significant**.

Revised:

PG&E Project Components

Grassland that may provide upland habitat for California tiger salamander is present within work areas (i.e., where vehicle and equipment use or structure foundation excavation, drilling, construction, or removal could occur during construction) and staging areas, particularly east of the PG&E Lockeford Substation, where there are documented occurrences of the species and potential breeding habitat within the typical dispersal distance (i.e., 1.2 miles). O&M of PG&E project components would include temporary disturbances like those described above for construction activities, such as activities occurring in work areas surrounding proposed structures, temporary access routes, and overland access. Vehicle and equipment use, as well as excavation and construction activities, could inadvertently crush rodent burrows occupied by California tiger salamanders or injure or kill adult salamanders while moving between the grassland habitat to or from nearby vernal pool habitat.

Implementation of APMs

PG&E has take authorization for California tiger salamander pursuant to the SJVHCP for O&M activities, and would implement AMMs 1–11 and AMM-17 as required under the SJVHCP.

APM BIO-1 would require implementation of a worker environmental awareness program, through which PG&E employees and contractors would become familiar with the identification of special-status species, the regulatory status of the species, and procedures should a salamander be detected in the BSA. APM BIO-4 would, at the discretion of a PG&E biologist, require exclusion fencing to be installed around work areas near habitat for special-status species prior to any ground-disturbing work. APM BIO-5 would, at the discretion of the PG&E biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the PG&E biologist. APM BIO-6 would require that all open holes, pits, and trenches at PG&E work areas be protected and inspected to ensure that wildlife does not become entrapped during wet weather or the rainy season.

Implementation of APMs would minimize potential impacts on California tiger salamanders. While APMs BIO-1, BIO-4, BIO-5, and BIO-6 would reduce impacts on California tiger salamanders, impacts on this species remain significant because APMs BIO-4 and BIO-5 note that they will be implemented at the discretion of a PG&E biologist, but do not provide additional detail regarding how and when the decision to implement the APMs would be made, and also would not ensure that installation would occur around all potential upland habitat areas. Furthermore, APMs would not require a survey of grassland habitats in the BSA prior to installation of exclusion fencing; therefore, California tiger salamanders aestivating in uplands may not be detected prior to implementation of project construction activities.

LEU Project Components

Although grassland habitat is present where LEU project components would be implemented, this area is approximately 5.6 miles west of the nearest documented occurrence of the species (i.e., farther than the typical dispersal range), and there is dense industrial development (e.g., large buildings, paved parking lots, CCT railroad tracks) surrounding the grassland habitat in this portion of the BSA, which would be a substantial barrier for migrating salamanders. Habitat suitable for California tiger salamanders is not present in the LEU portion of the BSA because there are no documented occurrences or vernal pools within 1.2 miles and there are substantial barriers to dispersal surrounding the LEU portion of the BSA; therefore, direct loss of California tiger salamanders or their habitat would not occur as a result of LEU project construction or O&M.

Implementation of BMPs

No applicable BMPs are proposed as part of the project.

Significance before Mitigation

PG&E project construction and O&M activities may result in direct loss of California tiger salamanders in upland grassland habitat, if present. PG&E has take authorization for California tiger salamander pursuant to the SJVHCP for O&M activities, and would implement AMMs 1–11 and AMM-17 as required under the SJVHCP. These AMMs would ensure that impacts to California tiger salamander due to O&M activities would be less than significant. For construction activities, however, the APMs do not require adequate survey protocols or avoidance measures to identify and protect California tiger salamanders during project construction activities, if present, in the PG&E portion of the BSA. Therefore, impacts on California tiger salamanders from implementation of project construction activities would be **significant**.

To provide clarification, Mitigation Measure BIO-2a on pages 3.6-46 and 3.6-47 of the Draft EIR is revised as follows:

Original:

Mitigation Measure BIO-2a [PG&E]: Conduct Survey for Estivating California Tiger Salamanders and Monitor Initial Ground Disturbance

The following mitigation measure shall supersede and replace APMs BIO-3 and BIO-4 for California tiger salamander:

- Within 48 hours prior to any ground-disturbing work, vegetation removal, or staging activities in grassland habitat east of the PG&E Lockeford Station (i.e., PG&E staging areas and work areas adjacent to the PG&E Lockeford Station and near E19, E20, E9, E7, and E6 shown in Appendix B to the Draft EIR), a qualified biologist approved by USFWS, CDFW, and CPUC shall survey the areas for California tiger salamander. The survey will include a search for rodent burrows and cracks and inspection of these features using appropriate methods (e.g., a borescope).
  - If California tiger salamanders are detected during the survey, all project construction and staging activities shall cease within a buffer the size of which will be determined by the qualified biologist such that direct and indirect impacts on the salamander would not occur, the grassland habitat determined to be occupied is avoided, and the salamander can leave the project area into adjacent suitable habitat unimpeded by project construction and staging activities or equipment. In addition, USFWS, CDFW, and CPUC shall be notified. Project activities shall not resume in the buffer until CDFW and USFWS have provided input. PG&E shall initiate consultation with CDFW and USFWS, and if it is determined, in consultation with CDFW and USFWS, that take of California tiger salamanders could occur, then PG&E may be required to obtain incidental take authorization through Section 7 consultation or a Section 10 permit pursuant to ESA and through Section 2081 of California Fish and Game Code pursuant to CESA. Additional conservation measures to reduce the possibility of take may be required by CDFW or USFWS during the consultation process, and these measures shall be implemented by PG&E (e.g., biological monitoring, preconstruction surveys, procedures for incidental sightings of California tiger salamanders). CDFW and USFWS may also require compensatory mitigation through on-site habitat restoration or purchase of credits at an appropriate mitigation bank.
  - If no California tiger salamanders are detected, the qualified biologist shall submit a report documenting the survey methods and results to PG&E and CPUC, and then the following measures shall be implemented.
    - After the areas described above are surveyed, and it is determined that California tiger salamanders are not present, further mitigation will not be required.
    - A qualified biologist shall be present during any initial ground-disturbing activities in work areas that contain grassland habitats as described above. If a California tiger salamander is observed or unearthed during initial ground-disturbance activities, all work shall stop immediately, and USFWS, CDFW, and CPUC shall be contacted. All project activities in the work area shall cease until USFWS and CDFW have provided further guidance. The qualified biologist shall have the

authority to stop or redirect work if construction activities are likely to affect California tiger salamanders.

- No exclusion fencing shall be installed in the areas described above to avoid entanglement, entrapment, and potential take of California tiger salamanders.

Revised:

Mitigation Measure BIO-2a [PG&E]: Conduct Survey for Estivating California Tiger Salamanders and Monitor Initial Ground Disturbance

The following mitigation measure shall supersede and replace APMs BIO-3 and BIO-4 for California tiger salamander for project construction activities:

- Within 48 hours prior to any ground-disturbing work, vegetation removal, or staging activities associated with project construction activities in grassland habitat east of the PG&E Lockeford Substation (i.e., PG&E staging areas and work areas adjacent to the PG&E Lockeford Substation and near E19, E20, E9, E7, and E6 shown in Appendix B to the Draft EIR), a qualified biologist approved by CPUC and with an active USFWS Section 10(a)(1)(A) recovery permit shall survey the areas for California tiger salamander. The survey will include a search for rodent burrows and cracks and inspection of these features using appropriate methods (e.g., a borescope).
  - If California tiger salamanders are detected during the survey, all project construction and staging activities shall cease within a buffer the size of which will be determined by the qualified biologist such that direct and indirect impacts on the salamander would not occur, the grassland habitat determined to be occupied is avoided, and the salamander can leave the project area into adjacent suitable habitat unimpeded by project construction and staging activities or equipment. In addition, USFWS, CDFW, and CPUC shall be notified. Project activities shall not resume in the buffer until CDFW and USFWS have provided input. PG&E shall initiate consultation with CDFW and USFWS, and if it is determined, in consultation with CDFW and USFWS, that take of California tiger salamanders could occur, then PG&E may be required to obtain incidental take authorization through Section 7 consultation or a Section 10 permit pursuant to ESA and through Section 2081 of California Fish and Game Code pursuant to CESA. Additional conservation measures to reduce the possibility of take may be required by CDFW or USFWS during the consultation process, and these measures shall be implemented by PG&E (e.g., biological monitoring, preconstruction surveys, procedures for incidental sightings of California tiger salamanders). CDFW and USFWS may also require compensatory mitigation through on-site habitat restoration or purchase of credits at an appropriate mitigation bank.
  - If no California tiger salamanders are detected, the qualified biologist shall submit a report documenting the survey methods and results to PG&E and CPUC, and then the following measures shall be implemented.
    - After the areas described above are surveyed, and it is determined that California tiger salamanders are not present, further mitigation will not be required.
    - A qualified biologist shall be present during any initial ground-disturbing activities in work areas that contain grassland habitats as described above. If a California tiger salamander is observed or unearthed during initial ground-disturbance activities, all work shall stop immediately, and USFWS, CDFW, and CPUC shall be contacted. All project activities in the work area shall cease until USFWS and CDFW have provided further guidance. The qualified biologist shall have the authority to stop or redirect work if construction activities are likely to affect California tiger salamanders.
    - No exclusion fencing shall be installed in the areas described above to avoid entanglement, entrapment, and potential take of California tiger salamanders.

To provide clarification, the discussion regarding impacts on special-status and other birds on pages 3.6-40 and 3.6-41 of the Draft EIR is revised as follows:

Original:

Implementation of APMs and BMPs

Implementation of APMs would minimize potential impacts on special-status bird species. APM BIO-1 and BMP BIO-1 would require a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the presence, life history, and habitat requirements of special-status bird species, avoidance and minimization measures that are being implemented to protect the species, the terms and conditions of project permits, and the consequences of noncompliance with these acts. APM BIO-2 and BMP BIO-2 would require preconstruction surveys for activities conducted during the avian nesting season and the establishment of an appropriate exclusion zone around active nests within which no heavy equipment would be operated until a biologist has determined that the nest is no longer active and the young have fledged. APM BIO-3 and BMP BIO-2 require sensitive biological resources (e.g., nesting birds) in or near the BSA to be identified and clearly marked in the field and on project maps for avoidance, to the greatest extent feasible.

APM BIO-4 and BMP BIO-4 would, at the discretion of a biologist, require exclusion fencing to be installed around work areas near habitat for special-status species prior to any ground-disturbing work. APM BIO-5 and BMP BIO-5 would, at the discretion of a biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the PG&E biologist.

