

MOORPARK-NEWBURY 66 KV SUBTRANSMISSION LINE PROJECT

Scoping Report

SCH No. 2014031073

Prepared for
California Public Utilities
Commission

July 2014



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SCOPING REPORT

Moorpark-Newbury 66 kV Subtransmission Line Project

1. Introduction

On October 2, 2008, Southern California Edison Company (SCE) filed Advice Letter 2272-E, notifying the California Public Utilities Commission (CPUC) of SCE's proposed construction of the Moorpark-Newbury 66 kV Subtransmission Line Project (Project). Advice Letter 2272-E explained that the Project would be exempt from Permit to Construct (PTC) requirements pursuant to General Order (GO) 131-D, Section III, Subsection B.1.g. (Exemption g.). In response to protests to the Advice Letter, the CPUC issued Executive Director's Action Resolution E-4225 in February 2009, which found that the Project qualified for Exemption g, and the protests were dismissed. Resolution E-4225 was then appealed. In September 2009, the CPUC held a public participation hearing where comments from the public were received. Following the hearing, Resolution E-4243 was approved by the Commission at a Business Meeting in March 2010. As approved, Resolution E-4243 affirmed the findings of the previously issued Resolution E-4225, found that the Project qualified for Exemption g, and dismissed the protests.

However, in April 2010, several individuals filed an Application for a Rehearing of the Commission's approval of Resolution E-4243. Because that Application for Rehearing did not request a stay of construction, and because the CPUC did not issue a stay of construction, SCE informed the CPUC Energy Division that it planned to start construction of the Project in fall 2010. Construction of the Project commenced in October 2010, with a planned operational date of June 2012. However, in November 2011, all construction activity was halted due to the issuance of CPUC Decision 11-11-019 (D.11-11-019). This decision ordered SCE to cease construction activity, provide certain specified information, and file a PTC Application if it wishes to build the Project.

SCE has filed an application (A. 13-10-021) with the CPUC in October 2013 for a PTC the remaining portions of the Project that have yet to be constructed. Based on its review of the application and the Proponent's Environmental Assessment (PEA), the CPUC decided to prepare an Environmental Impact Report (EIR) for the Project. The CPUC formally began the process of determining the scope of issues and alternatives to be evaluated in the EIR (a process called "scoping") when it issued a Notice of Preparation (NOP) of an EIR for the Project on March 26, 2014.

The NOP initiated agency consultation about the scope and content of information to be analyzed in the EIR and invited early public input about potential environmental concerns (Pub. Res. Code § 21080.4(a); CEQA Guidelines §§ 15082(b), 15083). CEQA Guidelines Section 15083 provides that a “Lead Agency may...consult directly with any person...it believes will be concerned with the environmental effects of the project.” Scoping is the process of early consultation with the affected agencies and public prior to completion of a Draft EIR. Section 15083(a) states that scoping can be “helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important.” Scoping is an effective way to bring together and consider the concerns of affected State, regional, and local agencies, the project proponent, and other interested persons (CEQA Guidelines § 15083(b)).

This Scoping Report provides an overview and a summary of the written and oral comments provided by agencies and individuals during the scoping period, a 30-day period which closed on April 25, 2014. The CPUC will use this Scoping Report as a tool to ensure the preparation of a comprehensive EIR tailored to agency and community concerns. Pursuant to CEQA Guidelines Section 15082, all public comments will be considered in the EIR process.¹

2. Description of the Project

2.1 Project Summary

The remaining portions of the Project that have yet to be constructed consist of the following primary elements:

- Installation of approximately 500 feet of new underground 66 kV subtransmission line and a new line position in the 66 kV switchrack entirely within Moorpark Substation.
- Installation of two tubular steel pole (TSP) foundations, four TSPs, the upper portion of one TSP, and approximately 5 miles of conductor on the new and previously installed TSPs along the new Moorpark-Newbury 66 kV Subtransmission Line on the south and east sides of SCE’s existing Moorpark-Ormond Beach 220 kV right-of-way (ROW).
- Installation of eight TSP foundations, 13 double-circuit TSPs, approximately 3 miles of conductor on the new Moorpark-Newbury 66 kV Subtransmission Line, and reconductor 3 miles of the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line. Both of these transmission lines would be collocated on the new double-circuit TSPs. In addition, 14 existing lattice steel towers (LSTs) would be removed along this 3-mile section.
- Installation of approximately 0.5 mile of conductor for the new Moorpark-Newbury 66 kV Subtransmission Line to be collocated with the Moorpark-Newbury-Pharmacy 66 kV Subtransmission Line on previously installed lightweight steel (LWS) poles into Newbury Substation. In addition, four TSP foundations, four TSPs, two LWS poles, and a new 66 kV subtransmission line position would be installed, and six wood poles would be removed at Newbury Substation. The existing subtransmission, distribution, and telecommunications facilities would be transferred onto the new TSPs and LWS poles.

