

Comment Set E.6: Applicant – Biological Resources

**ANTELOPE-PARDEE 500kV TRANSMISSION PROJECT
SCE COMMENTS & SUGGESTED REVISIONS ON DEIR/DEIS
C.3 BIOLOGICAL RESOURCES**

October 2006

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
1	C.3.1.1	C.3-1	Bullet 5	<p>The year included in the reference for the Angeles National Forest Land Management Plan is incorrect, although the reference to the Forest Plan on page C.3-10 cites the correct year.</p> <p>In addition extensive species information is available on the USFS website at http://www.fs.fed.us/r5/scfpr/projects/lmp/read.htm. Information from these species accounts should have been included in the Biological Resources section of the DEIR/DEIS.</p>	Change year referenced for Angeles National Forest Land Management Plan to 2005.
2	C.3.1.1	C.3-2	Bullet 1	There is a more recent version of the Pacific Southwest Region Regional Forester's Sensitive Species List than the one referenced. In addition, the ANF has a forest-specific sensitive species list.	Use reference for most recent version of document as well as ANF sensitive species list.
3	C.3.4	C.3-13	Figure C.3-4 A)	Figure is incorrectly labeled '... Bonita Reservoir'.	Correct Figure to read 'Bouquet Reservoir'.
4	C.3.1.3.2	C.3-15		The text refers to both 'proposed Project vicinity' and 'proposed Project area' however these terms are not defined.	It would assist the reviewer if these terms were defined.

E.6-1

E.6-2

E.6-3

E.6-4

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
5	C.3.1.3.1	C.3-16	Table C.3-2	<p>SCE disagrees with the way in which the rankings were set up for species "Potential for Occurrence". The ranking does not appear to take into account the microhabitats that are required for many species, particularly plants. As such, a number of species are ranked as higher potential for occurrence than should be. If an historical record for a species exists, but there is no suitable habitat, the ranking should be "Not likely to occur" (ie. Los Angeles sunflower and California orcutt grass).</p> <p>Nevin's barberry – Nevin's barberry is known from only 2 locations on the ANF, one of which is a group of plants known to have been planted in San Francisquito Canyon. Species information obtained from the USFS website states "Surveys of potential habitat on the Angeles, Cleveland, and San Bernardino national forests have been conducted, but new occurrences have not been found (Mistretta 1989)." Since this is a fairly large, visible and perennial shrub it is doubtful that multiple years of surveys by the ANF, SCE and Aspen have overlooked this species.</p>	<p>Change species occurrence to Moderate.</p>
				<p>Southern skullcap – Southern skullcap according to the USFS website "occurs in San Diego, Riverside, and San Bernardino counties... More information is needed regarding the El Monte location in the San Gabriel Valley."</p>	<p>Change species occurrence to Not Likely to Occur.</p>

E.6-5

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
6	C.3.1.3.4	C.3-25	Table C.3-3	<p>SCE disagrees with the ranking of High for Arroyo toad. The closest documented occurrence for this species is 2.6 miles downstream and focused surveys for this species conducted by Aspen in 2006 did not detect the presence of this species.</p> <p>SCE disagrees with the ranking of "Present" for red-legged frog. The occurrence for this species in Amargosa Creek at Ritter Ranch as stated on page C.3-30 is approximately 5 miles from the proposed project.</p> <p>SCE disagrees with the ranking of "High" for western spadefoot. This species is associated with vernal pools. There are no documented vernal pools within the proposed Project area.</p> <p>SCE disagrees with the ranking of High for southwestern (Pacific) pond turtle. There is no suitable habitat for this species and no documented occurrences in the project area.</p>	<p>Change species occurrence to Moderate.</p> <p>Change species ranking to Moderate.</p> <p>Change species ranking to Moderate.</p> <p>Change species ranking to Moderate.</p>

E.6-6

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
7	C.3.1.3.4	C.3-25	Table C.3-3	<p>SCE disagrees with the ranking of Moderate for nesting Swainson's hawk. This species is known to nest in the northern Antelope Valley where there are alfalfa fields. The proposed project area south of Antelope Substation does not provide suitable nesting (or foraging) habitat for this species. In addition, the proposed Project route has been surveyed multiple times by SCE and by Aspen, and this highly visible species would have been detected.</p> <p>SCE disagrees with the ranking of Low for yellow-billed cuckoo. As stated on the USFS website "In the western United States, yellow-billed cuckoos breed in broad, well-developed, low-elevation riparian woodlands dominated by cottonwood (<i>Populus spp.</i>) and willow (<i>Salix spp.</i>)." There is no such habitat anywhere within the proposed Project area.</p> <p>SCE disagrees with the ranking of Moderate for southwestern willow flycatcher. This species requires extensive thickets of low, dense willows on the edge of wet meadows, ponds, or backwaters for nesting/foraging. The specific habitat requirements do not occur within the proposed Project area.</p> <p>SCE disagrees with the ranking of Moderate for California spotted owl. This species has very specific habitat requirements for both nesting and foraging that do not occur within the proposed Project area.</p>	<p>Change species ranking to Not Likely to Occur.</p> <p>Remove species from table.</p> <p>Change species ranking to Not Likely to Occur</p> <p>Change species ranking to Not Likely to Occur.</p>

E.6-7

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve	
	C.3.2.1	C.3-42	ANF LMP	The text in this paragraph states "The ANF Land Management Plan states that the desired condition is that habitats for federally listed species are conserved and are recovered or are moving toward recovery." This statement does not include the fact that this is only one of the multiple desired conditions and is misleading.	The DEIR/DEIS should be reworded to state that "...one of the desired conditions..."	E.6-8
	C.3.2.3	C.3-44	Los Angeles County Plan	This section discusses the Los Angeles County oak tree ordinance and states that it prohibits the damage or removal of oaks of certain sizes. This discussion fails to mention that oak trees can be removed with a permit obtained under this ordinance.	The DEIR/DEIS should be reworded to include language regarding that permits can be obtained for removal of oak trees under this ordinance.	E.6-9
	C.3.2.3	C.3-44	City of Santa Clarita General Plan	This section states that under the City of Santa Clarita General Plan construction is restricted during breeding and migration periods. SCE could not find this language in the City of Santa Clarita General Plan.	Cite the section of the City of Santa Clarita General Plan where this information can be found.	E.6-10
	C.3.5.1	C.3-47	Impact B-1, Paragraph 2	SCE disagrees that the removal or incidental loss of individual specimen trees would be a significant impact since no regulation has been cited protecting specimen trees.	Remove language regarding specimen trees from the document.	E.6-11