APMs BIO-2 and BIO-3 and BMPs BIO-2 and BIO-3 would require surveys for special-status and common nesting birds and for nests to be clearly marked in the field and on project maps; however, the avian nesting season cited in APM BIO-2 and BMP BIO-2 would not capture early or late nesting, which is common in the region; surveys are only specified for construction activities that would result in ground disturbance or vegetation removal, which does not incorporate all activities that could result in disturbance to nesting birds (e.g., staging, O&M); the cited search radius for nonlisted raptor and passerine species would not necessarily be sufficient to protect all nearby nesting birds (i.e., 200 feet and 100 feet, respectively). the measure requires only heavy equipment use to be excluded from the exclusion zone, which would not incorporate all activities that could result in disturbance to nesting birds (e.g., vehicle use, staging, personnel activity, helicopters), and specific exclusion zone sizes are not defined. In addition, APM BIO-2 and BMP BIO-2 do not describe specific survey or avoidance protocols for species like burrowing owl and Swainson's hawk to sufficiently identify and avoid impacts on these species or mitigation required if loss of burrowing owl nests or Swainson's hawk nests occur (e.g., compensatory mitigation, incidental take permitting). The search radius measure also does not provide details regarding how and why a biologist would allow work to occur within the exclusion zone or monitor whether disturbance to the nest is occurring. Furthermore, avoidance measures described under APMs BIO-3, BIO-4, and BIO-5 and BMPs BIO-3, BIO-4, and BIO-5 are required only to the greatest extent feasible or at the discretion of the project biologist and would not ensure the avoidance and protection of nesting birds during project implementation.

Significance before Mitigation

PG&E and LEU project construction and O&M activities may result in direct loss of nesting special-status or common native birds, if present. APMs and BMPs do not include adequate measures or do not require surveys or avoidance measures to identify and reduce impacts on special-status or other native bird species, nor do they provide species-specific buffers. Impacts on special-status and common native bird species would be **significant**.

Revised:

Implementation of APMs and BMPs

PG&E has take authorization for Swainson's hawk pursuant to the SJVHCP for O&M activities, and would implement AMMs 1–11 and AMM-19, AMM-22, and AMM-23 as required under the SJVHCP to address potential impacts on Swainson's hawk, bank swallow, burrowing owl, tricolored blackbird, and other nesting birds.

Implementation of APMs would minimize potential impacts on special-status bird species. APM BIO-1 and BMP BIO-1 would require a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the presence, life history, and habitat requirements of special-status bird species, avoidance and minimization measures that are being implemented to protect the species, the terms and conditions of project permits, and the consequences of noncompliance with these acts. APM BIO-2 and BMP BIO-2 would require preconstruction surveys for activities conducted during the avian nesting season and the establishment of an appropriate exclusion zone around active nests within which no heavy equipment would be operated until a biologist has determined that the nest is no longer active and the young have fledged. APM BIO-3 and BMP BIO-2 require sensitive biological resources (e.g., nesting birds) in or near the BSA to be identified and clearly marked in the field and on project maps for avoidance, to the greatest extent feasible.

APM BIO-4 and BMP BIO-4 would, at the discretion of a biologist, require exclusion fencing to be installed around work areas near habitat for special-status species prior to any ground-disturbing work. APM BIO-5 and BMP BIO-5 would, at the discretion of a biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the PG&E biologist.

APMs BIO-2 and BIO-3 and BMPs BIO-2 and BIO-3 would require surveys for special-status and common nesting birds and for nests to be clearly marked in the field and on project maps; however, the avian nesting season cited in APM BIO-2 and BMP BIO-2 would not capture early or late nesting, which is common in the region; surveys are only specified for construction activities that would result in ground disturbance or vegetation removal, which does not incorporate all activities that could result in disturbance to nesting birds (e.g., staging); the cited search radius for nonlisted raptor and passerine species would not necessarily be sufficient to protect all nearby nesting birds (i.e., 200 feet and 100 feet, respectively), the measure requires only heavy equipment use to be excluded from the exclusion zone, which would not incorporate all activities that could result in disturbance to nesting birds (e.g., vehicle use, staging, personnel activity, helicopters), and specific exclusion zone sizes are not defined. In addition, APM BIO-2 and BMP BIO-2 do not describe specific survey or avoidance protocols for species like burrowing owl and Swainson's hawk to sufficiently identify and avoid impacts on these species or mitigation required if loss of burrowing owl nests or Swainson's hawk nests occur (e.g., compensatory mitigation, incidental take permitting). The search radius measure also does not provide details regarding how and why a biologist would allow work to occur within the exclusion zone or monitor whether disturbance to the nest is occurring. Furthermore, avoidance measures described under APMs BIO-3, BIO-4, and BIO-5 and BMPs BIO-3, BIO-4, and BIO-5 are required only to the greatest extent feasible and note that they will be implemented at the discretion of the project biologist but do not provide additional detail regarding how and when the decision to implement the APMs and BMPs would be made and what would occur if the APMs and BMPs are determined to be infeasible, and would not ensure the avoidance and protection of nesting birds during project construction.

Significance before Mitigation

PG&E and LEU project construction activities and LEU O&M activities may result in direct loss of nesting special-status or common native birds, if present. PG&E has take authorization for Swainson's hawk pursuant to the SJVHCP for O&M activities, and would implement AMMs 1–11 and AMM-19, AMM-22, and AMM-23 as required under the SJVHCP to address potential impacts on Swainson's hawk, bank swallow, burrowing owl,

tricolored blackbird, and other nesting birds. These AMMs would ensure that impacts on special-status and other birds due to O&M activities would be less than significant. For construction activities, however, the APMs and BMPs do not include adequate measures or do not require surveys or avoidance measures to identify and reduce impacts on special-status or other native bird species, nor do they provide species-specific buffers. Impacts on special-status and common native bird species from project construction activities would be **significant**.

To provide clarification, Mitigation Measure BIO-2b on pages 3.6-40 and 3.6-41 of the Draft EIR is revised as follows:

Original:

Mitigation Measure BIO-2b [PG&E and LEU]: Conduct Focused Surveys for Special-Status Birds, Nesting Raptors, and Other Native Nesting Birds and Implement Protective Buffers

The following mitigation measure shall supersede and replace APM BIO-2, APM BIO-3, BMP BIO-2, and BMP BIO-3 for special-status birds:

- To minimize the potential for loss of special-status bird species, raptors, and other native birds, project construction and O&M activities (e.g., tree removal, vegetation clearing, ground disturbance, staging) shall be conducted during the nonbreeding season (approximately September 1 through January 31, as determined by a qualified biologist), if feasible. If project activities are conducted during the nonbreeding season, no further mitigation shall be required.
- Within 14 days before the onset of all project construction or O&M activities during the breeding season (approximately February 1 through August 31, as determined by a qualified biologist), a qualified biologist approved by CPUC, familiar with birds of California and with experience conducting nesting bird surveys shall conduct focused surveys for special-status birds, other nesting raptors, and other native birds. Surveys shall be conducted in accessible areas (i.e., publicly accessible areas and areas where PG&E and LEU has existing access) within 0.25 miles of the BSA for Swainson's hawk and white-tailed kite, 500 feet of the BSA for other raptor species and special-status birds, and 100 feet of the BSA for nonraptor common native bird nests. Private property will be observed (e.g., using binoculars or spotting scopes) from adjacent accessible areas.
- Surveys for Swainson's hawk shall be conducted according to the guidelines outlined in *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000).
- If no active nests are found, the qualified biologist shall submit a report documenting the survey methods and results to PG&E or LEU and CPUC, and no further mitigation shall be required.
- If active nests are found, impacts on nesting birds shall be avoided by establishing appropriate buffers around active nest sites identified during focused surveys to prevent disturbance to the nest. Project activity (e.g., ground disturbance, vegetation removal, staging, heavy equipment use, vehicle use, helicopter overflight) shall not commence within the buffer areas until a qualified biologist has determined that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Buffers typically shall be 0.25 miles for Swainson's hawk and white-tailed kite; 500 feet for tricolored blackbird, great blue heron, northern harrier, and California horned lark (consistent with the SJMSCP); 500 feet for other raptors; and 300 feet for bank swallow (consistent with the SJMSCP). Buffer size for other nonraptor bird species shall be determined by a qualified biologist. Factors to be considered for determining buffer size shall include presence of natural buffers provided by vegetation or topography, nest height above the ground, baseline levels of noise and human activity, species sensitivity, and proposed project activities. Generally, buffer size for these species shall be at least 100 feet for special-status bird species and at least 20 feet for common bird species. The size of the buffer may be adjusted if a qualified biologist determines that such an adjustment shall not be likely to adversely affect the nest. Any buffer reduction for a special-status bird species shall require coordination with CDFW. Periodic monitoring of the nest by a qualified biologist during project activities shall be

required if the activity has potential to adversely affect the nest, the buffer has been reduced, or if birds within active nests are showing behavioral signs of agitation (e.g., standing up from a brooding position, flying off the nest) during project activities, as determined by the qualified biologist.

- PG&E and LEU shall develop a nesting bird management plan. The nesting bird management plan shall be submitted to USFWS and CDFW for review and comment. PG&E and LEU shall submit the final plan to CPUC no less than 60 days prior to construction. CPUC approval is required before the plan is implemented. The nesting bird management plan shall include measures and an adaptive management program to avoid and minimize impacts on special-status and bird species protected by the MBTA or California Fish and Game Code during project construction. Specifically, the nesting bird management plans shall refer to the requirements listed above and shall contain the following information:
  - Appropriate survey timing, extents, methods, and surveyor qualifications; approved nest deterrent methods, including areas where vegetation will be cleared for the purpose of deterring nesting; monitoring and reporting protocols during construction; protocols for determining whether a nest is active; and protocols for documenting, reporting, and protecting active nests within construction areas. If preconstruction survey protocols exist for a certain species, the plan shall outline the implementation of these protocols.
  - Guidelines for determining appropriate and effective buffer distances that shall account for specific project settings, bird species, stage of nesting cycle, and construction work type. Language for the buffer reduction process shall be included in the plan and shall include substantial evidence for reducing the buffer including but not limited to relevant scientific literature, studies, and life history accounts. Buffer reduction shall include coordination with the appropriate wildlife agencies and CPUC if reducing the buffer of a raptor or special-status species.