¹ Comments not within the scope of CEQA will not be addressed through the CEQA process.

2.2 Project Location

The Project would be located in the cities of Moorpark, Thousand Oaks, and a portion of unincorporated Ventura County, California. The proposed subtransmission line elements have been subdivided into four geographically-defined Project Sections to facilitate the CEQA analysis. Project Section 1 includes all work conducted within the fence line at Moorpark Substation. Project Section 2 spans from Moorpark Substation to near the border of the City of Thousand Oaks; most of Project Section 2 is located in unincorporated Ventura County (including the Santa Rosa Valley) with a small portion in the City of Moorpark. Project Section 3 spans from just north of the City of Thousand Oaks border to a point within Conejo Open Space Conservation Agency (COSCA) lands in the Conejo Canyons area; the end of Project Section 3 is the point at which the subtransmission route changes direction from east to south. Project Section 4 spans from the end of Project Section 3 to the termination of the Project infrastructure within Newbury Substation in the City of Thousand Oaks. For an illustration of the Project Sections, refer to NOP Figure 1, *Site Location Map* (see Appendix A).

3. Scoping Process

3.1 Notification

On Wednesday, March 26, 2014, the CPUC published and distributed an NOP to solicit input from federal, State, and local agencies on the scope and content of information to be considered in the EIR for the Project. A copy of the NOP was sent to the State Clearinghouse of the Office of Planning and Research, which assigned 2014031073 as the Project's unique State identification number. The NOP was also sent directly to property owners within 300 feet of the Project routes, responsible and trustee agencies, individuals that had previously shown interest in the Project, and parties of the Proceeding. The NOP described the Project, included a map showing the location of proposed components of the Project, identified potential areas of environmental impacts, and provided notice for a public participation workshop and Scoping Meeting that was held in Santa Rosa Valley on April 10, 2014. A copy of the NOP is provided in **Appendix A**.

The CPUC also posted newspaper legal advertisements announcing the release of the NOP and the date for the public participation workshop and Scoping Meeting. The announcements were also posted on the CPUC's website. The CPUC published legal advertisements in the Ventura County Star on March 28, 2014, and April 4, 2014. Copies of the newspaper notices are provided in **Appendix B**. An electronic copy of the NOP also was posted on the CPUC's website established for the Project at:

http://www.cpuc.ca.gov/Environment/info/esa/Moorpark_Newbury/index.html.

3.2 Opportunities for Comment

3.2.1 Public Workshop and Scoping Meeting

The CPUC conducted an educational workshop and Scoping Meeting on Thursday, April 10, 2014, at Santa Rosa Technology Magnet School, located in Santa Rosa Valley at 13282 Santa Rosa Road, Camarillo, California. The workshop and Scoping Meeting was held from 6:30 p.m. until 8:30 p.m. Thirty-eight members of the public attended. Michael Rosauer of the CPUC; Michael Manka, Matt Fagundes, and Allison Chan of Environmental Science Associates (ESA), consultant to the CPUC, also attended. The sign-in sheet from the Scoping Meeting is provided in **Appendix C**.

Meeting attendees were provided materials including written comment forms and speaker cards. During the workshop, explanations were provided concerning participants and their roles, the CPUC's decision and environmental review process, and what opportunities exist for public participation. During the Scoping Meeting, a description of the Project to be analyzed in the EIR was provided, alternatives identified by SCE in its PEA were presented, the range of environmental issue areas to be addressed in the EIR were identified, ideas about other possible alternatives were solicited, next steps were outlined, and public comments were accepted. See **Appendix D** for a copy of the Public Workshop and Scoping Meeting presentation.

Definition of "Project"

At the conclusion of the Scoping Meeting, several members of the public expressed concern regarding the EIR Team's description of the proposed Project, which for the purposes of the CEQA review, does not include the parts of the project already constructed. At the meeting the CPUC agreed to reexamine the definition of the "Project" from a CEQA legal standpoint and provide the public with the results of the reexamination within the Scoping Report prior to the release of the Draft EIR.

Through consultation with the CPUC Staff Council, the CPUC Energy Division staff has determined that SCE's past Project-related activities and their associated environmental effects will be disclosed as part of the environmental baseline conditions described in EIR Chapter 2, *Background*. Chapter 3, *Project Description*, will include the description of SCE's Project. For CEQA purposes, the Project does not include SCE's prior activities. Chapter 5, *Environmental Analysis*, will examine the direct and indirect effects of the proposed Project, as described in Chapter 3, as well as the environmental effects of alternatives to the proposed Project based on the significance thresholds identified in CEQA Guidelines Appendix G. To the extent that SCE's past activities on the site are causing continuing impacts that could combine with those of the proposed Project, they will be considered in Chapter 6, *Cumulative Effects*.

