State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

June 16, 2016

Ms. Lisa Orsaba
California Public Utilities Commission
RE: Mesa 500kV Substation Project
c/o Ecology and Environment, Inc.
505 Sansome Street, Suite 300
San Francisco, CA 94111
Email: Mesa.CPUC@ene.com

Dear Ms. Orsaba:

Southern California Edison Mesa 500-kV Substation (Project)
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SCH# 2015061014

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DEIR from the California Public Utilities Commission (CPUC or Lead Agency) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines[1].

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

CDFW ROLE

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

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed

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

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.), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code §1900 et seq.) related authorization as provided by the Fish and Game Code will be required.

PROJECT DESCRIPTION SUMMARY

Proponent: Southern California Edison (SCE)
Objective: The primary objectives of the proposed Project would include:

- Construction of the new 500/220/66/16-kV Mesa Substation and demolition of the existing 220/66/16-kV substation, which would result in increasing the substation’s footprint from 22 acres to 69 acres;
- Replacement (removal and installation) and modification of transmission lines, subtransmission lines, and distribution structures to accommodate the new 500/220/66/16-kV Mesa Substation;
- New telecommunications lines and modifications to an existing line, mostly on existing poles and in existing ducts;
- Temporary modifications to 220-kV equipment at several existing substations to prevent electrical outages during construction;
- Relocation and replacement of an existing 72-inch-diameter waterline with an 84-inch-diameter waterline on the substation site;
- Electrical and/or telecommunications equipment upgrades at 27 existing substations; and
- Undergrounding of three spans of overhead streetlight conductor.

The majority of the region is extensively developed and includes a mixture of residential and 26 commercial developments, industrial and commercial nursery areas, and disturbed habitat. Areas around groundwater and surface water sources within the main Project area have been extensively developed. Local hydrology has been altered for previous development purposes with the exception of a portion of the Project’s telecommunications route, which passes through Bosque Del Rio Hondo (a recreational area) and Whittier Narrows Recreation Area. These recreational areas are important habitat for wildlife.

Construction activities would result in direct and indirect impacts on special status species and their habitat, including, but not limited to, Nevin’s barberry (*Berberis nevinii*), black walnut (*Juglans californica*), southern tarplant (*Centromadia parryi ssp. australis*), intermediate mariposa lily (*Calochortus weedii var. intermedius*), western spadefoot (*Spea hammondii*), Belding’s orange-throated whiptail (*Aspidoscelis hyperythra),* western pond turtle (*Emys marmorata*) or (pond turtle), coastal California gnatcatcher (*Polioptila californica californica*), least Bell’s vireo (*Vireo bellii pusilus*), loggerhead shrike (*Lanius ludovicianus*), and western burrowing owl (*Athene cunicularia*). These impacts would be significant without avoidance or mitigation measures.

The DEIR has identified that the proposed project would result in significant and unavoidable adverse impacts to aesthetics, air quality, and noise. The DEIR concludes that impacts to biological resources would be less than significant or could be reduced to a less than significant level with the implementation of the mitigation measures proposed in the DEIR.

In addition to the No Project Alternative, the DEIR identifies three alternatives: The One 1600-MVA Transformer Alternative; The GIS Alternative Footprint Alternative; and The Two 1120-MVA Transformer Alternative. The One 1600-MVA Transformer Alternative is considered the Environmentally Superior Alternative with the least impact to biological resources.

Location: The proposed project would be constructed primarily in the cities of Monterey Park, Montebello, Rosemead, South El Monte, Commerce, Bell Gardens, Pasadena, Industry, Santa Clarita, and in portions of unincorporated Los Angeles County.

Timeframe: Construction of the proposed Mesa Substation Project is anticipated to start in 2017 and would take approximately 4.5 years.