Revised:

Mitigation Measure BIO-2b [PG&E and LEU]: Conduct Focused Surveys for Special-Status Birds, Nesting Raptors, and Other Native Nesting Birds and Implement Protective Buffers

The following mitigation measure shall supersede and replace APM BIO-2, APM BIO-3, BMP BIO-2, and BMP BIO-3 for special-status birds:

- To minimize the potential for loss of special-status bird species, raptors, and other native birds, PG&E and LEU project construction and LEU O&M activities (e.g., tree removal, vegetation clearing, ground disturbance, staging) shall be conducted during the nonbreeding season (approximately September 1 through January 31, as determined by a qualified biologist), if feasible. If project activities are conducted during the nonbreeding season, no further mitigation shall be required.
- Within 14 days before the onset of all project construction or O&M activities during the breeding season (approximately February 1 through August 31, as determined by a qualified biologist), a qualified biologist approved by CPUC, familiar with birds of California and with experience conducting nesting bird surveys shall conduct focused surveys for special-status birds, other nesting raptors, and other native birds. Surveys shall be conducted in accessible areas (i.e., publicly accessible areas and areas where PG&E and LEU has existing access) within 0.25 miles of the BSA for Swainson's hawk and white-tailed kite and 500 feet of the BSA for other raptor species, special-status birds, and nonraptor common native bird nests. Private property will be observed (e.g., using binoculars or spotting scopes) from adjacent accessible areas.
- Surveys for Swainson's hawk shall be conducted according to the guidelines outlined in *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000).
- If no active nests are found, the qualified biologist shall submit a report documenting the survey methods and results to PG&E or LEU and CPUC, and no further mitigation shall be required.

- If active nests are found, impacts on nesting birds shall be avoided by establishing appropriate buffers around active nest sites identified during focused surveys to prevent disturbance to the nest. Project activity (e.g., ground disturbance, vegetation removal, staging, heavy equipment use, vehicle use, helicopter overflight) shall not commence within the buffer areas until a qualified biologist has determined that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Buffers typically shall be 0.25 miles for Swainson's hawk and white-tailed kite; 500 feet for tricolored blackbird, great blue heron, northern harrier, and California horned lark (consistent with the SJMSCP); 500 feet for other raptors; and 300 feet for bank swallow (consistent with the SJMSCP). Buffer size for other nonraptor bird species shall be determined by a qualified biologist. Factors to be considered for determining buffer size shall include presence of natural buffers provided by vegetation or topography, nest height above the ground, baseline levels of noise and human activity, species sensitivity, and proposed project activities. Generally, buffer size for these species shall be at least 100 feet for special-status bird species and at least 20 feet for common bird species. The size of the buffer may be adjusted if a qualified biologist determines that such an adjustment shall not be likely to adversely affect the nest. Any buffer reduction for a special-status bird species shall require coordination with CDFW. Periodic monitoring of the nest by a qualified biologist during project activities shall be required if the activity has potential to adversely affect the nest, the buffer has been reduced, or if birds within active nests are showing behavioral signs of agitation (e.g., standing up from a brooding position, flying off the nest) during project activities, as determined by the qualified biologist.
- PG&E and LEU shall each develop a nesting bird management plan for their individual project activities. PG&E shall submit the final plan to CPUC no less than 60 days prior to construction. CPUC approval is required before the plan is implemented. The nesting bird management plan shall include measures and an adaptive management program to avoid and minimize impacts on special-status and bird species protected by the MBTA or California Fish and Game Code during project construction. Specifically, the nesting bird management plans shall refer to the requirements listed above and shall contain the following information:
    - Appropriate survey timing, extents, methods, and surveyor qualifications; approved nest deterrent methods, including areas where vegetation will be cleared for the purpose of deterring nesting; monitoring and reporting protocols during construction; protocols for determining whether a nest is active; and protocols for documenting, reporting, and protecting active nests within construction areas. If preconstruction survey protocols exist for a certain species, the plan shall outline the implementation of these protocols.
    - Guidelines for determining appropriate and effective buffer distances that shall account for specific project settings, bird species, stage of nesting cycle, and construction work type. Language for the buffer reduction process shall be included in the plan and shall include substantial evidence for reducing the buffer including but not limited to relevant scientific literature, studies, and life history accounts. Buffer reduction shall include coordination with the appropriate wildlife agencies and CPUC if reducing the buffer of a special-status species.

To provide clarification, the discussion regarding residual impacts on Crotch's bumble bees after implementation of APMs and BMPs on pages 3.6-42 and 3.6-43 of the Draft EIR is revised as follows:

Original:

Implementation of APMs and BMPs

Implementation of APMs would minimize potential impacts on Crotch's bumble bee. APM BIO-1 and BMP BIO-1 would require a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the presence, life history, and habitat requirements of special-status species, avoidance and minimization measures that are being implemented to protect the species, the terms and conditions of project permits, and the consequences of noncompliance with these acts. APM BIO-3 and BMP BIO-3 require sensitive biological

resources in or near the BSA to be identified and clearly marked in the field and on project maps for avoidance, to the greatest extent feasible.

Pursuant to APM BIO-4 and BMP BIO-4, and at the discretion of the biologist, exclusion fencing would be installed around PG&E workspaces prior to any ground-disturbing work in proximity to habitat for special-status species. APM BIO-5 and BMP BIO-5 would, at the discretion of the biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the biologist. When grassland habitat suitable for Crotch's bumble bee is temporarily disturbed by project activities, APM BIO-8 would require restoration and revegetation of these areas, which includes the application of a habitat-appropriate native seed mix for PG&E-owned parcels.

The APMs and BMPs do not include survey requirements for Crotch's bumble bee, nor do they describe protocols or avoidance measures to identify and protect this species, if present. While APMs BIO-3 and BIO-4 and BMPs BIO-3 and BIO-4 would reduce impacts on Crotch's bumble bee through protection of sensitive biological resources, these measures are only required to the greatest extent feasible or at the discretion of the project biologist and would not ensure the detection and sufficient avoidance of Crotch's bumble during project implementation.

Significance before Mitigation

While the APMs and BMPs would reduce impacts on Crotch's bumble bee, APM BIO-3, BMP BIO-3, APM BIO-4, and BMP BIO-4 are required only to the greatest extent feasible or at the discretion of the project biologist and would not ensure the detection and avoidance of Crotch's bumble bee or significant habitat for Crotch's bumble bee. Furthermore, these measures do not include survey requirements for Crotch's bumble bee nor do they describe protocols or avoidance measures to identify and protect this species, if present. The population status of this species is poorly understood, and loss of a colony as a result of project implementation could have a substantial effect on the population. Therefore, loss of Crotch's bumble bees would be a **significant** impact.

Revised:

Implementation of APMs and BMPs

Implementation of APMs would minimize potential impacts on Crotch's bumble bee. APM BIO-1 and BMP BIO-1 would require a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the presence, life history, and habitat requirements of special-status species, avoidance and minimization measures that are being implemented to protect the species, the terms and conditions of project permits, and the consequences of noncompliance with these acts. APM BIO-3 and BMP BIO-3 require sensitive biological resources in or near the BSA to be identified and clearly marked in the field and on project maps for avoidance, to the greatest extent feasible.

Pursuant to APM BIO-4 and BMP BIO-4, and at the discretion of the biologist, exclusion fencing would be installed around PG&E workspaces prior to any ground-disturbing work in proximity to habitat for special-status species. APM BIO-5 and BMP BIO-5 would, at the discretion of the biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the biologist. When grassland habitat suitable for Crotch's bumble bee is temporarily disturbed by project activities, APM BIO-8 would require restoration and revegetation of these areas, which includes the application of a habitat-appropriate native seed mix for PG&E-owned parcels.

The APMs and BMPs do not include survey requirements for Crotch's bumble bee, nor do they describe protocols or avoidance measures to identify and protect this species, if present. While APMs BIO-3 and BIO-4 and BMPs BIO-3 and BIO-4 would reduce impacts on Crotch's bumble bee through protection of sensitive biological resources, these measures are only required to the greatest extent feasible and note that they will

be implemented at the discretion of the project biologist but do not provide additional detail regarding how and when the decision to implement the APMs and BMPs would be made and what would occur if the APMs and BMPs are determined to be infeasible, and would not ensure the detection and sufficient avoidance of Crotch's bumble during project implementation.

Significance before Mitigation

While the APMs and BMPs would reduce impacts on Crotch's bumble bee, APM BIO-3, BMP BIO-3, APM BIO-4, and BMP BIO-4 are required only to the greatest extent feasible or at the discretion of the project biologist and would not ensure the detection and avoidance of Crotch's bumble bee or significant habitat for Crotch's bumble bee. Furthermore, these measures do not include survey requirements for Crotch's bumble bee nor do they describe protocols or avoidance measures to identify and protect this species, if present. The population status of this species is poorly understood, and loss of a colony as a result of project implementation could have a substantial effect on the population. Therefore, loss of Crotch's bumble bees would be a **significant** impact.

To provide clarification, the discussion regarding potential impacts on valley elderberry longhorn beetle on page 3.6-43 of the Draft EIR is revised as follows:

Original:

Elderberry stems of at least 1 inch in diameter may contain eggs, larvae, pupae, or preemergent adults. Removal, trimming, or damage to elderberry shrubs from vegetation clearing during construction and O&M, construction of the proposed guard structure and pull site, and construction activities associated with PG&E Lockeford Substation modification and expansion would result in injury or direct mortality of valley elderberry longhorn beetle. Beetles could also be injured or killed by vehicles or equipment during construction and O&M when they are outside of their host plant during adult emergence, feeding, or dispersal.

Revised:

Elderberry stems of at least 1 inch in diameter may contain eggs, larvae, pupae, or preemergent adults. Removal, trimming, or damage to elderberry shrubs from vegetation clearing during construction and O&M, construction of the proposed guard structure and pull site, and construction activities associated with PG&E Lockeford Substation modification and expansion could result in injury or direct mortality of valley elderberry longhorn beetle if the shrubs are occupied by beetles. Beetles could also be injured or killed by vehicles or equipment during construction and O&M when they are outside of their host plant during adult emergence, feeding, or dispersal.