3.2.2 Agency Consultation

Between December 2013 and April 2014, on behalf of the CPUC ESA contacted local agencies and officials, and resource agencies to offer information about the environmental review of the Project and solicit input on the scope of the EIR analysis. Agencies and officials contacted included: City of Moorpark Community Development Department, City of Moorpark Assistant City Manager, City of Thousand Oaks Community Development Department, City of Thousand Oaks Conejo Open Space Conservation Agency, County of Ventura Planning Department, Ventura County Air Pollution Control District, the Office of Ventura County Supervisor Parks, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife.

On behalf of the CPUC, ESA hosted a conference call on April 9, 2014, with the City of Thousand Oaks to receive input on the scope of the EIR analysis. During this conference call, the City of Thousand Oaks provided oral comments on the scope of the analysis to be considered in the Project EIR (see **Appendix E**). The U.S. Fish and Wildlife Service communicated its comments on the scope of the analysis directly to ESA's Biologist via electronic mail (see **Appendix E**).

4. Scoping Comments

Fifteen members of the public provided oral comments on the Project during the April 10, 2014, public Scoping Meeting (see **Appendix F**). The CPUC received additional comments in writing during the comment period. Copies of the written comments are provided in **Appendix G**. Commenting parties are listed in **Table 1** and summaries of the issues identified by the commenters are provided in Section 4.1, *Issues to be Considered under CEQA*, and Section 4.2, *Issues Not Analyzed under CEQA*.

4.1 Issues to be Considered under CEQA

The following discussions are summaries of the issues identified by the public that will be considered under CEQA in the EIR.

Project Description

- The EIR should evaluate environmental impacts from 2008, the point at which environmental review should have commenced. (Oral – Ventura County Board of Supervisors staff member)
- The EIR should include all components that were previously completed before the CPUC required the EIR. Components already completed have created environmental impacts including visual and agricultural impacts. (Written – Santa Rosa Valley Municipal Advisory Council)

**TABLE 1
PARTIES THAT SUBMITTED SCOPING COMMENTS**

Name	Organization/Affiliation	Date/Received Date
Oral Comments		
Sophia Pederson	Resident	April 10, 2014
Phil Pederson (on behalf of Dayne Hinojosa)	Resident	April 10, 2014
Nicole Hauth	Resident	April 10, 2014
Damon Wing	Ventura County Board of Supervisors staff member	April 10, 2014
Kevin Cannon	Resident, Santa Rosa Valley Municipal Advisory Council	April 10, 2014
Joe Barton	Resident	April 10, 2014
William Brandt	Resident	April 10, 2014
Nina Brandt	Resident	April 10, 2014
Krista Pederson	Resident	April 10, 2014
Kelly Hall	Resident	April 10, 2014
Peggy Ludington	Resident	April 10, 2014
Moana Dubois-Walker	Resident	April 10, 2014
Suzanne Comejo	Resident	April 10, 2014
Mark Burley	Resident, Santa Rosa Valley Municipal Advisory Council	April 10, 2014
Danalynn Pritz	Pritz & Associates	April 10, 2014
Written Comments		
Michael Penilla	Resident	April 12, 2014
Cathryn Andresen	Resident	April 17, 2014
Glen Longarini	Resident	April 17, 2014
Mark Burley	Santa Rosa Valley Municipal Advisory Council	April 18, 2014 and June 20, 2014
Betty Courtney	California Department of Fish and Wildlife	April 22, 2014
Dianna Watson	California Department of Transportation, District 7	April 21, 2014
Jeff Hargleroad	Resident	April 23, 2014
Stephen Fusci	Resident	April 23, 2014
David Tanner	Environmental and Regulatory Specialists, Inc. (EARS)	April 23, 2014
Beverly Gutierrez	Hoffman, Vance & Worthington, Inc.	April 23, 2014
Michelle Lelande	Resident	April 23, 2014
Linda Parks	Ventura County Board of Supervisors, 2 nd District	April 23, 2014
Vernon Dransfeldt	Resident	April 23, 2014
Joanna Orr	Reiter Affiliated Companies, LLC	April 24, 2014
Daniel Halpert	Resident	April 24, 2014
Krista Pederson ^a	Resident	April 24, 2014 and April 25, 2014
Peggy Ludington ^{a,d}	Resident	April 23, 2014 and April 24, 2014
Nina Brandt ^a	Resident	April 24, 2014