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-48	Mitigation Measure B-1a Paragraph 2	<p>The requirement for revegetation to utilize a mix of native, locally-occurring species collected from the Del Sur Ridge is overly restrictive and beyond what is required in the LMP. The LMP Part 2 Section FH 1 – Vegetation Restoration states that “where needed, implement reforestation using native species grown from local seed sources” (page 101).</p>	<p>Remove language requiring seeds to be collected from Del Sur Ridge and reword to state that revegetation should utilize a native seed mix collected from local seed sources.</p>
			Paragraph 3	<p>SCE would like to know what regulation requires mitigation for sensitive habitats without listed species. There is no reference to a regulation requiring this mitigation, for the mitigation ratios that are stated or for the length of time monitoring is required.</p>	<p>Provide the regulation that requires this mitigation including the ratios and lengths of time for monitoring.</p>

E.6-12

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-49	Impact B-2 Paragraph 1	<p>The statement that "Any disturbance to individual oak trees is considered a significant impact under the Los Angeles County oak tree ordinance" is incorrect. This ordinance was enacted to recognize oak trees as significant historical, aesthetic and ecological resources and to preserve them. It does not discuss what a significant impact to these trees. The link to the ordinance is http://municipalcodes.lexisnexis.com/codes/lacounty/_DATA/TITLE22/Chapter_22_56_CONDITIONAL_USE_.html#227</p> <p>One of the CEQA significance criteria states that a project would have a significant environmental impact if it would "have a substantial adverse effect on... any sensitive natural community..." Therefore the removal of one oak tree would not be considered a substantial adverse effect under CEQA either.</p>	Remove this sentence from the document.

E.6-13

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-50	Mitigation Measure B-2 Paragraph 1	<p>This mitigation measure does not conform to and exceeds the requirements of the Los Angeles County Oak Tree Ordinance. Section 22.56.2180 includes conditions that may be involved in an approval for an oak tree permit. Section 22.56.2180 6.a. reads "Required replacement trees shall consist exclusively of indigenous oak trees and shall be in the ratio of at least two to one. Each replacement tree shall be at least a 15-gallon size specimen and measure at least one in diameter above the base." The ordinance also may require that replacement trees be cared for and maintained for a period of two years.</p> <p>Also, no tree protection ordinances other than the Los Angeles County Oak Tree Ordinance and City of Santa Clarita General Plan (actually Ordinance 89-10) are cited that protect the other tree species mentioned.</p>	Mitigation Measure B-2 should be reworded to include only this sentence "All protection and replacement measures shall be consistent with applicable local jurisdiction requirements, such as the Los Angeles County Oak Tree Ordinance".
	C.3.5.1	C.3-51	Impact B-4	The statement that "The introduction and spread of non-native plant species normally occurs where lands have been disturbed and are accessible to either motorized and non-motorized activity" is correct, and a large portion of the access road for the proposed Project on the ANF is a designated OHV route that is open to the public. Since there is public access to the Del Sur Ridge Road it is unreasonable to require SCE to comply with measures beyond what is required of the general public.	Include language stating that the Del Sur Ridge Road is an OHV route and accessible to the public.

E.6-13
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E.6-14

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-51	Mitigation Measure B-4	<p>Since a majority of the access road for the proposed Project is an OHV route, SCE should not be required to wash all equipment and vehicles due to the potential for the general public to disperse noxious weeds.</p> <p>Not all project areas contain non-native species that will require washing of ground disturbing vehicles to prevent dispersal.</p> <p>It is also not feasible to collect and dispose of rinse water in a sanitary sewer or landfill</p>	<p>Revise language to state that SCE will wash (remove non-native plant species) all ground-disturbing vehicles before and after entering all project sites with populations of non-native plant species.</p> <p>Revise language to include parameters for project areas that will require washing, such as washing of ground-disturbing vehicles only for areas with a high density of non-native plant species.</p> <p>SCE suggests including alternative methods for removal of non-native plant species from ground disturbing vehicles, such as using air to in replace of water.</p>
	C.3.5.1	C.3-53	Mitigation Measure B-6	<p>As stated on page C.3-41 the Migratory Bird Treaty Act prohibits the remove of a nest of any bird listed under the Act. Fish and Game Code Section 3503.5 also prohibits the taking of active nest of any bird protected by the MBTA. Neither of these regulations discuss disturbance to nesting birds – only the active taking of nests. Therefore it is excessive to require that surveys be required within 500 feet of all proposed Project areas. In addition, the requirement for a 500 foot buffer around active nests for non-listed birds is excessive and beyond the buffer required for some listed species.</p>	<p>Revise Mitigation Measure B-6 to state that pre-construction surveys for nesting birds will be conducted where habitat will be removed. If breeding birds with active nests are located, a buffer appropriate to the species and the site-specific topography will be established by the biological monitor.</p>

E.6-14
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E.6-15

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-55	Mitigation Measure B-7	<p>As discussed above under Comment 5, SCE disagrees with several of the rankings of potential occurrence for plant species and therefore contends that surveys should not be required for Braunton's milk-vetch, thread-leaved brodiaea, and San Fernando spineflower.</p> <p>In addition, the requirement that towers, access roads etc. be relocated to avoid sensitive plants is excessive and beyond the protection afforded these plants.</p> <p>The requirement to monitor any relocated sensitive plants is excessive and beyond the protection afforded these plants.</p>	<p>Remove the requirement for surveys for these species.</p> <p>Add the wording "if feasible" to the sentence discussing modification of ground-disturbing project elements</p> <p>Remove the 5 year monitoring requirement from this Mitigation Measure.</p>