To provide clarification, the discussion regarding potential impacts on valley elderberry longhorn beetle on page 3.6-44 of the Draft EIR is revised as follows:

Original:

Valley elderberry longhorn beetle is a covered species under the SJVHCP, and PG&E is required to comply with applicable AMMs. Accordingly, during routine O&M activities that are conducted near elderberry shrubs, a qualified individual would survey for the presence of elderberry plants within a minimum of 20 feet from the worksite. If elderberry plants have one or more stems measuring 1 inch or more in diameter at ground level, the qualified individual would flag those areas to avoid or minimize potential impacts on elderberry plants. If impacts (e.g., pruning, trimming, removal, ground disturbance, damage) are unavoidable or occur, then additional measures to reduce, avoid, or compensate for impacts would be implemented, in compliance with the requirements in the SJVHCP. Furthermore, PG&E developed and implemented a Valley Elderberry Longhorn Beetle Conservation Program, which was adopted by USFWS in 2003, after which USFWS issued a biological opinion (BO) as part of formal ESA Section 7 consultation for the species to address impacts of PG&E routine O&M activities (e.g., vegetation management, emergency activities) on valley elderberry longhorn beetles (USFWS 2003). The Valley Elderberry Longhorn Beetle Conservation Plan and BO do not cover construction activities, such as new electric pole/tower construction, substation expansion, new

pipeline installation, or pressure limiting station construction, and these activities would be subject to separate authorizations. The BO required avoidance, minimization, and conservation measures that included environmental training and education for staff and contractors; flagging areas to avoid valley elderberry longhorn beetle habitat; limitations on the use of pesticides near valley elderberry longhorn beetle habitat; directional felling of hazard trees; erosion control; monitoring and reporting of activities that may affect valley elderberry longhorn beetle to USFWS; and PG&E providing incremental funding for acquisition or long-term management of up to 1,000 acres of high-quality habitat near or adjacent to existing valley elderberry longhorn beetle populations in the Sacramento and San Joaquin Valleys.

Revised:

Valley elderberry longhorn beetle is a covered species under the SJVHCP, and PG&E is required to comply with applicable AMMs for project activities that are considered covered activities under the plan. Accordingly, during routine O&M activities that are conducted near elderberry shrubs, a qualified individual would survey for the presence of elderberry plants within a minimum of 20 feet from the worksite. If elderberry plants have one or more stems measuring 1 inch or more in diameter at ground level, the qualified individual would flag those areas to avoid or minimize potential impacts on elderberry plants. If impacts (e.g., pruning, trimming, removal, ground disturbance, damage) are unavoidable or occur, then additional measures to reduce, avoid, or compensate for impacts would be implemented, in compliance with the requirements in the SJVHCP. Furthermore, PG&E developed and implemented a Valley Elderberry Longhorn Beetle Conservation Program, which was adopted by USFWS in 2003, after which USFWS issued a biological opinion (BO) as part of formal ESA Section 7 consultation for the species to address impacts of PG&E routine O&M activities (e.g., vegetation management, emergency activities) on valley elderberry longhorn beetles (USFWS 2003). The Valley Elderberry Longhorn Beetle Conservation Plan and BO do not cover construction activities, such as new electric pole/tower construction, substation expansion, new pipeline installation, or pressure limiting station construction, and these activities would be subject to separate authorizations. The BO required avoidance, minimization, and conservation measures that included environmental training and education for staff and contractors; flagging areas to avoid valley elderberry longhorn beetle habitat; limitations on the use of pesticides near valley elderberry longhorn beetle habitat; directional felling of hazard trees; erosion control; monitoring and reporting of activities that may affect valley elderberry longhorn beetle to USFWS; and PG&E providing incremental funding for acquisition or long-term management of up to 1,000 acres of high-quality habitat near or adjacent to existing valley elderberry longhorn beetle populations in the Sacramento and San Joaquin Valleys.

To provide clarification, the discussion regarding residual impacts on wetlands after implementation of APMs on pages 3.6-54 of the Draft EIR is revised as follows:

Original:

Implementation of APMs

APM BIO-3 would require aquatic resources in or adjacent to PG&E project construction and O&M areas to be clearly marked in the field and on project maps and avoided to the greatest extent feasible. APM BIO-7 and APM HYD-1 require avoidance of wetlands and other waters during construction activities; restrict the refueling of vehicles within approximately 100 feet of a wetland, stream, or other waterway; and require implementation of a SWPPP to minimize construction-related erosion and sediments from entering nearby waterways. To prevent accidental encroachment into nearby wetlands, APM BIO-4 would require the installation of exclusion fencing around PG&E workspaces that are in close proximity to wetlands prior to any ground-disturbing work, at the discretion of the PG&E biologist. APM BIO-1 requires a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the biological resources that may be affected by the project, avoidance and minimization measures that are being implemented to protect biological resources, the terms and conditions of project permits, and the consequences of noncompliance with these acts.

Although APMs BIO-3 and BIO-4 would require the identification, avoidance, and installation of exclusion fencing around wetlands, these measures are required only to the greatest extent feasible or at the discretion of the PG&E biologist. Wetlands in close proximity to the PG&E portion of the BSA may be inadvertently adversely affected if not properly marked. Pursuant to APM HYD-1, a SWPPP would be implemented to minimize construction-related erosion and sediments from entering nearby waterways.

Revised:

Implementation of APMs

APM BIO-3 would require aquatic resources in or adjacent to PG&E project construction and O&M areas to be clearly marked in the field and on project maps and avoided to the greatest extent feasible. APM BIO-7 and APM HYD-1 require avoidance of wetlands and other waters during construction activities; restrict the refueling of vehicles within approximately 100 feet of a wetland, stream, or other waterway; and require implementation of a SWPPP to minimize construction-related erosion and sediments from entering nearby waterways. To prevent accidental encroachment into nearby wetlands, APM BIO-4 would require the installation of exclusion fencing around PG&E workspaces that are in close proximity to wetlands prior to any ground-disturbing work, at the discretion of the PG&E biologist. APM BIO-1 requires a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the biological resources that may be affected by the project, avoidance and minimization measures that are being implemented to protect biological resources, the terms and conditions of project permits, and the consequences of noncompliance with these acts.

Although APMs BIO-3 and BIO-4 would require the identification, avoidance, and installation of exclusion fencing around wetlands, these measures are required only to the greatest extent feasible or at the discretion of the PG&E biologist. Wetlands in close proximity to the PG&E portion of the BSA may be inadvertently adversely affected if not properly marked. If ground disturbance were to occur near these wetlands, indirect effects on the hydrology of the wetlands could occur, leading to degradation of these features, or vehicle and equipment operation directly adjacent to the wetlands could result in inadvertent fill or disruption of hydrology. Pursuant to APM HYD-1, a SWPPP would be implemented to minimize construction-related erosion and sediments from entering nearby waterways.

To provide clarification, Mitigation Measure BIO-3 on page 3.6-55 of the Draft EIR is revised as follows:

Original:

Mitigation Measure BIO-3 [PG&E]: Implement Avoidance Measures for State and Federally Protected Wetlands

The following mitigation measure shall supersede and replace APM BIO-3 and APM BIO-4 for state and federally protected wetlands:

- For any state or federally protected wetlands within a 25-foot buffer of PG&E project construction and O&M activities, a qualified biologist would establish a buffer around the wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer would be a minimum width of 25 feet but may be larger if deemed necessary by the qualified biologist. The appropriate size and shape of the buffer would be determined by the qualified biologist and would depend on the type of wetland present (e.g., stream, fresh emergent wetland), the timing of project construction or O&M activities (e.g., wet or dry time of year), environmental conditions and terrain, and the project activity being implemented.

  All PG&E project construction and O&M activities (e.g., road widening, ground disturbance, vegetation removal) would be prohibited within the established buffer. A qualified biologist would periodically inspect the materials demarcating the buffer to confirm that they are intact and visible and that wetland impacts are being avoided.

Revised:

Mitigation Measure BIO-3 [PG&E]: Implement Avoidance Measures for State and Federally Protected Wetlands

The following mitigation measure shall supersede and replace APM BIO-3 and APM BIO-4 for state and federally protected wetlands:

- For any state or federally protected wetlands within a 25-foot buffer of PG&E project construction and O&M activities, a qualified biologist would establish a buffer around the wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). Where PG&E does not have land rights, or physically demarcating wetlands would result in obstruction of a public road or would draw unnecessary attention to sensitive habitats, at the discretion of the qualified biologist, the boundaries of the wetlands and protectives buffers would be incorporated into all electronic and paper maps and plans used by project personnel. The buffer would be a minimum width of 25 feet but may be adjusted if deemed necessary by the qualified biologist. The appropriate size and shape of the buffer would be determined by the qualified biologist and would depend on the type of wetland present (e.g., stream, fresh emergent wetland), the timing of project construction or O&M activities (e.g., wet or dry time of year), environmental conditions and terrain, and the project activity being implemented.

  All PG&E project construction and O&M activities (e.g., road widening, ground disturbance, vegetation removal) would be prohibited within the established buffer. A qualified biologist would periodically inspect the materials demarcating the buffer to confirm that they are intact and visible and that wetland impacts are being avoided.

To provide clarification, Impact BIO-5 and Mitigation Measure BIO-5 on pages 3.6-56 through 3.6-58 of the Draft EIR are revised as follows:

Original:

Impact BIO-5: Conflict with Local Policies and Ordinances

The San Joaquin County General Plan includes policies intended to protect wetlands, riparian areas, vernal pools, significant oak woodlands and heritage trees, and rare, threatened, and endangered species and their habitats. The City of Lodi General Plan Conservation Element includes policies related to compliance with the SJMSCP, preventing the spread of invasive/noxious plant species, sensitive plants and wildlife habitat, and minimizing impacts on and mitigating loss of Swainson's hawk, vernal pool tadpole shrimp, and any threatened, endangered or other sensitive species. These policies are consistent with state and federal regulations that protect these resources. Impacts on rare, threatened, and endangered species (Impacts BIO-1 and BIO-2), riparian habitat (Impact BIO-3), state and federally protected wetlands (Impact BIO-4), and consistency with the SJMSCP (Impact BIO-6) are described above and below. The following analysis includes local policies that are not already addressed in another impact discussion.

PG&E Project Components

Although PG&E is not subject to local (city and county) discretionary regulations, any actions that conflict with the local policies and ordinances described above in Section 3.6.2, "Regulatory Setting," could affect biological resources in the BSA.