TABLE 1 (Continued)
PARTIES THAT SUBMITTED SCOPING COMMENTS

Name	Organization/Affiliation	Date/Received Date
Written Comments (cont.)		
William Brandt ^a	Resident	April 24, 2014
Ledvia Hinojosa ^a	Resident	April 24, 2014
Phil Pederson ^a	Resident	April 24, 2014
Greg Warwar ^a	Resident	April 24, 2014
Danalynn Pritz	Pritz & Associates	April 24, 2014 and April 25, 2014
Chad Walker ^a	Resident	April 24, 2014
Dayne Hinojosa ^a	Resident	April 24, 2014
Will Westerling	Resident	April 24, 2014
Kim Ramseyer ^a	Resident	April 24, 2014
Cheryle Potter ^a	Resident	April 24, 2014
James and Maree Porter ^a	Resident	April 25, 2014
Joe and Terri Barton ^a	Resident	April 25, 2014
Moana DuBois-Walker	Resident	April 24, 2014
Laura Hocking ^b	Ventura County Planning Division	April 25, 2014
Sergio Vargas, P.E. ^b	Ventura County Watershed Protection District	April 25, 2014
Alicia Stratton ^b	Ventura County Air Pollution Control District	April 25, 2014
Derrick Wilson ^b	Ventura County Integrated Waste Management Division	April 30, 2014
Christina Nepstad	Resident	April 25, 2014
Donald Walker ^a	Resident	April 25, 2014
Therese Walker ^a	Resident	April 25, 2014
Nicole Hauth ^{a,c}	Resident	April 25, 2014
Sharon Donnelly ^a	Resident	April 25, 2014
Alan and Peggy Ludington	Resident	June 1, 2014
Mark Burley	Santa Rosa Valley Municipal Advisory Council	June 1, 2014

^a Commenters submitted the same letter. In Sections 4.2 and 4.3, below, comments from this letter are noted as follows at the end of each summary: "(Written – Community Letter)".

^b Laura Hocking submitted letters from the Ventura County Watershed Protection District, Ventura County Air Pollution Control District, and Ventura County Integrated Waste Management Division. The letter from Ventura County Integrated Waste Management Division was received after the close of the scoping period.

^c The file attached to the e-mail submitted by Nicole Hauth could not be opened. Because the file name was labeled "ESA community letter," this report assumes that the attached letter constitutes the community letter submitted by several other commenters.

^d Peggy Ludington submitted two letters, one of which is the same as the "Community Letter," dated April 23, 2014.

- The EIR should evaluate the whole of the Project and the CPUC is allowing the Applicant to redefine the Project, to piecemeal the Project to reduce the Project's scope and thereby minimize environmental impacts, and to avoid and/or minimize compliance with CEQA. (Written – EARS, D. Tanner; Written – P. Ludington; Written – Pritz & Associates)
- The CPUC failed to base the Project on Advice Letter 2272-E and the administrative record up to and including CPUC Decision 11-11-019, prior to deeming the Application complete. (Written – EARS, D. Tanner)
- The definition of the Project is unclear in the Permit to Construct (PTC) application and in the NOP. The purpose of the Project (as described in the notice) is to “address forecasted overloads on a section of the existing line and to enhance reliability and operational flexibility,” but the NOP states a different purpose. There is confusion regarding the purpose of the Project causing members of the public to be unable to properly assess the potential effects of the Project. (Written – EARS, D. Tanner)
- If the CPUC determines that the Application is complete, the Project Description should include the following goals and objectives:
 - The Project will use best available technology to conserve energy and reduce GHG emissions;
 - The Project will avoid long-term visual impacts;
 - The Project will avoid impacts to sensitive flora and fauna;
 - The Project will avoid impacts to human health;
 - The Project will utilize the most cost effective technology to meet the Project goals and objectives; and
 - The Project will be designed in compliance with all applicable rules, regulations, and policies. (Written – EARS, D. Tanner)
- The Project Description should include discussion about the Project's phasing and timeline. (Written – EARS, D. Tanner)
- The EIR should identify the following to ensure adequate evaluation of the Project's effects on the environment and to identify alternatives that would reduce the Project's effects on the environment:
 - The analysis used to conclude that forecasted overloads would occur on the local area grid and type of loads projected;
 - The analysis used to conclude the Project would enhance reliability and operational flexibility;
 - Existing easement(s) entitling SCE to construct the Project in the proposed manner;
 - Any other planned uses or permitted improvements within the easement(s) that could be affected by the Project;
 - The EIR should explain the Project's administrative record including Advice Letter 2272-E and the administrative record up to and including CPUC Decision 11-11-019. The EIR should explain why the Project scope is limited to the remaining undeveloped portion of the Project and why prior environmental impacts resulting from past construction were not subject to CEQA.