E.6-16

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-56	Impact B-8	<p>SCE disagrees with the conclusion reached that SCE construction activities could result in potential impacts to Arroyo toad habitat at San Francisquito Creek. As stated in SCE's PEA and the DEIR/DEIS construction at this location would have no direct impacts to San Francisquito Creek – no work would be conducted within the Creek. Also, it is doubtful whether any Arroyo toads are currently present within the Creek given the increasing urbanization of the area and the amount of disturbance on the east side of the Creek. In addition, focused surveys conducted by Aspen in the spring of 2006 did not detect the species. Also, the tower on the east side of the Creek is located uphill from the Creek and across a bikepath. If any Arroyo toads are present they would need to cross the bikepath and hop uphill to the next tower location.</p> <p>This section also discusses potential indirect impacts to the breeding of this species resulting from increased noise levels. As mentioned on page C.3-57 all work would be conducted during the daytime. Breeding activities for this species occur during the night.</p>	Consider removing the Mitigation Measure B-8a in light of the comments provided.

E.6-17

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-57	Mitigation Measure B-8a	SCE is willing to conduct focused surveys for the Arroyo toad at this location although it strongly believes the species to not be present. However, the mitigation measure states that the surveys must be conducted by a "qualified local biologist". If ultimately required to conduct these surveys, SCE would contract with a biologist permitted by the USFWS to conduct surveys for this species. Presumably this person would have expertise with the Arroyo toad since they are permitted. SCE is unclear as to why the biologist must be "local" and what is defined as "local".	Consider removing Mitigation Measure B-8a. If this mitigation measure remains please justify why surveys must be conducted by a "local" biologist and define "local".
	C.3.5.1	C.3-59	Mitigation Measure B-8b	The wording of this Mitigation Measure B-8b is overly restrictive.	Revise Mitigation Measure B-8b to state "Implement seasonal restrictions...within Streambeds". Revise to include language that no ground-disturbing work will occur within a streambed when there is ponded or flowing water.
	C.3.5.1	C.3-59	Impact B-9, Paragraph 2, Line 3	The statement that "no impacts to critical habitat for this species are expected" is incorrect. Since, as the DEIR/DEIS states, there is no designated critical habitat for the California red-legged frog in the proposed Project area, there will be no impacts to critical habitat for this species.	Reword this sentence to state that there would be no impact to critical habitat for the California red-legged frog.
	C.3.5.1	C.3-60	Mitigation Measure B-9,	See comment for Mitigation Measure B-8a regarding use of "local" biologist. This Mitigation Measure should be reworded to state that surveys will be conducted if it is determined that construction has the potential to impact, either directly or indirectly, areas that may support California red-legged frogs.	Revise Mitigation Measure B-9 to state that surveys will be conducted if it is determined that construction has the potential to impact areas that may support California red-legged frogs.

E.6-17
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E.6-18

E.6-19

E.6-20

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-61	Fish, Paragraph 1, Line11	The statement regarding SCE conducting any "further" improvements to the existing culvert crossing at Bouquet Creek is misleading. If this statement refers to the bridge crossing of the quarry road, SCE did not conduct this work. If this location is not what is being referred to please clarify.	Remove the word "further" from this sentence.
	C.3.5.1	C.3-62	Impact B-10	<p>The statement that increased noise from helicopter construction would result in the abandonment by listed raptor species of foraging territories to avoid ongoing construction activity is incorrect. Construction activity would potentially result in a temporary impact of foraging displacement, but not abandonment.</p> <p>The use of 'ongoing' to reflect the one time nature of construction is incorrect. Operation and Maintenance activities will not cause permanent or temporary impacts to foraging.</p>	<p>Reword to reflect comment.</p> <p>Remove 'ongoing'.</p>

E.6-21

E.6-22

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve
	C.3.5.1	C.3-62	Impact B-11	<p>SCE disagrees with the statement that three listed songbirds have the potential to nest in riparian habitat within the proposed Project ROW. Southwestern willow flycatcher and yellow-billed cuckoo are highly unlikely to nest in the area. Both of these two species have very particular habitat requirements and/or very limited nesting locations. Yellow-billed cuckoos require extensive riparian forests – the only location where this species is known to currently nest anywhere in southern California is along the Kern River. The USFS website states that this species is most likely extirpated from from Los Angeles County (Gaines and Laymon 1984) as a breeding bird.</p> <p>The DEIR/DEIS is inconsistent in how the willow flycatcher/southwestern willow flycatcher is addressed. It is sometimes referred to as willow flycatcher (Table C.3-3) and here as the subspecies southwestern willow flycatcher. In any case, there are very few known nesting locations for the federally listed southwestern willow flycatcher and Haskell Canyon does not have suitable nesting habitat.</p>	Delete yellow-billed cuckoo and southwestern willow flycatcher from Impact B-11.

E.6-23

Comment No.	Section	Page	Line	Comment	Remarks/How Suggested to Resolve	
	C.3.5.1	C.3-63	Impact B-12	SCE disagrees that coastal California gnatcatcher have a High potential to occur within the ROW in the Santa Clarita area. As indicated on Figure C.3-1C, the only coastal sage scrub remaining in the area occurs in patches within SCE's ROW. It is doubtful whether these patches provide sufficient quality nesting habitat for this species. In addition, despite extensive surveys, no coastal California gnatcatchers have been found this far north other than the recent sighting in Plum Canyon which is four miles to the south.	SCE is willing to conduct protocol level surveys for the coastal California gnatcatcher as required in Mitigation Measure B-12, but believes this to be unnecessary.	E.6-24
	C.3.5.1	C.3-64	Impact B-13	Impact B-13 is titled "The Project would result in the electrocution of listed bird species" but Mitigation Measure B-13 discusses the installation of high-visibility or avoidance markers which is a mitigation issue related to the prevention of collisions, not electrocutions. In addition, SCE would like to point out that 500 kV transmission lines are inherently safe for raptors, because the spacing between energized conductors is large enough that birds cannot span this distance between phases.	Reword Mitigation Measure B-13 to apply only to the raptor protection as a result of electrocution and not collision.	E.6-25
	C.3.5.1	C.3-65	Mitigation Measure B-14, Bullet 2	The second bullet under Mitigation Measure B-14 has no supporting documentation for the areas listed as highly utilized avian flight paths. In addition, this bullet is confusing and not necessary.	Remove second bullet from this mitigation measure. Alternatively, cite documentation for statement that Bouquet Canyon Reservoir, Leona Valley and San Francisquito Canyon are "highly utilized flight paths".	E.6-26