The San Joaquin County Ordinance Code includes natural resources regulations that apply to native oak trees, heritage oak trees, and historical trees. Oak trees are present in the PG&E portion of the BSA, and two oak trees would be trimmed along the access route near North Locust Tree Road. Two additional oak trees are expected to be trimmed in the new 230 kV ROW; however, these trees may be removed as necessary to protect electrical lines. Section 9-1505.8 (General Exemptions) of the San Joaquin County Ordinance Code allows oak tree removal by a public utility that is necessary to protect electric power or communication lines or other property owned by the public utility. However, construction activities associated with the project

may not qualify for this exemption because oak trees would be removed for the construction of new power lines, not for the protection of existing power lines. This would result in a conflict with the San Joaquin County Ordinance Code. No native oak trees, heritage oak trees, or historical trees are expected to be removed during O&M; however, if trees are required to be removed during O&M activities, these activities would be necessary to protect electric power or communication line, or other property owned by the public utility and would not conflict with the San Joaquin County Ordinance Code.

Part of the PG&E portion of the BSA is within Lodi; therefore, the City of Lodi's General Plan Conservation Element would apply. The City of Lodi General Plan Conservation Element includes policies related to protection of native tree species and minimizing impacts on and mitigating loss of mature trees. Four mature eucalyptus trees are proposed for removal near East Sargent Road for access and utility line ROW. However, eucalyptus is not a native tree species, and other trees adjacent to these four trees would be retained.

Implementation of APMs

APM BIO-8 would limit tree removal only to what is necessary to establish access routes and allow equipment use in construction work areas. However, the removal of any oak trees for the purpose of development would result in conflict with the San Joaquin County Ordinance Code.

LEU Project Components

No tree removal is proposed in the LEU portion of the BSA during construction. No native oak trees, heritage oak trees, or historical trees are expected to be removed during O&M. LEU project construction and O&M activities would not conflict with local policies or ordinances; therefore, implementation of BMPs is not needed to be consistent with local policies or ordinances.

Implementation of BMPs

No applicable BMPs are proposed as part of the project.

Significance before Mitigation

APM BIO-8 limits the removal of trees to what is necessary for PG&E project implementation, however the removal of any trees for the purpose of development would be in conflict with County Code. This would be a **significant** impact.

Mitigation Measures

Mitigation Measure BIO-5 [PG&E]: Compensate for Removal of Protected Oak Trees Consistent with the San Joaquin County Ordinance Code

- PG&E shall initiate a zoning compliance review with San Joaquin County for the planned removal of oak trees. This review will determine whether the oak trees planned for removal are considered heritage oak trees or historical trees, whether the project is exempt from the requirements of the ordinance, whether tree removal will be permitted by the county, and the number of replacement trees required.
- Tree replacement, if required, shall be in accordance with Section 9-400.080 (Trees on Private Property), which includes the following provisions:
  - Replacement Stock. Replacement stock shall be of healthy commercial nursery stock of the species removed or other species approved by the Zoning Administrator.
  - Replacement Location. Replacement trees shall be planted as near as possible to the location of the removed tree or in an alternative location acceptable to the Zoning Administrator.
  - Timing. Replacement stock shall be planted between October 1 and December 31, and no later than 18 months after the date of tree removal.
  - Number.

- Each Heritage Oak Tree or Historical Tree that has been removed shall be replaced with five trees or acorns, or combination thereof.
- Each Native Oak Tree that has been removed shall be replaced with three trees or acorns, or combination thereof.
- The applicant shall be required to demonstrate to the satisfaction of the Zoning Administrator that replacement stock will be planted and maintained in such a manner as to ensure the survival of said stock at the end of a three-year period commencing from the date of planting.

Significance after Mitigation

Implementation of Mitigation Measure BIO-6 would require compliance with local ordinances by requiring a zoning compliance review for the removal of oak trees for construction of new power lines and associated replacement requirements consistent with the San Joaquin County Ordinance Code. With implementation of mitigation, this impact would be **less than significant**.

Revised:

Impact BIO-5: Conflict with Local Policies and Ordinances

The San Joaquin County General Plan includes policies intended to protect wetlands, riparian areas, vernal pools, significant oak woodlands and heritage trees, and rare, threatened, and endangered species and their habitats. The City of Lodi General Plan Conservation Element includes policies related to compliance with the SJMSCP, preventing the spread of invasive/noxious plant species, sensitive plants and wildlife habitat, and minimizing impacts on and mitigating loss of Swainson's hawk, vernal pool tadpole shrimp, and any threatened, endangered or other sensitive species. These policies are consistent with state and federal regulations that protect these resources. Impacts on rare, threatened, and endangered species (Impacts BIO-1 and BIO-2), riparian habitat (Impact BIO-3), state and federally protected wetlands (Impact BIO-4), and consistency with the SJMSCP (Impact BIO-6) are described above and below. The following analysis includes local policies that are not already addressed in another impact discussion.

PG&E Project Components

Although PG&E is not subject to local (city and county) discretionary regulations, any actions that conflict with the local policies and ordinances described above in Section 3.6.2, "Regulatory Setting," could affect biological resources in the BSA.

The San Joaquin County Ordinance Code includes natural resources regulations that apply to native oak trees, heritage oak trees, and historical trees. Oak trees are present in the PG&E portion of the BSA, and two oak trees would be trimmed along the access route near North Locust Tree Road. Two additional oak trees are expected to be trimmed in the new 230 kV ROW; however, these trees may be removed as necessary to protect electrical lines. Section 9-1505.8 (General Exemptions) of the San Joaquin County Ordinance Code allows oak tree removal by a public utility that is necessary to protect electric power or communication lines or other property owned by the public utility. Because the code allows oak tree removal by a public utility that is necessary to protect electric power or communication lines or other property owned by the public utility, and because PG&E is not subject to local discretionary regulations, project activities would be exempt from the provisions of this ordinance.

Part of the PG&E portion of the BSA is within Lodi; therefore, the City of Lodi's General Plan Conservation Element would apply. The City of Lodi General Plan Conservation Element includes policies related to protection of native tree species and minimizing impacts on and mitigating loss of mature trees. Four mature eucalyptus trees are proposed for removal near East Sargent Road for access and utility line ROW. However, eucalyptus is not a native tree species, and other trees adjacent to these four trees would be retained.

Implementation of APMs

APM BIO-8 would limit tree removal only to what is necessary to establish access routes and allow equipment use in construction work areas.

LEU Project Components

No tree removal is proposed in the LEU portion of the BSA during construction. No native oak trees, heritage oak trees, or historical trees are expected to be removed during O&M. LEU project construction and O&M activities would not conflict with local policies or ordinances; therefore, implementation of BMPs is not needed to be consistent with local policies or ordinances.

Implementation of BMPs

No applicable BMPs are proposed as part of the project.

Significance before Mitigation

APM BIO-8 limits the removal of trees to what is necessary for PG&E project implementation, and the San Joaquin County Ordinance Code allows oak tree removal by a public utility that is necessary to protect electric power or communication lines or other property owned by the public utility. Therefore, the project would be exempt from the provisions of this ordinance and there would be no impact related to conflict with local policies and ordinances.

Mitigation Measures

No mitigation is required for this impact.

To narrow the focus of impacts on American badger to construction activities, the American badger impact discussion on page 3.6-46 of the Draft EIR is revised as follows:

Original:

American Badger

PG&E Project Components

Grassland habitat and agricultural areas in the BSA may provide habitat suitable for American badger. Vegetation clearing, ground disturbance, staging, and heavy equipment use associated with construction and O&M may result in direct loss of American badgers or active badger dens if they are present in the BSA.

Implementation of APMs

APM BIO-3 requires sensitive biological resources in or near the BSA to be identified and clearly marked in the field and on project maps for avoidance, to the greatest extent feasible. APM BIO-1 would require a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the presence, life history, and habitat requirements of all special-status species that may be affected by the project, avoidance and minimization measures that are being implemented to protect biological resources, the terms and conditions of project permits, and the consequences of noncompliance with these acts. APM BIO-4 would, at the discretion of a PG&E biologist, require exclusion fencing to be installed around work areas near habitat suitable for special-status species prior to any ground-disturbing work. APM BIO-5 would, at the discretion of the PG&E biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the PG&E biologist.

While APMs BIO-3 and BIO-4 would minimize impacts on American badger, these measures are only required to the greatest extent feasible or at the discretion of the biologist and would not ensure the detection and avoidance of badgers or dens during project implementation. Furthermore, APMs do not describe survey protocols or avoidance measures to identify and protect this species, if present.

LEU Project Components

LEU project components would occur in the grassland west of the existing Industrial Substation. This grassland area is unlikely to provide denning habitat for badger because it is surrounded by industrial development on all sides, including SR 99 to the west and the CCT railroad to the north and east, which are

substantial barriers to movement that would likely deter badgers from moving into this area from surrounding areas.

Grassland habitat in the LEU BSA does not provide habitat suitable for American badgers. Therefore, loss of American badgers and their habitat is not expected to occur as a result of implementation of LEU project components.

Implementation of BMPs
No applicable BMPs are proposed as part of the project.

Significance before Mitigation
PG&E project construction and O&M activities could result in direct loss of American badgers. APMs do not require surveys or avoidance measures to identify and protect American badgers, if present, in the PG&E portion of the BSA. Therefore, impacts on American badger from construction and O&M of PG&E project components would be **significant**.

Revised:

American Badger

PG&E Project Components
Grassland habitat and agricultural areas in the BSA may provide habitat suitable for American badger. Vegetation clearing, ground disturbance, staging, and heavy equipment use associated with construction may result in direct loss of American badgers or active badger dens if they are present in the BSA. O&M activities would result in temporary impacts and would be localized in areas where American badgers would be unlikely to den.

Implementation of APMs
APM BIO-3 requires sensitive biological resources in or near the BSA to be identified and clearly marked in the field and on project maps for avoidance, to the greatest extent feasible. APM BIO-1 would require a biologist to deliver an environmental awareness program for all on-site construction personnel before they begin work on the project. Training would include a discussion of the presence, life history, and habitat requirements of all special-status species that may be affected by the project, avoidance and minimization measures that are being implemented to protect biological resources, the terms and conditions of project permits, and the consequences of noncompliance with these acts. APM BIO-4 would, at the discretion of a PG&E biologist, require exclusion fencing to be installed around work areas near habitat suitable for special-status species prior to any ground-disturbing work. APM BIO-5 would, at the discretion of the PG&E biologist, require a qualified biologist (i.e., monitor) to be on-site during construction activities in sensitive biological resource areas unless the area has been protected by fencing to protect sensitive biological resources and previously cleared by the qualified biologist and the PG&E biologist.

While APMs BIO-3 and BIO-4 would minimize impacts on American badger, these measures are only required to the greatest extent feasible or at the discretion of the biologist and would not ensure the detection and avoidance of badgers or dens during implementation of construction activities. Furthermore, APMs do not describe survey protocols or avoidance measures to identify and protect this species, if present.