- The EIR should explain why the Project is being piecemealed in light of the administrative record.
- The EIR should identify areas within the Project's ROW or easement(s) that are not available due to constraints.
- The EIR should explain the Project's relationship to the local area grid and identify any current or planned changes to the local area grid. (Written – EARS, D. Tanner)
- The Project Description should identify Project Design Features. (Written – EARS, D. Tanner)
- The construction methods typically employed at the crossing of Ventura County Watershed Protection District (District) jurisdictional red line channels are similar to horizontal directional drilling; the proposed methods of construction at channel crossings should be described in the project plans. The District should be consulted about proposed construction methods including setback from channel crossings, depth below invert for crossings, and geotechnical considerations. (Written - Ventura County Watershed Protection District)
- The EIR should identify whether the Project would result in any new drainage connections to the District's jurisdictional red line channels. (Written - Ventura County Watershed Protection District)
- The Project is one continuous project that was stopped because the CPUC granted a petition for rehearing. The order granting rehearing (filed 11/10/11) states that “any application for a permit to construct that is filed shall disclose the extent of any construction that has occurred and contain an evaluation on the effect of that construction on the permitting process.” Since preparation of an EIR is necessary now, prior construction of the Project should be considered in the EIR, and by not considering the Project as a whole, the CPUC would be in violation of the order granting rehearing. (Written – Pritz & Associates)
- Since the initial project has not undergone environmental review and because environmental concerns previously raised have not been addressed, the project as a whole should be considered. The following documents state environmental concerns: (1) protest/objection to the proposed construction filed on October 21, 2008, (2) reply/objection to SCE's response letter dated October 31, 2008, filed on November 17, 2008, (3) the Appeal of Executive Director Action Resolution NO. E-4225, filed on March 15, 2009. (Written – Pritz & Associates)
- The Project Description should be redrafted to include all of the activities related to the Moorpark-Newbury 66 kV subtransmission line, consistent with SCE's description of the Project. To do otherwise would effectively circumvent CEQA. (Written - Community Letter; Oral - P. Pederson on behalf of D. Hinojosa; Oral – Santa Rosa Valley Municipal Advisory Council)
- The “whole project” should include SCE's Master Plan. At a minimum, SCE should disclose, and this EIR should include, any projects affecting the Thousand Oaks, Moorpark, and Newbury Park communities, the Moorpark Substation, or the M-N-P and Moorpark-Ormond Beach ROWs, including the recently disclosed gas-generated power plant proposed to be built behind the Moorpark Substation to replace Ormond and Mandalay plants. It should also include the planned a third 220 kV line on the west side of the Moorpark-Ormond Beach ROW disclosed by SCE just days before the 9/18/09 public

hearing – this should be evaluated as part of its plan for the ROW. (Written-Community Letter)

- The forecast dates by which the new 66 kV lines must be energized to avoid overload are questionable and different dates are referenced in various documents. (Written – Community Letter)
- There is limited information regarding the projected loading on the Moorpark-Newbury-Pharmacy Line and the information that has been provided is overstated. (Written – A. and P. Ludington, and Santa Rosa Valley Municipal Advisory)

Alternatives

- The EIR should consider the following alternatives to the Project: (1) co-locating line with existing 220 kV lines in the same SCE easement, (2) undergrounding lines in the residential area for a ½ mile section, (3) placing lines farther away from homes than proposed. Such alternatives would be consistent with Ventura County’s General Plan. (Oral – Ventura County Board of Supervisors staff member)
- The EIR should include a range of alternatives to ensure that alternatives to the Project are fully considered and evaluated. A range of alternatives that avoid or otherwise minimize impacts to sensitive biological resources including wetlands or riparian habitats, alluvial scrub, coastal sage scrub, should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate. Mitigation measures for Project impacts to sensitive habitats and animals should emphasize evaluation of alternatives that avoid or minimize project impacts. (Written - CDFW)
- Opposed to moving the subtransmission line from the east side of the existing 220 kV poles to the west side of the poles since there is a dramatic drop-off west of the existing towers, and would present safety issues. (Written - V. Dransfeldt)
- Opposed to undergrounding the power lines as installation could cause disruption to existing residents and farm operation along the Project alignment. (Written V. Dransfeldt)
- Opposed to moving the Project alignment west along the Gerry Road as it would impact farmland. (Written - V. Dransfeldt; Written W. Westerling)
- Opposed to the No Project Alternative; the power disruptions due to inadequate supply are already occurring, which would likely be exacerbated if the Project does not get constructed. (Written - V. Dransfeldt)
- Burying the power lines underground would effectively inhibit the ability to farm a portion of the property. (Written W. Westerling)
- The County and the community have urged that the project be co-located with the line it is designed to enhance – the Moorpark-Newbury-Pharmacy (M-N-P) 66 kV line (1,800 feet to the west). This alternative would relieve line stress and result in little or no environmental damage. This would be the environmentally superior alternative. Additional alternatives that should be analyzed in the EIR include:
 - Undergrounding. Undergrounding was dismissed for cost reasons.