	C.3.5.1	C.3-67	Impact B-16	<p>SCE strongly disagrees with the statement that "The western spadefoot toad has a high potential to occur in grassland habitat located throughout the project area..." Spadefoot toads are associated with vernal pools. No vernal pools have been documented or located during multiple year surveys in the immediate project area.</p> <p>The statement that expansion of the Antelope Substation would result in a permanent loss of 33 acres of potential upland habitat for spadefoot toad is incorrect. There is no suitable upland habitat (microhabitat with vernal pools that hold water for a sufficient period of time) for this species at this location.</p>	<p>Revise language in this section to state that western spadefoot toad has a moderate potential to occur in the proposed Project area.</p> <p>Revise language to reflect SCE's comment.</p>	E.6-27
	C.3.5.1	C.3-67	Mitigation Measure B-16	<p>Mitigation Measure B-16 is excessive and not supported by regulation. Sensitive species are not legally protected as are listed species. The designation of "Species of Concern" by CDFG is intended to result in "special consideration" during the environmental review process.</p> <p>SCE will, as part of the pre-construction surveys already committed to in APM-BIO 1, conduct surveys for sensitive species within suitable habitat. If sensitive species are located they will be avoided to the extent feasible including possible relocation.</p>	<p>Revise language to reflect SCE's comment.</p>	E.6-28

	C.3.5.1	C.3-68	Impact B-18	The statement that direct effects to southwestern pond turtle may occur from construction activity is misleading as it implies that this species is known to occur within the proposed Project area. There is low potential for this species to occur in the project area and impacts are unlikely, because construction activities will not occur within flowing or ponded water.	Revise language to reflect SCE's comment	E.6-29
	C.3.5.1	C.3-70	Mitigation Measure B-19	Mitigation Measure B-19 requires that burrowing owls found during pre-construction surveys be passively relocated. Passive relocation has been shown to not always be effective. SCE would like the option to relocate owls in a manner selected in consultation with CDFG.	Remove the word "Passively" from the title of Mitigation Measure B-19.	E.6-30
	C.3.5.1	C.3-71	Impact B-24, Paragraph 1, Line 4 Paragraph 2, Line 7	There are no towers located adjacent to rocky hillsides therefore there would be no impact to those bat species that require rocky hillsides for roosting. The statement that Townsend's big-eared bats roost on open, vertical structures is incorrect. They are known to roost in building and abandoned mines or caves. It is highly unlikely that these bats would roost on the 66 kV towers entirely out in the open.	Revise language to reflect SCE's comment	E.6-31
	C.3.5.1	C.3-72	Mitigation Measure B-24	As discussed above it is highly unlikely that any bats would use the 66 kV towers for roosting. In particular, nighttime acoustic surveys are not warranted.	Remove Mitigation Measure B-24.	
	C.3.5.1	C.3-73	Mitigation Measure B-26	Mitigation Measure B-26 is excessive. If pre-construction surveys are conducted and areas flagged with high concentrations of burrows, a monitor is not needed during all work in grassland habitats. Many of the small rodents present in these non-native grasslands are common species. Burrows <i>will be avoided to the extent feasible.</i>	Revise language to reflect SCE's comment	E.6-32

	C.3.5.1	C.3-74	Impact B-27	SCE disagrees that California spotted owls may include portions of the existing ROW for foraging, because there is no suitable foraging habitat for this species in the utility corridor.	Revise language to reflect SCE's comment	E.6-33
	C.3.5.1	C.3-77	Impact B-30	The statement that the proposed Project would conflict with the Los Angeles County Oak Tree Ordinance is incorrect. See earlier comments on this issue.	Reword to state that the proposed Project would be required to comply with the Los Angeles County Oak Tree Ordinance.	E.6-34
	C.3.6.2	C.3-80	Alternative 1: Impacts on Amphibians	This sections states that the transmission line would be placed on the existing bridge in metal casings. SCE has not determined whether this would be feasible or not. It may not be feasible due to the weight of the conductor. If the transmission line cannot be attached to the bridge it would have to be placed under San Francisquito Creek. None of the potential impacts related to this construction have been addressed.	Revise language to reflect SCE's comment and include a discussion of the potential impacts of placing the transmission line under San Francisquito Creek.	E.6-35
	C.3.6.2	C.3-82	Alternative 1: Impacts on Birds, Paragraph 3	The discussion regarding potential impacts to sensitive and listed birds does not include potential impacts resulting from the installation of the transition stations or the power supply to these transition stations.	Revise this paragraph to include SCE's comments.	E.6-36
	C.3.7.2	C.3-91	Alternative 2: Impacts and Mitigation Measures	SCE would like to reiterate that it has not conducted the engineering to support some of the statements made, particularly in regards to the amount of land disturbance resulting from the implementation of the various alternatives.		E.6-37

Response to Comment Set E.6: Applicant – Biological Resources

- E.6-1 The Draft EIR/EIS has been changed to reflect this comment.
- E.6-2 Changes to the references and document have been made to reflect the updated species list.
- E.6-3 Figure C.3-4A has been changed to reflect this comment.
- E.6-4 No changes have been made to the document.
- E.6-5 The rankings have been determined based on the conditions identified in or adjacent to the proposed project area and historical presence of a particular species. As many of the potential right of ways have not been extensively surveyed the botanists adopted a conservative approach in ranking individual species. However, commenter is accurate in the ranking of Nevin’s barberry and the following changes have been made in the document.