LEU Project Components
LEU project components would occur in the grassland west of the existing Industrial Substation. This grassland area is unlikely to provide denning habitat for badger because it is surrounded by industrial development on all sides, including SR 99 to the west and the CCT railroad to the north and east, which are substantial barriers to movement that would likely deter badgers from moving into this area from surrounding areas.

Grassland habitat in the LEU BSA does not provide habitat suitable for American badgers. Therefore, loss of American badgers and their habitat is not expected to occur as a result of implementation of LEU project components.

Implementation of BMPs
No applicable BMPs are proposed as part of the project.

Significance before Mitigation
PG&E project construction activities could result in direct loss of American badgers. APMs do not require surveys or avoidance measures to identify and protect American badgers, if present, in the PG&E portion of the BSA. Therefore, impacts on American badger from construction of PG&E project components would be significant.

To narrow the focus of impacts on American badger to construction activities, Mitigation Measure BIO-2g on page 3.6-52 of the Draft EIR is revised as follows:

Original:

Mitigation Measure BIO-2g [PG&E]: Conduct Focused American Badger Surveys and Establish Protective Buffers
The following mitigation measure shall supersede and replace APM BIO-3 for American badger:

- Within 14 days before commencement of project activities, a qualified wildlife biologist approved by CPUC familiar with American badger and experienced using survey methods for the species shall conduct focused surveys of habitat suitable for the species in the BSA to identify any American badger dens.
- If occupied dens are not found, the qualified biologist shall submit a report summarizing the results of the survey to PG&E and CPUC, and further mitigation shall not be required.
- If occupied dens are found, then dens shall be monitored to determine if occupation is by an adult badger only or if it is a natal den. Impacts on active badger dens shall be avoided by establishing exclusion zones around all active badger dens. If the qualified biologist determined that the den is a natal den, an exclusion zone of 200 feet shall be maintained around the den until the qualified biologist determines that den has been vacated. If the den is occupied by an adult badger only, the size of the buffer shall be determined by a qualified biologist. No project activities (e.g., vegetation removal, ground disturbance, staging) shall occur within the exclusion zone until denning activities are complete or the den is abandoned, as confirmed by a qualified biologist. The qualified biologist shall monitor each den once per week to track the status of the den and to determine when it is no longer occupied. When it is no longer occupied, project activities within the exclusion zone may occur. Monitoring reports shall be submitted to CDFW and CPUC.

Revised:

Mitigation Measure BIO-2g [PG&E]: Conduct Focused American Badger Surveys and Establish Protective Buffers
The following mitigation measure shall supersede and replace APM BIO-3 for American badger:

- Within 14 days before commencement of project construction activities, a qualified wildlife biologist approved by CPUC familiar with American badger and experienced using survey methods for the species shall conduct focused surveys of habitat suitable for the species in the BSA to identify any American badger dens.
- If occupied dens are not found, the qualified biologist shall submit a report summarizing the results of the survey to PG&E and CPUC, and further mitigation shall not be required.

- If occupied dens are found, then dens shall be monitored to determine if occupation is by an adult badger only or if it is a natal den. Impacts on active badger dens shall be avoided by establishing exclusion zones around all active badger dens. If the qualified biologist determined that the den is a natal den, an exclusion zone of 200 feet shall be maintained around the den until the qualified biologist determines that den has been vacated. If the den is occupied by an adult badger only, the size of the buffer shall be determined by a qualified biologist. No project construction activities (e.g., vegetation removal, ground disturbance, staging) shall occur within the exclusion zone until denning activities are complete or the den is abandoned, as confirmed by a qualified biologist. The qualified biologist shall monitor each den once per week to track the status of the den and to determine when it is no longer occupied. When it is no longer occupied, project construction activities within the exclusion zone may occur. Monitoring reports shall be submitted to CDFW and CPUC.

To add clarity, Mitigation Measure BIO-2c on page 3.6-48 and 3.6-49 of the Draft EIR is revised as follows:

Original:

Mitigation Measure BIO-2c [PG&E and LEU]: Conduct Protocol-Level Surveys for Burrowing Owl and Implement Avoidance Measures

The following mitigation measure shall supersede and replace APM BIO-2, APM BIO-3, BMP BIO-2, and BMP BIO-3 for burrowing owl:

- A qualified biologist approved by CPUC shall conduct surveys for burrowing owls in areas of habitat suitable for the species on and within 1,640 feet of the BSA. Inaccessible areas (e.g., adjacent private property) will not be surveyed directly, but the biologist may use binoculars or a spotting scope to survey these areas. A minimum of four surveys shall be conducted to determine whether burrowing owls occupy the site. Surveys shall be conducted according to Appendix D of the 2012 *Staff Report on Burrowing Owl Mitigation* prepared by the California Department of Fish and Game (now CDFW) (CDFG 2012) or any subsequent updated guidance. If feasible, at least one survey should be conducted between February 15 and April 15, and the remaining surveys should be conducted between April 15 and July 15, at least three weeks apart. Because burrowing owls may recolonize a site after only a few days, one of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating ground disturbance activities to verify that take of burrowing owl would not occur.
- If no occupied burrows are found, the qualified biologist shall submit a report documenting the survey methods and results to PG&E or LEU and CPUC, and no further mitigation shall be required.
- If an active burrow is found within 1,640 feet of pending construction activities, PG&E or LEU shall establish and maintain a buffer around the occupied burrow and any identified satellite burrows (i.e., nonnesting burrows that burrowing owls use to escape predators or move young into after hatching) to prevent take of the burrowing owls.
    - During the nonbreeding season (September 1 through January 31), the minimum buffer distance shall be 164 feet (50 meters). During the breeding season (February 1 through August 31), the minimum buffer distance shall be increased to 1,640 feet (500 meters).
    - The buffer may be adjusted if, in consultation with CDFW, the qualified biologist determines that an alternative buffer shall not result in take of burrowing owl adults, young, or eggs because of particular site features (e.g., topography, natural line-of-sight barriers), level of project disturbance, or other considerations. If the buffer is reduced, the qualified biologist shall monitor the behavior of the burrowing owls during all project activities within 1,640 feet of the burrow. If the owls are disturbed or agitated (e.g., vocalizations, bill snaps, fluffing feathers to increase body size appearance, drooping wings and rotating them forward, crouching and weaving back and forth) by the project activities, the biologist shall have the authority to halt the activities and reestablish a buffer consistent with the first item above until the agitated behavior ceases and normal behavior resumes.

- The buffer shall remain in place around the occupied burrow and associated satellite burrows until the qualified biologist has determined through noninvasive methods that the burrows are no longer occupied by burrowing owl. A previously occupied burrow will be considered unoccupied if surveys demonstrate that no owls have used the burrow for seven consecutive days.
- Locations of burrowing owls detected during surveys shall be reported to the CNDDB.

Revised:

Mitigation Measure BIO-2c [PG&E and LEU]: Conduct Protocol-Level Surveys for Burrowing Owl and Implement Avoidance Measures

The following mitigation measure shall supersede and replace APM BIO-2, APM BIO-3, BMP BIO-2, and BMP BIO-3 for burrowing owl:

- A qualified biologist approved by CPUC shall conduct surveys for burrowing owls in areas of habitat suitable for the species on and within 1,640 feet of the BSA. Inaccessible areas (e.g., adjacent private property) will not be surveyed directly, but the biologist may use binoculars or a spotting scope to survey these areas. A minimum of four surveys shall be conducted to determine whether burrowing owls occupy the site. Surveys shall be conducted according to Appendix D of the 2012 *Staff Report on Burrowing Owl Mitigation* prepared by the California Department of Fish and Game (now CDFW) (CDFG 2012) or any subsequent updated guidance. If feasible, at least one survey should be conducted between February 15 and April 15, and the remaining surveys should be conducted between April 15 and July 15, at least three weeks apart. Because burrowing owls may recolonize a site after only a few days, one of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating ground disturbance activities to verify that take of burrowing owl would not occur.
- If no occupied burrows are found, the qualified biologist shall submit a report documenting the survey methods and results to PG&E or LEU and CPUC, and no further mitigation shall be required.
- If an active burrow is found within 1,640 feet of pending construction activities, PG&E or LEU shall establish and maintain a buffer around the occupied burrow and any identified satellite burrows (i.e., nonnesting burrows that burrowing owls use to escape predators or move young into after hatching) to prevent take of the burrowing owls.
  - During the nonbreeding season (September 1 through January 31), the minimum buffer distance shall be 164 feet (50 meters). During the breeding season (February 1 through August 31), the minimum buffer distance shall be increased to 1,640 feet (500 meters). If CDFW publishes subsequent guidance, including buffer sizes, in light of the designation of burrowing owl as a candidate for listing under CESA, these guidance and requirements shall take precedence over the buffers described in this mitigation measure.
  - The buffer may be adjusted if, in consultation with CDFW, the qualified biologist determines that an alternative buffer shall not result in take of burrowing owl adults, young, or eggs because of particular site features (e.g., topography, natural line-of-sight barriers), level of project disturbance, or other considerations. If the buffer is reduced, the qualified biologist shall monitor the behavior of the burrowing owls during all project activities within 1,640 feet of the burrow. If the owls are disturbed or agitated (e.g., vocalizations, bill snaps, fluffing feathers to increase body size appearance, drooping wings and rotating them forward, crouching and weaving back and forth) by the project activities, the biologist shall have the authority to halt the activities and reestablish a buffer consistent with the first item above until the agitated behavior ceases and normal behavior resumes.
  - The buffer shall remain in place around the occupied burrow and associated satellite burrows until the qualified biologist has determined through noninvasive methods that the burrows are no longer occupied by burrowing owl. A previously occupied burrow will be considered unoccupied if surveys demonstrate that no owls have used the burrow for seven consecutive days.

- Locations of burrowing owls detected during surveys shall be reported to the CNDDB.