- Renewable Energy Alternatives. SCE is required to produce 33 percent “clean” energy and a number of shopping malls in the Thousand Oaks/Newbury Substation service area utilize solar energy and the solar potential is equal to if not greater than Fontana.
- Energy Savings Programs Alternative. The EIR should examine the available energy saving programs like:
 - a. Demand response programs (examples - SmartConnect and TI&TA) and other energy efficiency programs that affect electrical use and peak demand;
 - b. Programs for HVAC replacement and retrofits for older units; and
 - c. Installation of approved cycling devices for commercial and newer homes (saves about 15 percent of use). (Written- Community Letter)
- All power upgrades or equipment replacements should be required to be buried under ground to avoid above ground safety risks, including health risk, electrical interference, and visual pollution. (Written – M. Penilla)
- Once the Project alignment crosses Santa Rosa Road (proceeding north), the alignment should be routed to the west side of the SCE right-of-way, where no residences are adjacent to the right-of-way. Once the Project alignment crosses Santa Rosa Road, the alignment should be underground until the northern property line of the commenter’s residence. (Written – C. Andresen)
- The No Project Alternative with no impacts may represent the superior alternative. (Written – County of Ventura, Board of Supervisors)
- The EIR should evaluate alternatives to the Project which would reduce or eliminate one or more of the Project’s potentially significant environmental effects. Alternatives should include but not be limited to the following:
 - No Project Alternative;
 - Alternative technologies capable of meeting most of the Project’s goals and objectives which avoid or reduce one or more of the Project’s significant adverse environmental impacts;
 - Design alternatives capable of meeting all of the Project or most of the Project’s goals and objectives which avoid or reduce one or more of the Project’s potentially significant adverse environmental impacts;
 - Conservation measures that can be implemented to avoid the need for the Project or reduce the scale of the Project, which would reduce potential adverse impacts of the Project;
 - Alternatives consistent with SCE’s 2014 Energy Storage Procurement Plan, which avoid or reduce one or more of the Project’s potentially significant adverse environmental impacts; and
 - Alternatives consistent with the Garamendi Principles. (Written - EARS, Tanner)
- The route alternatives are concerning. There is a 25-foot utility easement west of the Project that runs from Highway 118. Concern has been expressed about the width of the easement (25 feet) and its proximity to homes; the easement is not suitable for the proposed subtransmission line route. (Written – Warwar)

- The EIR should evaluate an alternative that includes co-location of the subtransmission line; such an alternative would minimize environmental effects. The EIR should include energy saving and renewable energy alternatives. (Oral - P. Pederson on behalf of D. Hinojosa).
- The EIR should explore energy saving alternatives (e.g., renewable energy, solar power, and geothermal) and energy efficiency programs that can be implemented in residential homes to reduce overall power demand. (Oral – K. Pederson).
- An alternative such as co-location the 66 kV line with existing poles should be evaluated. This alternative would have been cheaper but with the Project partially built, reconductoring of the line would be more expensive. An undergrounding alternative should be evaluated. There is preference for the “No Project Alternative.” (Oral – P. Ludington)
- There is support for the following alternatives to the proposed Project: co-location with existing power lines and undergrounding the line. (Oral – Santa Rosa Valley Municipal Advisory Council)
- The following 10 alternatives to the project could be implemented to avoid overloading conditions:
 1. Re-connect the Colonia-CAMgen-Newbury line to CAMgen substation. Install approximately 1.5 miles of 66 kV circuit along Potrero Road to restore the third circuit and additional amp capacity to the Newbury Substation.
 2. Commercial use reductions. Have commercial sites in the electrical needs area use backup generators to reduce demand. This would reduce the amp draw on the Moorpark-Newbury-Pharmacy line.
 3. Installation of rooftop or centralized thermal storage units on commercial structures. 10 MWs of thermal storage could reduce the peak demand by 87 amps to 879 amps.
 4. Installation of solar panels on commercial rooftops. Fund postponed solar projects (0.9 MW) in the Newbury zip code as an alternative to the 66 kV line.
 5. Increase the capacity of the existing conductors. Increase the capacity of the Moorpark-Newbury-Pharmacy and Thousand Oak-Newbury lines to approximately 100 amps.
 6. Re-connect the CAMGen generating station. Re-connecting the CAMGen generating station on the CSU Channel Islands campus to provide 28 plus MWs of generation through the reconnected Colonia-CAMGen-Newbury line. Additionally, retrofitting the CAMGen facility with a waste head recovery system. The re-connection of the CAMGen plant could reduce the projected loading to 737 amps.
 7. Convert stand-by generators at Hill Canyon Treatment Plant. Convert the 5.4 MW of stand-by generation at the Hill Canyon Treatment Plant to SGIP with a retrofit to natural gas to meet emissions standards.
 8. Increase generation and reduce peak demand at the Hill Canyon Treatment Plant. The Hill Canyon Treatment Plant can reduce demand by the use of bio gas and solar panels.
 9. Conejo Valley Unified School District Energy Project. Implement the pending 4.2 MW or 37 amp Conejo Valley Unified School District Energy Project. Implementation of this project could reduce the projected loading to 920 amps.