<i>Berberis nevinii</i>	Nevin’s barberry	FE, SE, 1B R-E-D: 3-3-3	Moderate High	Mar-Apr	chaparral, cismontane woodland, coastal scrub, alluvial scrub (sandy or gravelly); 295-895 m (970-2940 ft)
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- E.6-6 The following changes have been made in the Draft EIR/EIS to reflect the ranking of southern skullcap.

<i>Scutellaria bolanderi</i> <i>ssp. austromontana</i>	southern skullcap	1B R-E-D: 2-2-3	Not Likely to Occur	Jun-Aug	Chaparral, cismontane woodland, lower montane coniferous forest (mesic); 600 - 2000 m (1970-6560 ft)
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No changes to the Draft EIR/EIS have been made regarding the ranking of arroyo toad. This species has been recorded downstream of the project right of way and suitable habitat occurs directly beneath the proposed transmission lines. Surveys conducted with the CDFG and other experts on this species indicate that suitable habit for this species is present and there is a potential for this species to be present in the area. The fact that late season surveys did not detect this species is not a clear indication that no animals are present in the area.

No changes to the Draft EIR/EIS have been made regarding the ranking of red-legged frogs. Suitable habitat occurs directly beneath the proposed transmission lines and this motile species has been recorded upstream of the project. Surveys of the Amargosa creek with red-legged frog biologist did not observe the species at the right of way but did detect suitable habitat for this species.

No changes to the Draft EIR/EIS have been made regarding the ranking of western spadefoot toad or southwestern pond turtle. Both these species could occur in or adjacent to the proposed right of way and historical records exist for these species in the area.

- E.6-7 No changes to the Draft EIR/EIS have been made regarding the ranking of Swainson’s hawk. Although it is agreed that this species is more commonly associated with alfalfa fields north of the project area this species is wide ranging and forages in grassland and pasture habitats.

The ranking of the yellow-billed cuckoo has been downgraded to Not Likely to Occur after consultation with the USFS. As such the following changes have been made in the Draft EIR/EIS to reflect the ranking of yellow-billed cuckoo.

<i>Coccyzus americanus occidentalis</i>	western yellow-billed cuckoo (nesting)	FC, SE,, BCC	<u>Not Likely to Occur</u>	Prefers dense riparian scrub habitat. Closest known occurrences are within riparian habitat along the Santa Clara River prior to 1980 (CNDDDB 2005). Riparian habitats along Bouquet and San Francisquito Creeks may support this species.
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No changes to the Draft EIR/EIS have been made regarding the ranking of southwestern willow flycatcher or spotted owl. The USFS indicate that while the potential for southwestern willow flycatchers is low this species has been documented in riparian areas in the ANF including Bouquet Canyon and Piru Creek. In addition, the USFS has indicated that spotted owls have the potential to forage along sections of the right of way along Del Sur ridge.

- E.6-8 The following changes have been made in the Draft EIR/EIS to reflect the SCE comment. “The ANF Land Management Plan states that one of the desired condition is that habitats for federally listed species are conserved and are recovered or are moving toward recovery.”
- E.6-9 The following changes have been made in the Draft EIR/EIS to reflect the SCE comment. “The County’s oak tree ordinance prohibits the damage or removal of any oak tree that is greater than 8 25 inches in circumference when measured at 4.5 feet off the ground without a permit.”
- E.6-10 Specific language regarding avoiding work during the breeding season was not located in the City of Santa Clarita General Plan. The following changes have been made in the Draft EIR/EIS to reflect the SCE comment. “Construction restrictions include ~~avoidance of construction during breeding and migration periods,~~ avoiding disturbance of areas that would remove watershed vegetation, minimizing excavations that would result in changes in the stream flow or increase siltation, and preventing activities that would contribute pollutants to the water of San Francisquito Creek and the Santa Clara River.”
- E.6-11 The following sentence has been removed from page C.3-47 of the Draft EIR/EIS to reflect the SCE comment. “Removal or incidental loss of sensitive species or individual native specimen trees would also be considered a significant impact.”
- E.6-12 The following changes have been made to Mitigation Measure B-1a to reflect the SCE comment.

B-1a Provide Restoration/Compensation for Impacts to Native Vegetation Communities (chamise chaparral, coastal sage scrub, and riparian, if affected). SCE shall have a qualified restoration biologist prepare a Habitat Restoration and Revegetation Plan for the project. Plans for restoration, enhancement/re-vegetation and/or creation should be prepared by persons with expertise in southern California ecosystems and native plant re-vegetation techniques. The plan should include at minimum: (a) the location of the mitigation site; (b) the plant species to be used; (c) a schematic depicting the mitigation area; (d) time of year that the planting will occur; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met. The plan shall be designed to meet the success criteria identified in the Forest Plan which requires restoration goals to be achieved within three years of implementation.

SCE shall utilize a CPUC/Forest Service approved seed mix to revegetate areas disturbed by construction activities. This mix should consist of native, locally-occurring species collected from local seed sources~~the Del Sur Ridge~~. Restoration shall include the revegetation of stripped or exposed work and/or mitigation areas with vegetation native to the area. No commercially purchased seeds will be accepted unless the collection source is the Del Sur

Ridge and must be certified to be free of noxious weeds. Revegetation shall include ground cover, grass, shrub, and tree species in order to match disturbed areas to surrounding conditions and to restore or improve wildlife habitat quality to pre-project or higher levels. The plan also shall include a monitoring element spanning a minimum of five years post-planting. SCE shall restore temporarily disturbed areas, including existing 66-kV tower locations that are to be removed by the Project, to pre-construction conditions following construction.

Permanent impacts outside of the NFS lands shall be mitigated at a ratio to be determined by the CPUC. Within ANF upland vegetation and ephemeral washes with permanent impacts will be mitigated at a ratio of 3:1. Temporary impacts will be replaced at a ratio of 1:1. If the temporary impacts are greater than 3 years then add 0.5 for each year over three years. Permanent impact to mulefat scrub, willow scrub, willow riparian woodland, cottonwood riparian woodland, alder woodland and sycamore woodland will be replaced at a ratio of 5:1. Temporary impacts to the scrub communities will be replaced at a 1:1 ratio. Temporary impacts to woodland communities will be replaced at a 2:1 ratio. Where onsite restoration is planned for mitigation of temporary impacts to sensitive vegetation communities, SCE shall identify a Habitat Restoration Specialist to be approved by the CPUC/Forest Service to determine the most appropriate method of restoration.