COMMENTS AND RECOMMENDATIONS

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

COMMENT #1 Executive Summary, Page ES-7, Special Status Plant Communities

Issue: The Department is concerned that Mitigation Measure (MM) BR-3, which describes habitat restoration and mitigation for special status vegetation communities, does not address the temporal loss of special status plant communities. MM BR-3 states, "SCE shall develop a Habitat Restoration and Mitigation Plan that shall include an estimate of the total area of sensitive natural communities, including all coastal California gnatcatcher habitat and riparian habitat. With the consultation and review of the USFWS, CDFW, and CPUC, SCE shall prepare the plan to ensure restoration of all temporary impact areas and to ensure mitigation for permanent impacts on sensitive natural communities and coastal California gnatcatcher habitat. California gnatcatcher habitat that is not coastal sage scrub or another sensitive natural community shall be mitigated at a 1:1 ratio. Mitigation for permanent impacts shall be completed through one of the following methods: 1.Establishing the natural community within the proposed project areas (onsite); 2. Establishing the natural community outside the proposed project areas (within one mile of the project area); or 3, if Options 1 and 2 are not feasible, SCE shall purchase credits and/or mitigation lands at a ratio of 2:1 from an entity approved by CDFW and USFWS, as appropriate."

Specific impact: Project induced population declines or local extirpation of special status plant communities may result from immediate death or injury to all or a portion of individual plants making up the community, habitat fragmentation, increased competition with exotic invasive weeds, altered soil chemistry, and reduce photosynthesis and reproductive capacity. The effects of these impacts would occur over several years.

Why impact would occur: MM BR-3 does not adequately account for the unavoidable temporal loss of special-status plant communities or the uncertainties and often failures of revegetation practices for special status plants using transplanted stock or seed.

Impacts to special status plant communities as a result of vegetation trimming, removal, or crushing and compaction or excavation of soils would occur as an immediate impact within Project areas:

- Where structures related to the proposed Mesa Substation and associated transmission, sub transmission, distribution, and telecommunications lines are proposed;
- Used for operations (e.g., access roads);
- Used for staging yards, lay down yards, tower removals and pull and tensioning sites; and
- Used for restoration after construction has been completed.

Construction activities also have the potential to degrade surrounding habitats by introducing or spreading populations of noxious or invasive weed species that could out-compete native special status plant communities. As a result, the establishment of such species has the potential to limit the functionality of plant communities by significantly altering the native species composition.

Evidence impact would be significant: The mitigation ratios recommended in MM BR-3 could continue to result in a substantial adverse effect on sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, and regulations or by the CDFW or United States Fish and Wildlife Service (USFWS). Absent adequate mitigation, the ecosystem function of special status plant communities, including their contribution to breeding, feeding, and cover habitat for wildlife, will be compromised during the several-year period that it will take to restore these communities to their pre-project or better condition.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure: The Department recommends the revegetation plan proposed for mitigation for special status plant communities be submitted to the Department for review and comment. The mitigation for unavoidable impacts to special status plant communities should strive to develop a more superior habitat quality and quantity than that which was impacted by the Project to offset the temporal loss of several growing seasons that would likely occur while achieving any revegetation success criteria. This could include higher mitigation ratios of areas occupied by targeted special status plant communities and increased level of protection of revegetated areas to prohibit human-caused degradation.

Mitigation Measure: CDFW recommends areas of nonnative vegetation that are impacted by the Project and observed to be utilized by coastal California gnatcatcher be revegetated with appropriate coastal sage scrub species and included in the Habitat Restoration and Mitigation Plan.

COMMENT #2 Executive Summary (ES), Page ES-9, Special Status Plant Species

Issue: The Department is concerned that MM BR-8, which describes habitat restoration and other mitigation for special status plants, does not address interim loss of special status plants. MM BR-8 describes measures that reduce Project impacts to special status plant species to

less than significant and states, “In the event that populations or individuals cannot be avoided, the applicant shall develop and implement a restoration plan for each plant, which will be submitted to CPUC and CDFW for review and comment no less than 60 days prior to construction activities within the work area where impacts would occur. For temporary impacts to special status plants, restoration shall occur after construction and to an extent such that “no net loss” is ensured for all special-status plants in the proposed project component areas. The number of plants at seven years will be equal to or greater than the number destroyed. Mitigation for permanent impacts shall be completed by: 1. Establishing individual plants within the proposed project areas (onsite); 2. Establishing individual plants outside the project areas (offsite); or 3. Purchase of credits and/or mitigation lands at a ratio of 2:1 from an entity approved by CDFW.”