To increase feasibility and clarify avoidance requirements, Mitigation Measure BIO-2e on page 3.6-50 and 3.6-51 of the Draft EIR is revised as follows:

Original:

Mitigation Measure BIO-2e [PG&E]: Implement Avoidance Measures for Valley Elderberry Longhorn Beetles or Compensate for Unavoidable Impacts Associated with Construction Activities

The following mitigation measure shall supersede and replace APM BIO-3 for valley elderberry longhorn beetle:

- Impacts on valley elderberry longhorn beetle shall be avoided and minimized by following the conservation measures outlined in the USFWS's 2017 *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle* (Framework) for cases where the elderberry shrubs identified in the BSA can be retained and protected within 165 feet of the project footprint.
- If elderberry shrubs are 165 feet or more from project construction activities, direct or indirect impacts are not expected. Shrubs shall be protected during construction by establishing and maintaining a high-visibility fence at least 165 feet from the drip line of each elderberry shrub.
- If PG&E determines that elderberry shrubs within the project footprint can be retained, project activities may occur up to 20 feet from the drip line of elderberry shrubs if precautions are implemented to minimize the potential for indirect impacts. Specifically, these shall include the following minimization measures:
  - All areas to be avoided during construction activities shall be fenced or flagged as close to construction limits as possible.
  - A minimum avoidance area of at least 20 feet from the dripline of each elderberry plant shall be maintained to avoid direct impacts that could damage or kill the plant.
  - A qualified biologist shall provide training for all contractors, work crews, and any on-site personnel on the status of valley elderberry longhorn beetle, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for noncompliance.
  - A qualified biologist shall monitor the work area at project-appropriate intervals to assure that all avoidance and minimization measures are implemented. The amount and duration of monitoring shall depend on the project specifics and will be discussed with a USFWS biologist.
  - As much as feasible, all activities that could occur within 165 feet of an elderberry shrub shall be conducted outside of the flight season of the valley elderberry longhorn beetle (March through July).
  - Trimming of elderberry shrubs, if required, shall occur between November and February and shall avoid removal of any branches or stems that are greater than or equal to 1 inch in diameter to avoid and minimize adverse effects to valley elderberry longhorn beetle.
  - Project construction activities, such as truck traffic or other use of machinery, shall not create excessive dust on the project site, such that the growth or vigor of elderberry shrubs is adversely affected. Enforcement of a speed limit and watering dirt roadways are potential methods to minimize excessive dust creation.
  - Herbicides shall not be used within the drip line of any elderberry shrub. Insecticides shall not be used within 98 feet of any elderberry shrub. All chemicals shall be applied using a backpack sprayer or similar direct application method. Mechanical weed removal within the drip line of any elderberry shrub shall be limited to the season when adults are not active (August through February) and will avoid damaging the elderberry.

- Erosion control (e.g., straw wattle) shall be implemented, and the affected area shall be revegetated with appropriate native plants.

- If elderberry shrubs cannot be avoided, compliance with ESA and consultation with USFWS is required and may involve acquiring an incidental take permit through Section 10 or a take exemption through Section 7 (if the project were to establish a federal nexus). All elderberry shrubs with stems greater than 1 inch in diameter that cannot be avoided or have been adversely affected by indirect damage to stems of the entire shrub shall be transplanted.
  - No elderberry shrub shall be removed or transplanted until authorization has been issued by USFWS and CPUC, and PG&E has abided by all pertinent conditions of the incidental take permit or biological opinion.
  - Relocation of existing elderberry shrubs and planting of new elderberry seedlings and associated native riparian plant species shall be implemented according to the Framework (USFWS 2017b). Native associates shall include a mix of woody trees, shrubs, and other natives appropriate for the site, and would help establish historic native riparian conditions when planted with the elderberry shrubs and seedlings, once established. The Framework uses presence or absence of exit holes and whether the affected elderberry shrubs are located in riparian habitat to determine the number of elderberry seedlings or cuttings and associated riparian vegetation that would need to be planted as compensatory mitigation for affected valley elderberry longhorn beetle habitat. Compensatory mitigation may include purchasing credits at a USFWS-approved conservation bank, providing on-site mitigation, or establishing and protecting habitat for valley elderberry longhorn beetle.

Revised:

Mitigation Measure BIO-2e [PG&E]: Implement Avoidance Measures for Valley Elderberry Longhorn Beetles or Compensate for Unavoidable Impacts Associated with Construction Activities

The following mitigation measure shall supersede and replace APM BIO-3 for valley elderberry longhorn beetle:

- Impacts on valley elderberry longhorn beetle shall be avoided and minimized by following the conservation measures outlined in the USFWS's 2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (Framework) for cases where the elderberry shrubs identified in the BSA can be retained and protected within 165 feet of the project footprint.

- If elderberry shrubs are 165 feet or more from project construction activities, direct or indirect impacts are not expected. Shrubs shall be protected during construction by establishing and maintaining a high-visibility fence at least 20 feet from the drip line of each elderberry shrub.

- If PG&E determines that elderberry shrubs within the project footprint can be retained, project activities may occur up to 20 feet from the drip line of elderberry shrubs if precautions are implemented to minimize the potential for indirect impacts. Specifically, these shall include the following minimization measures:
  - All areas to be avoided during construction activities shall be fenced or flagged as close to construction limits as possible.
  - A minimum avoidance area of at least 20 feet from the dripline of each elderberry plant shall be maintained to avoid direct impacts that could damage or kill the plant.
  - A qualified biologist shall provide training for all contractors, work crews, and any on-site personnel on the status of valley elderberry longhorn beetle, its host plant and habitat, the need to avoid damaging the elderberry shrubs, and the possible penalties for noncompliance.

- A qualified biologist shall monitor the work area at project-appropriate intervals to assure that all avoidance and minimization measures are implemented. The amount and duration of monitoring shall depend on the project specifics and will be discussed with a USFWS biologist.
- As much as feasible, all activities that could occur within 165 feet of an elderberry shrub shall be conducted outside of the flight season of the valley elderberry longhorn beetle (March through July).
- Trimming of elderberry shrubs, if required, shall occur between November and February and shall avoid removal of any branches or stems that are greater than or equal to 1 inch in diameter to avoid and minimize adverse effects to valley elderberry longhorn beetle.
- Project construction activities, such as truck traffic or other use of machinery, shall not create excessive dust on the project site, such that the growth or vigor of elderberry shrubs is adversely affected. Enforcement of a speed limit and watering dirt roadways are potential methods to minimize excessive dust creation.
- Herbicides shall not be used within the drip line of any elderberry shrub. Insecticides shall not be used within 98 feet of any elderberry shrub. All chemicals shall be applied using a backpack sprayer or similar direct application method. Mechanical weed removal within the drip line of any elderberry shrub shall be limited to the season when adults are not active (August through February) and will avoid damaging the elderberry.
- Erosion control (e.g., straw wattle) shall be implemented, and the affected area shall be revegetated with appropriate native plants.

▶ If elderberry shrubs cannot be avoided, compliance with ESA and consultation with USFWS is required and may involve acquiring an incidental take permit through Section 10 or a take exemption through Section 7 (if the project were to establish a federal nexus). All elderberry shrubs with stems greater than 1 inch in diameter that cannot be avoided or have been adversely affected by indirect damage to stems of the entire shrub shall be transplanted.

- No elderberry shrub shall be removed or transplanted until authorization has been issued by USFWS and CPUC, and PG&E has abided by all pertinent conditions of the incidental take permit or biological opinion.
- Relocation of existing elderberry shrubs and planting of new elderberry seedlings and associated native riparian plant species shall be implemented according to the Framework (USFWS 2017b). Native associates shall include a mix of woody trees, shrubs, and other natives appropriate for the site, and would help establish historic native riparian conditions when planted with the elderberry shrubs and seedlings, once established. The Framework uses presence or absence of exit holes and whether the affected elderberry shrubs are located in riparian habitat to determine the number of elderberry seedlings or cuttings and associated riparian vegetation that would need to be planted as compensatory mitigation for affected valley elderberry longhorn beetle habitat. Compensatory mitigation may include purchasing credits at a USFWS-approved conservation bank, providing on-site mitigation, or establishing and protecting habitat for valley elderberry longhorn beetle.

3.8 REVISIONS TO SECTION 3.10, "HAZARDS AND HAZARDOUS MATERIALS"

The text on page 3.10-22 of the Draft EIR is revised as follows to correct the description of project components:

Original:

However, the expanded LEU Industrial Substation and the new LEU Guild Substation would also include installation of transformers that rely on mineral oil as a cooling and insulating medium.

Revised:

However, the modified LEU Industrial Substation and the new LEU Guild Substation would also include installation of transformers that rely on mineral oil as a cooling and insulating medium.

The text on page 3.10-29 of the Draft EIR is revised as follows to correct the description of project components:

Original:

Grading activities would be required for construction of the new PG&E Lockeford Substation, for expansion the existing PG&E Thurman Switching Station, for construction and expansion of the LEU Guild Substation, for improvements at the LEU Industrial Substation, and at specific areas along the PG&E 230 kV transmission line route to create temporary work areas or a level structure area.

Revised:

Grading activities would be required for construction of the expanded PG&E Lockeford Substation, the new PG&E Thurman Switching Station, for construction of the new LEU Guild Substation, for improvements at the LEU Industrial Substation, and at specific areas along the PG&E 230 kV transmission line route to create temporary work areas or a level structure area.

The text on page 3.10-30 of the Draft EIR is revised as follows to correct the description of project components:

Original:

The PG&E project components that would result in additional impervious surfaces include the expanded PG&E Thurman Switching Station, new PG&E Lockeford Substation, and installation of new transmission line poles and pull boxes.

Revised:

The PG&E project components that would result in additional impervious surfaces include the new PG&E Thurman Switching Station, expanded PG&E Lockeford Substation, and installation of new transmission line poles and service line pull boxes.

The text on page 3.10-32 of the Draft EIR is revised as follows to correct the description of project components:

Original:

These soil types are located under the existing PG&E Thurman Switching Station and the connecting 12 kV secondary station service, the PG&E transmission line alignment, the PG&E reconfigured 60 kV lines, proposed PG&E Lockeford Substation, existing LEU Industrial Substation, and the proposed LEU Guild Substation.