The creation or restoration of habitat shall be monitored for five years after mitigation site construction to assess progress and identify potential problems with the restoration site. Remedial activities (e.g. additional planting, removal of non-native invasive species, or erosion control) shall be taken during the five-year period if necessary to ensure the success of the restoration effort. If the mitigation fails to meet the established performance criteria after the five-year maintenance and monitoring period, monitoring shall extend beyond the five-year period until the criteria are met or unless otherwise noted by the CPUC/Forest Service. If a catastrophic event occurs, such as a fire, there will be a one time replacement. If a second catastrophic event occurs, no replanting is required.

Under both NEPA and CEQA regulations the lead agency may develop mitigation to reduce impacts to less than significant levels, In addition, under NEPA the forest may require mitigation even if an impact has been determined to be less than significant if the lead agency believes that the implementation of the mitigation would further reduce impacts. Further, as previously identified by SCE, the LMP provides language regarding the restoration of habitat on the ANF. Specifically, the LMP Part 2 Section. FH 1 Vegetation Restoration:

Restore vegetation through reforestation or other appropriate methods after stand replacing fires, drought, or other events or activities that degrade or cause a loss of plant communities.

- Where needed, implement reforestation using native tree species grown from local seed sources. In such plantings, consider long-term sustainability of the forest vegetation by taking into account factors such as fire regime and regional climate. Consider small nursery operations to facilitate reforestation and to improve restoration success where direct seeding is ineffective. Use noxious-weed-free seed in all plantings.

E.6-13 The following changes have been made in the Draft EIR/EIS to reflect the SCE comment. “Any disturbance to individual oak trees greater than 8 inches DBH ~~is considered a significant impact prohibited without first obtaining a permit~~ under the Los Angeles County oak tree ordinance.” Regarding CEQA, the loss of one oak tree may constitute a significant impact if the loss dramatically reduces the population of an isolated oak woodland.

Based on consultation with the Forest Service, Mitigation Measure B-2 has been partially modified to reflect the SCE comment.

B-2 Restoration of Coast Live Oak Trees. Construction within the driplines of oak trees, and incidental trimming or damage to trees along the proposed route shall not occur until the trees are evaluated by a qualified arborist, who shall identify appropriate measures to minimize tree loss including the placement of fence around the dripline, padding the truck, and the placement of matting under the existing dripline during construction activities. If construction, trimming, or incidental trimming leads to damage or the removal of any coast live oak shall be replaced in kind at a 10:1 ratio. Valley oaks shall be replaced in kind at a 15:1 ratio.

On the ANF any oak or native tree which must be removed or killed as a result of construction or other project-related activities shall be replaced in kind. The replacement ratios (using rooted plants in liners or direct planting of acorns) for plants which are to be removed shall be as follows: plants less than 5 inches DBH shall be replaced at 3:1; plants from 5 to 12 inches shall be replaced at 5:1; trees from 12 to 24 inches shall be replaced at 10:1; trees from 24 to 36 inches shall be replaced at 15:1; all oaks greater than 36 inches shall be replanted at a ratio of 20:1. The replacement ratio for damaged trees shall be 2:1 for plants with DBH less than 12 inches and a 5:1 ratio for plants with DBH greater than 12 inches. Trees shall be at least 5 years old and capable of surviving without further maintenance. Compliance shall be evaluated 5 years after tree removal. Trees shall be planted at locations acceptable to the landowner or managing agency. All planting locations, procedures, and results shall be evaluated by a qualified arborist.

On non-NFS lands All protection and replacement measures shall be consistent with applicable local jurisdiction requirements, such as the Los Angeles County Oak Tree Ordinance. Tree removal shall not be permitted until replacement trees have been planted or transplanting sites are approved.

E.6-14 Although the Del Sur Ridge is open to OHV use SCE is applying for a special use permit to construct the proposed project on NFS lands. OHV use is currently authorized by the ANF and is discussed in the LMP Section 2 Trans -4. The forest has also indicated that implementation of the weed management guidelines described in the Draft EIR/EIS would be required for construction on NFS lands. As such no changes have been made to Mitigation Measure B-4.

E.6-15 The following changes have been made to Mitigation Measure B-6 in the Draft EIR/EIS to reflect the SCE comment.

B-6 Conduct Pre-construction Surveys and Monitoring for Breeding Birds. SCE shall conduct pre-construction surveys for nesting birds if construction and removal activities are scheduled to occur during the breeding season for raptors and other migratory birds. Surveys shall be conducted in areas within 500 feet of tower sites, laydown/staging areas, substation sites, and access road/spur road locations. SCE shall be responsible for designating a qualified biologist who can conduct pre-construction surveys and monitoring for breeding birds. If breeding birds with active nests are found, a biological monitor shall establish a ~~500~~300-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. The 300-foot buffer may be adjusted to reflect existing conditions including ambient noise and disturbance with the approval of the CPUC and USFS. The biological monitor shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the ~~500 foot~~ buffer until the nesting cycle is complete or the nest fails. The biological monitor shall be responsible for documenting the results of the surveys and the ongoing monitoring and will

provide a copy of the monitoring reports for impact areas on NFS lands to the Forest Biologist.

- E.6-16 Based on information provided by the Forest biologist no survey requirements identified in Mitigation Measure B-7 have been removed. In addition, the mitigation requirement identified in the Mitigation Measure is consistent with the ANF monitoring guidelines.

In the PEA SCE indicated that “Special-status plant species, other than state/federal listed species, that are found prior to construction in areas where ground-disturbing activity is expected would be flagged and protected from permanent loss. When this is impossible, an effort would be made to salvage and replant, or to collect seeds and reseed the area post-construction. In addition Applicant Proposed Mitigation Measures identified by SCE indicated that: (1) APM Bio-2. Every effort would be made to minimize vegetation removal and permanent loss at construction sites. If necessary, native vegetation would be flagged for protection; and (2) APM Bio-5. SCE would assign Biological Monitors to the project. They would be responsible for ensuring that impacts to special-status species, native vegetation, wildlife habitat, or unique resources would be minimized to the fullest extent possible. Where appropriate, monitors would flag the boundaries of areas where activities need to be restricted in order to protect native plants and wildlife, or special-status species. These restricted areas would be monitored to ensure their protection during construction.