Specific impact: Project induced population declines or local extirpation of special status plants may result from immediate death or injury, habitat fragmentation, increased competition with exotic invasive weeds, altered soil chemistry and reduce photosynthesis and reproductive capacity. The effects of these impacts would occur over several years.

Why impact would occur: MM BR-8 does not adequately account for the unavoidable temporal loss of special status plants or the uncertainties and often failures of revegetation practices for special status plants using transplanted stock or seed.

Impacts to special status plants could occur as a result of vegetation crushing, trimming or removal and the erosion, crushing and compaction or excavation of soils in areas:

- Where structures related to the proposed Mesa Substation and associated transmission, subtransmission, distribution, and telecommunications lines are proposed;
- Used for operations (e.g., access roads);
- Used for staging yards, lay down yards, tower removals and pull and tensioning sites; and
- Used for restoration after construction has been completed.

Construction activities also have the potential to degrade surrounding habitats by introducing or spreading populations of noxious or invasive weed species that could out-compete native special status plants. As a result, the establishment of such species has the potential to limit the establishment and persistence of special status plants.

Evidence impact would be significant: MM BR-8 would continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Absent adequate mitigation, the ecosystem function of special status plant including their contribution to breeding, feeding and cover habitat for wildlife will be compromised during the several-year period that it will take to restore these communities to their pre-project or better condition.

Recommended Potentially Feasible Mitigation Measure

Mitigation Measure: The Department recommends that the Department review and approve any revegetation plan proposed for mitigation for special status plant species. The mitigation for unavoidable impacts to special status plants should strive to result in superior habitat quality and quantity than that which was impacted by the Project to account for the several growing seasons that may be required to achieve any revegetation measure success criteria. This could include a larger mitigation ratio area occupied by targeted special status species revegetation and providing a level of protection of revegetated areas to prohibit human caused degradation.

COMMENT #3 Section 4.3.3.3, Page 4.3-35, Western Spadefoot

Issue: The DEIR describes that SCE would implement MM BR-1, which requires pre-construction surveys to detect presence or absence of western spadefoot (spadefoot) in order to implement avoidance measures that may result in injury or mortality. Because MM BR-1 does not describe survey methodology, CDFW is concerned that MM BR-1 may not include measures to maximize detection of spadefoot.

Specific impact: Impacts to western spadefoot may include direct mortality or injury, lower reproductive success, loss of foraging and aestivation habitat, habitat avoidance, lower carrying capacities of remaining suitable habitats, and altered fire regime.

Why impact would occur: Lack of comprehensive detection methods of spadefoot during survey and monitoring efforts could result in adverse impacts to undetected spadefoot or their habitat on the Project site. Impacts to spadefoot could result from vehicles and equipment use; hazardous material spills; alteration of drainage hydrology, erosion, crushing and compaction or excavation of soils; and fires caused by construction crews occurring in areas:

- Where structures related to the proposed Mesa Substation and associated transmission, subtransmission, distribution, and telecommunications lines are proposed;
- Where structures related to the proposed Mesa Substation and associated transmission, subtransmission, distribution, and telecommunications lines are proposed;
- Used for operations (e.g., access roads);
- Used for staging yards, lay down yards, tower removals and pull and tensioning sites; and
- Used for restoration after construction has been completed.

Evidence impact would be significant: MM BR-1 does not describe survey methodology and so may not adequately detect spadefoot for avoidance and mitigation purposes. This may lead to lack of detection of western spadefoot, which could allow the Project to continue to have substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Absent adequate mitigation, the ecosystem function of special status plants including their contribution to breeding, feeding and cover habitat for wildlife will be compromised during the several-year period that it will take to restore these communities to their pre-project or better condition.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure: To maximize spadefoot survey detection, CDFW recommends that MM BR-1 also include pre-construction surveys at any time of the year where Project-related vibrations and artificial wetting of ground surface may result in spadefoot emergence and detection to occur.

COMMENT #4 Section 4.3.3.3, Page 4.3-37, Western Pond Turtle

Issue: MM BR-1 requires pre-construction surveys to identify whether pond turtle is present within the work area. CDFW is concerned that MM BR-1 does not identify survey methods to maximize detection of this species.