10. Implement solar project in the electrical needs area. The use of solar panels on structures or solar panels on disturbed sites as an alternative to the transmission/distribution project. (Written – A. and P. Ludington, and Santa Rosa Valley Municipal Advisory)

Aesthetics

- The Santa Rosa Valley and the unincorporated hillsides of Moorpark provide a glimpse of what the open space of Ventura County once looked like. In the four decades since its construction, even the Moorpark-Ormond Beach 220 kV ROW had reverted to this greenbelt of agriculture and open space. The proximity of new poles to residents has and will negatively impact the property of contiguous and adjacent homes. (Written - Community Letter)
- Completed Project components have already resulted in impacts on visual resources. (Written – Santa Rosa Valley Municipal Advisory Council)
- Why is it that the existing towers could not be utilized for the proposed transmission line? The commenter notes that views are already impaired with the presence of these towers. (Written - M. Lelande)
- There is opposition to moving the Project alignment to the west along Gerry Road as it would cause aesthetic impacts. (Written - W. Westerling)
- There is concern about the Project's effects on public viewsheds. (Oral – Barton)

Agricultural Resources

- When SCE began work on the Project, they contacted farmers demanding they remove decades-old orchard trees. After convincing a judge it was urgent to begin construction by 8/8/11, it cut down several hundred trees in August and mandated that farmers never replant these areas. As a result, several acres have been rendered permanently un-farmable. (Written –Community Letter)
- A tall TSP could impact farming. A metal pole has fallen and caused minimal damage to avocado trees. Farming requires some aerial work and the addition of the subtransmission line may impede this process. (Written - M. Lelande)
- The commenter is opposed to moving the subtransmission line from the east side of the existing 220 kV poles to the west side of the poles as it would affect agricultural properties. Relocating the poles would impact the productive land for most property owners along the easement. (Written - V. Dransfeldt)
- Completed Project components have already resulted in impacts on agricultural assets. (Written – Santa Rosa Valley Municipal Advisory Council)
- Impacts to agricultural land should be avoided and can be done by co-locating the proposed lines with existing power lines or by undergrounding through the Santa Rosa Valley. (Written –Ventura County Board of Supervisors, L. Parks)

Air Quality

- The air quality impacts would likely occur with Project implementation and the EIR should evaluate all potential air quality impacts that may result from the Project. The EIR's air quality section should consider reactive organic compounds, nitrogen oxide emissions, exhaust equipment particulate matter, and fugitive dust from construction equipment. (Written – Ventura County Air Pollution Control District)

Biological Resources

- There is concern for sensitive species located within the site, including sensitive plants like Lyon's Pentstemon and Conejo Dudleya, and protected avian species such as the Least Bells Vireo and California Gnatcatcher. (Written - Community Letter)
- There would be Project-related impacts on riparian habitat and any impacts to riparian resources would require acquisition of discretionary permits from U.S. Army Corp, CDFW, and RWQCB. No jurisdictional delineations have been included in the Project Description. (Written - Community Letter)
- There is concern about the Project's potential effects on wildlife, pets, and farm animals. (Oral – S. Pederson)
- The CDFW considers Rare Natural Communities as threatened habitats that have regional and local significance. (Written - CDFW)
- CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. (Written - CDFW)
- If the Project results in take of a species designated as endangered or threatened, or a candidate for listing under the California Endangered Species Act (CESA), the CDFW recommends that the Project proponent seek appropriate take authorization under CESA (may include an incidental take permit or a consistency determination) prior to Project implementation. (Written - CDFW)
- CDFW opposes elimination of watercourses and/or the channelization of natural and manmade drainages and notes that all wetlands or watercourses be retained and provided with substantial setbacks. A minimum natural habitat buffer of 100 feet from the outside edge of the riparian zone of each side of the drainage is recommended. (Written - CDFW)
- The CDFW has regulatory authority with regard to activities occurring in streams or lakes that could adversely affect any fish or wildlife resource and that for any activity that results in diversion or obstruction of natural flow, change the bed, channel, or bank of a river or stream, or use of material from a streambed. The project applicant must provide written notification pursuant to Section 1602 of the Fish and Game Code. (Written - CDFW)
- The EIR should include a thorough, recent assessment of flora and fauna within and adjacent to the Project area, with emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats including:
 - A thorough, recent assessment of rare plants and rare natural communities, following the CDFW's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities.