- E.6-17 As identified under Impact B-8 of the Draft EIR/EIS impacts to arroyo toad if present could occur if hand crews carry lines or equipment across the creek. In addition, although this species was not observed during the 2006 surveys; the surveys were conducted after the peak breeding for this species. If present, toads could move into adjacent upland areas and be impacted by project construction. Regarding the tower locations, the Draft EIR/EIS does not suggest that toads would “hop” to the tower locations; however, equipment staging or vehicle use adjacent to the creek could result in mortality to this species if present. The document also identifies that arroyo toads are typically nocturnal breeders. However, as stated on page C.3-56 impacts to this species could occur at dawn or dusk.

The following changes have been made to Mitigation Measure B-8a to reflect the SCE comment regarding the use of a qualified local biologist.

B-8a Conduct Focused Surveys for Arroyo Toad. SCE shall contract with a qualified ~~local~~ biologist to conduct focused surveys for arroyo toad in San Fransquito Creek. If detected in or adjacent to the proposed ROW no work will be authorized within 500 feet of occupied habitat until SCE provides concurrence from the USFWS to the CPUC. If present SCE shall develop and implement a monitoring plan that includes the following measures in consultation with the USFWS and CDFG.

- E.6-18 The following changes have been made to Mitigation Measure B-8b to reflect the SCE comment regarding seasonal restrictions.

B-8b Implement Seasonal Restrictions for Road Maintenance, Culvert Replacement, and Grading of New Access and Spur Roads That Occur Within Drainages. SCE shall conduct road maintenance activities and new construction activities that occur within drainages ~~during the dry season~~ when no water flow is present. Seasonal restrictions will reduce the potential for increased sedimentation of potential arroyo toad breeding pools or other listed riparian dependent species that could occur downstream of the ROW. Vehicles

and equipment shall not utilize the Bouquet Creek crossing (Forest Road 6N19) if flowing water covers any portion of the bridge.

- E.6-19 The following changes have been made to the Draft EIR/EIS to reflect the SCE comment regarding critical habitat for red-legged frogs. “The proposed Project occurs approximately 4 miles south of the LOS-1 Unit (San Francisquito Creek) and approximately 16 miles east of the VEN-3 Unit (Piru Creek) of the revised proposed critical habitat for this species (USFWS 2005b), therefore no impacts to critical habitat for this species would occur.”
- E.6-20 As identified under Impact B-9 of the Draft EIR/EIS red-legged frogs could occur in or adjacent to the existing transmission line ROW. As there is a potential for these species to be present Mitigation Measure B-9 will only be changed to reflect the SCE comment regarding the term “local”. Therefore the following changes have been made to Mitigation Measure B-9 to reflect the SCE comment regarding the use of a qualified local biologist.
- B-9 Conduct Focused Surveys for California Red-legged Frog.** SCE shall contract with a qualified ~~local~~ biologist to conduct focused surveys for California Red-legged frog in all areas that may support this species. If detected in or adjacent to the proposed ROW no work will be authorized within 500 feet of occupied habitat until SCE provides concurrence from the USFWS to the CPUC. If present SCE shall develop and implement a monitoring plan that includes the following measures in consultation with the USFWS and CDFG.
- E.6-21 The following changes have been made to the Draft EIR/EIS to reflect the SCE comment regarding use of the word further regarding potential improvements to the Bouquet Creek crossing. “If SCE intends to conduct any ~~further~~ improvements to the existing culvert crossing at Bouquet Creek, these activities would be considered to be potentially significant and would be authorized by the Forest Service.”
- E.6-22 The following changes have been made to the Draft EIR/EIS to reflect the SCE comment regarding the statement that noise from helicopter use would result in the abandonment by listed raptor species of foraging territories. “Increased noise from helicopter construction could also adversely impact these species and result in the temporary abandonment of foraging territories to avoid ~~ongoing~~ construction activity.” Noise and human presence from maintenance activities could result in a bird moving from a particular tower location and hence would result in a temporary albeit less than significant impact.
- E.6-23 Information provided in the Draft EIR/EIS is conservative and is intended to document the potential for sensitive species with known or historic presence in or adjacent to the project area. However, SCE is correct that the presence of these birds has not been documented in all areas of the ROW. As identified in Table C.3-3 (known and Potential Occurrence of Special Status Wildlife Species Within and Adjacent to the Proposed Alignment) yellow-billed cuckoo was historically present in the Santa Clara River which is located a short distance from the project area. Similarly, migrant southwestern willow flycatchers have been documented in the Santa Clara River and have been recorded in Bouquet Canyon (Sue 2005). Although least Bell’s vireo have not been observed in the project area the population of this bird is rapidly expanding and as suitable habitat for this species occurs in many areas along or adjacent to the proposed ROW the bird was included in the Draft EIR/EIS. However, the following changes have been made to the Draft EIR/EIS to reflect the SCE comment regarding the potential presence of listed songbirds. “Three listed song birds have the

potential to nest in riparian habitat located within or adjacent to the proposed Project ROW. Most of this area, approximately nine of the 10 acres, is located on NFS lands. These migratory species are summer residents in California and have some potential to occur in the proposed Project area and may include western yellow-billed cuckoo, ~~the western yellow-billed cuckoo~~, southwestern willow flycatcher and least Bell's vireo. These species are associated with riparian areas that occur adjacent to access roads at Bouquet Reservoir, San Francisquito Creek, and in Haskell Canyon. Riparian vegetation is located at the quarry haul road crossing at Bouquet Canyon Creek. SCE has indicated that impacts to riparian habitat would be avoided. The proposed Project would span drainages, avoid impacts to riparian vegetation, and travel would be restricted to existing roads in these sensitive areas. In addition, where existing road traffic occurs, such as the quarry road and along existing roadways, impacts to these three riparian bird species are not expected as this area is located adjacent to Bouquet Road, a heavily traveled corridor. However, construction activities including noise, vehicle traffic, and human presence could result in impacts to nesting birds if project related activities are conducted during the breeding season in more isolated areas including Haskell Canyon.