Specific impact: The Project may result in to adverse impacts to pond turtle and their habitat, including increased mortality or injury, lower reproductive success, loss of foraging nesting and aestivation habitat, habitat avoidance, lower carrying capacities of remaining suitable habitats, and altered fire regime.

Why impact would occur: Lack of comprehensive detection methods of pond turtle during survey and monitoring efforts could result in adverse impacts to undetected pond turtle and their habitat on the Project site. Impacts to pond turtle could result from vehicles and equipment use; hazardous material spills; alteration of drainage hydrology, erosion, crushing and compaction or excavation of soils; and fires caused by construction crews from Project activities occurring in areas:

- Where structures related to the proposed Mesa Substation and associated transmission, subtransmission, distribution, and telecommunications lines are proposed;
- Where structures related to the proposed Mesa Substation and associated transmission, subtransmission, distribution, and telecommunications lines are proposed;
- Used for operations (e.g., access roads);
- Used for staging yards, lay down yards, tower removals and pull and tensioning sites; and
- Used for restoration after construction has been completed.

Evidence impact would be significant: MM BR-1 may not adequately detect pond turtle for avoidance and mitigation purposes, which would allow the Project to continue to have substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure: In order to maximize detection of pond turtle, CDFW recommends that MM BR-1 include live trapping in areas where water depth and dense vegetation growth near water compromises visual observations within selected survey habitat areas to be disturbed by the Project.

COMMENT#5: Section 4.3, Page 4.3-60, Open Trenches

Issue: MM BR-10 describes measures to avoid species being entrapped near open trenches and states, "SCE shall ensure that all steep- walled trenches, auger holes, or other excavations are covered at the end of each day or completely fenced off at night in such a way that wildlife cannot become entrapped." CDFW is concerned that MM BR-10 does not maximize avoidance of wildlife entrapment hazards from water lines and fences utilization on the Project site.

Specific impact: Wildlife can become injured or killed when entrapped within various materials used on construction sites, including fence posts and pipes.

Why impact would occur: Open-ended pipes such as various fencing supports, roof ventilation pipes, chimneys, and vault toilets may entrap wildlife because these structures mimic the natural cavities preferred by various bird species and other wildlife for shelter, nesting, and roosting. Raptor's talons can become entrapped within the bolt holes of metal fence stakes, which could result in mortality. Wildlife may shelter within construction materials or other types of pipe sections prior to the sections being placed in the trench and attached together thereby causing entrapment.

Evidence impact would be significant: MM BR-10 appears to only address entrapment of wildlife from deep excavation trenches without considering other types of entrapment hazards associates with the project thereby causing the Project to continue to have the potential for adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure: To reduce impacts to less than significant, CDFW recommends that MM BR-10 include a biological monitor who would check sections of pipe/construction materials for the presence of wildlife sheltering within them prior to the sections being placed in the trench and attached together. Alternatively, the pipe sections shall have the ends capped while stored on site so as to prevent wildlife from entering. Once each pipe section is attached to one another, whether in the trench or not, the exposed end(s) of the pipeline shall be capped at the end of each day during construction to prevent wildlife from entering and being trapped within the pipeline. Open-ended pipes such as various fencing supports, roof ventilation pipes, chimneys, and vault toilets should be capped to prevent wildlife entrapment and mortality. Metal fence stakes should be plugged with bolts or other plugging materials to avoid entrapment hazards to raptors. Further information on this subject may be found at http://kern.audubon.org/death_pipes.htm.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist CPUC in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Scott Harris, Environmental Scientist, at (805) 644 -6305 or scott.p.harris@wildlife.ca.gov.

Sincerely,

for
Betty J. Courtney
Environmental Program Manager I

ec: Ms. Betty Courtney, CDFW, Santa Clarita
Ms. Erinn Wilson, CDFW, Los Alamitos
Mr. Scott Harris, CDFW, Ventura
Ms. Kelly Schmoker, CDFW, Mission Viejo
Ms. Victoria Chau, Los Alamitos

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