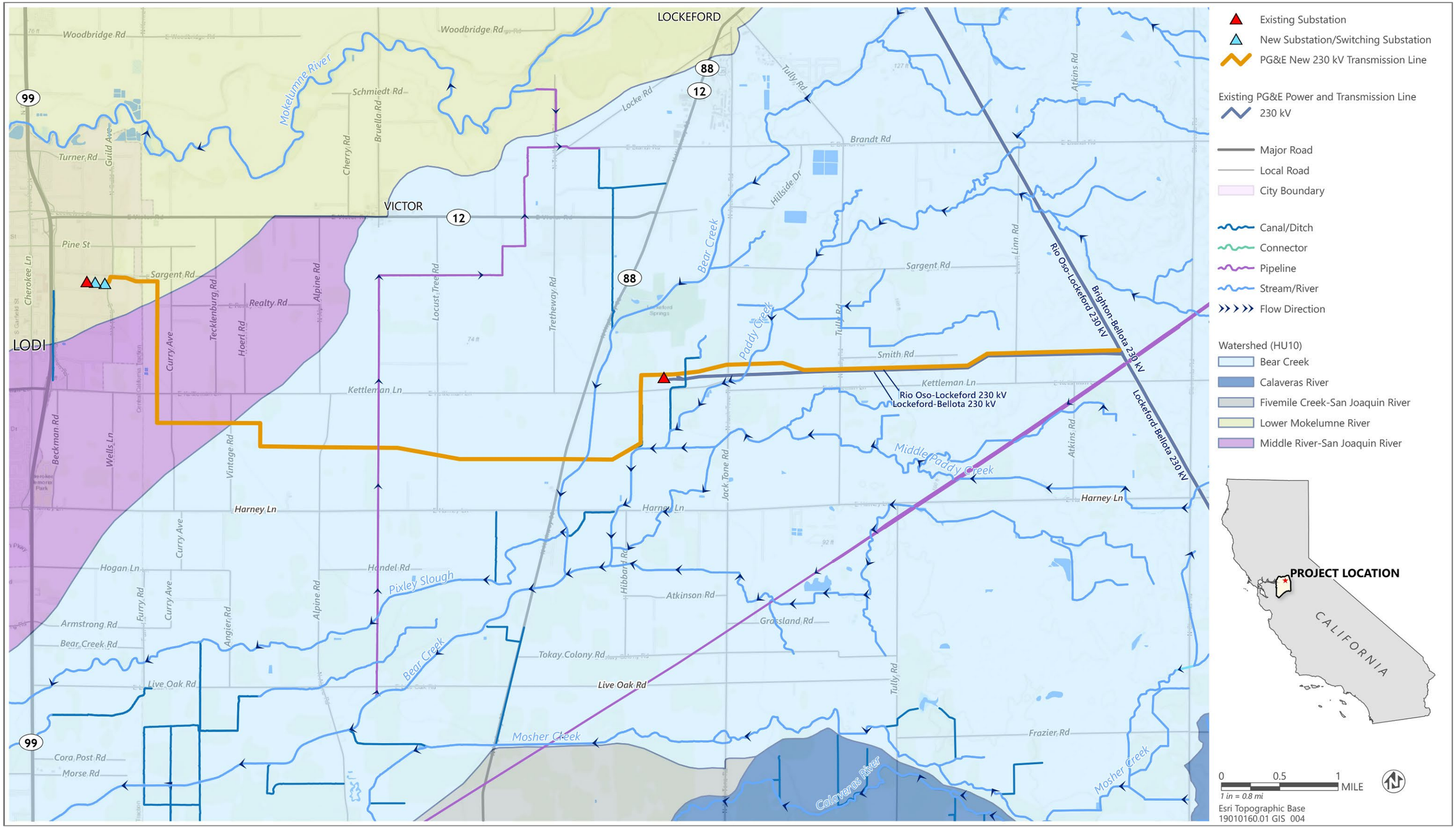
Revised:

These soil types are located under the new PG&E Thurman Switching Station and the connecting 12 kV secondary station service, the PG&E transmission line alignment, the PG&E reconfigured 60 kV lines, new PG&E Lockeford Substation, existing LEU Industrial Substation, and the proposed LEU Guild Substation.

3.9 REVISIONS TO SECTION 3.11, "HYDROLOGY AND WATER QUALITY"

Figure 3.11-1 the Draft EIR is revised as follows to label the Mokelumne Aqueduct in response to Comment A3-1.

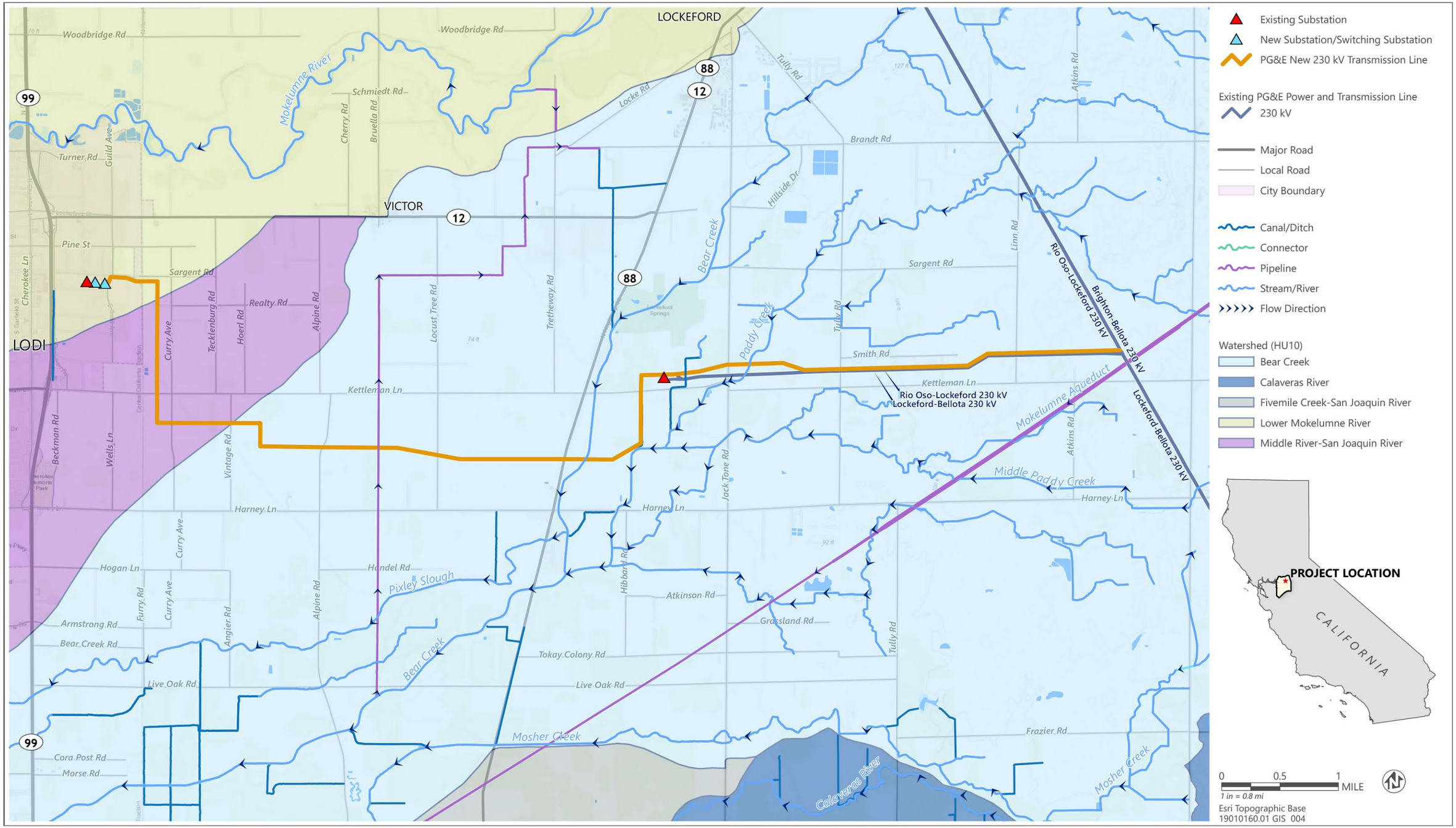
Original:



Source: Data downloaded from the US Geological Survey's National Hydrography Dataset/Watershed Boundary Dataset in 2023; adapted by Ascent in 2024.

Figure 3.11-1 Regional Hydrological Setting for the Project Area

Revised:



Source: Data downloaded from the US Geological Survey's National Hydrography Dataset/Watershed Boundary Dataset in 2023; adapted by Ascent in 2024.

Revised Figure 3.11-1 Regional Hydrological Setting for the Project Area

3.10 REVISIONS TO SECTION 3.13, "NOISE"

The text on page 3.13-20 of the Draft EIR is revised as follows to incorporate changes to the APM NOI-2 that were made by PG&E in response to a data request from the CPUC:

Original:

APM NOI-2: PG&E Noise Minimization with Portable Barriers Compressors and other small stationary equipment used during construction of PG&E project components will be shielded with portable barriers if appropriate and if located within approximately 200 feet of a residence.

Revised:

APM NOI-2: PG&E Noise Minimization with Portable Barriers Compressors and other small stationary equipment used during construction of PG&E project components will be shielded with portable barriers if appropriate and if located within approximately 200 feet of a residence or if determined by PG&E to be appropriate.

The following text on page 3.13-25 is revised to correct a typographical error:

Original:

The activities that may extend beyond the typical workday are installing the guard netting structure over SR 88 where the 230 kV transmission line passes over SR 88 (if required by the conditions of the Caltrans encroachment permit), testing and commissioning the new 230 kV line to the PG&E Thurman Switching Station and PG&E Lockeford Substation, and trenching and HDD activities at the PG&E Thurman Station.

Revised:

The activities that may extend beyond the typical workday are installing the guard netting structure over SR 88 where the 230 kV transmission line passes over SR 88 (if required by the conditions of the Caltrans encroachment permit), testing and commissioning the new 230 kV line to the PG&E Thurman Switching Station and PG&E Lockeford Substation, and trenching and HDD activities at the PG&E Thurman Switching Station.

The following text on page 3.13-27 is revised to correct a typographical error:

Original:

Lastly, AMP NOI-7 would ensure the equipment is in working order, adequately muffed, and used in accordance with the manufacturers' recommendations.

Revised:

Lastly, APM NOI-7 would ensure the equipment is in working order, adequately muffed, and used in accordance with the manufacturers' recommendations.

3.11 REVISIONS TO SECTION 3.16, "TRANSPORTATION"

The text of APM TRA-2 on page 3.16-10 is revised as follows for consistency:

Original:

APM TRA-2: PG&E Repair of Damaged Transportation Infrastructure. As part of the final construction activities of the project, PG&E will restore all removed curbs, gutters, and sidewalks, and repave all removed or damaged paved surfaces associated with PG&E activities.

Revised:

APM TRA-2: PG&E Repair of Damaged Transportation Infrastructure. As part of the final construction activities of the project, PG&E will restore all removed curbs, gutters, and sidewalks, and repave all removed or damaged paved surfaces associated with PG&E construction activities.

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Chapter 3 Revisions to the Draft EIR

No references cited in this chapter.

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