- E.6-24 Thank you for providing this information. Based on input received from the USFWS during the Draft EIR/EIS process and the habitat, albeit limited, that occurs in the project area Coastal California Gnatcatchers have the potential to occur.
- E.6-25 As addressed under Impact B-13 the Draft EIR/EIS clearly indicates that” In addition, the proposed Project would be constructed with minimum clearances between phase conductors or between phase conductors and grounded hardware, as recommended by APLIC (1996), that are sufficient to protect even the largest birds including condors, and therefore would present little to no risk of bird electrocution.” Mitigation Measure B-13 is required on NFS lands to comply with the LMP and provides language regarding not only high visibility devices but tower guards. No changes to the Draft EIR/EIS regarding this comment have been made.
- E.6-26 The text under Impact B-14 clearly states that “It is difficult to predict the magnitude of collision-caused bird mortality without extensive information on bird species and movements in the project vicinity. These data are not available for the proposed transmission line study area. However, it is generally expected that collision mortality would be greatest where the movements of susceptible species are the greatest (e.g., near wetlands, open water bodies, ridge lines etc.), such as Bouquet Reservoir, Leona Valley, and San Francisquito Canyon.” Water fowl, raptors and migratory birds utilize these habitats, have been observed in the area and could be subject to line collision in these areas. APLIC (1994) indicates that lines placed near wetlands or that bisect habitats may pose a risk to birds. Mitigation Measure B-14 was been requested by the USFS and has not been modified in response to SCE request.
- E.6-27 Spadefoot toads utilize a number of micro habitats for breeding including vernal pools road ruts and seasonal depressions in grasslands, coastal sage scrub, and chaparral communities. This species has also been recorded to occur in the vicinity sections of the ROW. No changes have been made to the Draft EIR/EIS regarding this species.
- E.6-28 SCE is correct in their assertion that species listed by the State as species of special concern are not afforded legal protection but must be considered during the environmental review process. However, species listed as Forest Service Sensitive such as yellow blotched-salamander, are

afforded protect by the ANF when they occur on NFS lands. To reflect this comment the following change to Mitigation Measure B-16 has been made.

B-16 Conduct Pre-construction Surveys for Sensitive Amphibians and Reptiles. SCE shall contract with a qualified local biologist to conduct pre-construction surveys for sensitive amphibians and reptiles. ~~Surveys for special status salamanders shall be conducted between March and May. Salamander surveys should include searching beneath all cover objects (logs, limbs, rocks) in the ROW and relocating individuals to suitable microhabitat outside of the project area. Surveys for spadefoot larvae and toads should be conducted in pooled aquatic habitats, including stock tanks and stock ponds, anywhere within 500 feet of either side of the ROW between December and April. Habitat occupied by toads shall be flagged and avoided during construction where possible. Adult toads shall be moved to suitable habitat if construction activities will impact the pool or depression. Sensitive reptiles shall be moved a minimum of 500 feet off the ROW to suitable habitat.~~

E.6-29 As indicated in the Draft EIR/EIS (Impact B-18) pond turtles are often found in or adjacent to creeks and streams, and ponds and could be impacted by vegetation clearing and road maintenance. As habitat does occur in or adjacent to the proposed work areas or access roads no changes to the Draft EIR/EIS have been made regarding this comment.

E.6-30 The author concurs that in some cases passive relocation has not been wholly effective with burrowing owl. However, the mitigation measure provides the following language regarding owl relocation. "If active owl burrows are discovered within 300 feet of a tower the owls would be relocated from the burrows using either active or passive techniques as recommended by the CDFG." However, the following changes have been made to the title of Mitigation Measure B-19 in the Draft EIR/EIS to reflect the SCE comment. "B-19: ~~Passively~~ Relocate Individual Burrowing Owls During the Non-Breeding Season."

E.6-31 Bats do have the potential to occur at select areas in or adjacent to the proposed ROW especially on NFS lands. However, the author agrees that the SCE comment regarding Mitigation Measure B-24 that requires surveys of individual transmission towers for bats to be redundant, would be addressed by APM BIO-1 and BIO-5, and are not warranted at this time. Therefore, the Draft EIR/EIS has been modified by removing Mitigation Measure B-24 and the following text. "Townsend's big-eared bats tend to roost on open, vertical structures such as walls or buildings; therefore, the 66-kV transmission line towers may serve as temporary roosts for individuals of this species but are unlikely to support large colonies and impacts to this species is expected to be minimal. Implementation of Mitigation Measure B-24 (Passively Relocate Individual Bats) would be required to reduce impacts to less-than-significant levels (**Class II**)."

E.6-32 The following changes have been made to Mitigation Measure B-26 in the Draft EIR/EIS to reflect the SCE comment regarding monitoring in grassland habitat for small rodents.

B-26 Avoid Burrow Areas. SCE's Biological Monitor shall flag areas with high concentrations of small rodent burrows and these areas will be avoided to the extent feasible. ~~The Biological Monitor shall be present during all work in grassland habitat and will work closely with the equipment operators in order to relocate any rodents that are overturned by ground disturbing activities.~~

E.6-33 Please see the response to Comment E.6-7

- E.6-34 Please see the response to Comment E.6-9
- E.6-35 Thank you for your input. If Alternative 1 were to be chosen by the Lead Agencies and detailed engineering determined that the design as described in the EIR/EIS was substantially different, then the Lead Agencies would need to determine whether or not supplemental analysis is required.
- E.6-36 The impact analysis for sensitive and listed birds has included language addressing the construction and installation of the transition stations (see page C.3.82). No change to the Draft EIR/EIS has been taken.
- E.6-37 Thank you for your comment. The Draft EIR/EIS recognizes that the exact number of acres impacted by various alternatives cannot be addressed until the final engineering drawings have been completed.