- A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use within the Project area should be addressed and notes that recent, focused, species-specific surveys conducted at the appropriate time of year and time of day are required.
- Rare, threatened, and/or endangered species should include all species which meet the related definition under the CEQA Guidelines.
- The Biogeographic Data Branch should be contacted to obtain current information on any previously reported sensitive species and habitats. (Written - CDFW)
- The EIR should include a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The discussion should focus on maximizing avoidance and minimizing impacts. Specifically:
 - The regional setting is critical to an assessment of environmental impacts and that emphasis should be placed on resources that are rare or unique to the region.
 - General and specific plans, as well as past, present, and future projects should be analyzed relative to their impacts on similar plant communities and wildlife habitats
 - Project impacts including deposition of debris should be analyzed relative to their effects on off-site habitats and populations including public lands, open space, and natural habitats. Impacts to and maintenance of wildlife corridor or movement areas should be evaluated and should include discussion of the potential for impacts resulting from increased vehicle traffic, outdoor lighting, noise and vibration, and pest management.
 - Impacts to migratory wildlife should be evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds.
 - Construction activities in Active Breeding and/or Nesting season should be avoided; if the nesting season cannot be avoided and construction or vegetation removal occurs between March 1 and September 15 (January 1 – July 31 for raptors), the permittee should: follow avoidance and minimization measures including establishment of avoidance buffers, development of a Nesting Bird Protection Plan, development of an alternative plan for avoidance of nesting birds, ensure that project activities that could impact habitat that provide maternity roosts for bats occur outside of the bat breeding season, and address impacts to natural habitats from implementing Fuel Modification Zones with appropriate mitigation (Written - CDFW)
- The EIR should address Project-related effects on wildlife species (e.g., least bell's vireo, Conejo dudleya, and red-legged frog). (Oral - P. Pederson on behalf of D. Hinojosa).

Cultural Resources

- The County and public express concern for the archeological resources in Santa Rosa Valley. It was once home to the largest Chumash community in this region. SCE knew the Santa Rosa Valley was an area rich in Chumash historical and cultural resources when it sought CEQA exemption for the Project. (Written - Community Letter)

Hydrology and Water Quality

- Based on NOP Figure 1, the Project would likely cross and could potentially affect the following Ventura County Watershed Protection District jurisdictional red line channels: Arroyo Simi, Gabbert Canyon, Conejo Creek, Hill Canyon, and North Branch Hill Canyon. The EIR should identify and label these red line channels on all maps, figures, and exhibits. (Written - Ventura County Watershed Protection District)
- The setting section of the Hydrology and Water Quality section should include the following Ventura County Watershed Protection Ordinance WP-2 standards:
 - In accordance with Ventura County Watershed Protection Ordinance WP-2, effective October 10, 2013, no person shall impair, divert, impede, or alter the characteristics of the flow of water running in any jurisdictional red line channel, or establish any new drainage connection to a District jurisdictional channel without first obtaining a written permit from the District. Where applicable, watercourse or Encroachment Permit applications must be submitted to the District for any proposed work.
 - Any activity in, on, over, under, or across a District jurisdictional red line channel, including the channel bed and banks of arroyo Simi, Gabbert Canyon, Conejo Creek, Hill Canyon, and North Branch Hill Canyon, will require permits from the Ventura County Watershed Protection District.

It is the Ventura County Watershed Protection District's standard for mitigating any increase in impervious area that the peak flow after development shall not exceed the peak flow under conditions for any frequency of event. (Written - Ventura County Watershed Protection District)

Land Use and Planning

- The EIR should describe applicable regulations, rules, and other relevant planning programs governing the Project and discuss the Project's compliance or impact with such plans including, but not limited to, consistency with NERC Planning Standards, the Garamendi Principles (SB 2431, Chapter 1457, Statutes of 1988, Garamendi), and the SCE 2014 Energy Storage Procurement Plan. (Written – EARSI, D. Tanner)
- Impacts to residential neighborhoods should be avoided and can be done by co-locating the proposed lines with existing power lines or by undergrounding through the Santa Rosa Valley. (Written – Ventura County Board of Supervisors, L. Parks)
- Since 2008, the Ventura County Board of Supervisors has expressed concern over the lack of environmental review for this Project. It has actively tried working with SCE to address its land use concerns – namely an alternative, any alternative that will move the lines farther from homes or underground. SCE has stonewalled these efforts. Consequently, the Board issued a resolution opposing it and the now “tabled” Presidential Substation, and has requested alternatives consistent with County's land use and planning goals. (Written - Community Letter)

Noise

- Even at distances of 1,000 feet from the existing 220 kV lines, in the evenings one can hear the constant crackle coming from them. It is loud, continuous, and alarming. An additional line even closer to homes would only exacerbate the burdensome noise pollution that currently exists. (Written - Community Letter; Oral – K. Hall)

Public Health and Safety

- The potential for Valley Fever should be addressed in the EIR due to the recent fires and potential Valley Fever disturbance on the project site. (Written – Ventura County Air Pollution Control District)
- There is opposition to the Project for safety reasons. (Written - C. Nepstad)
- The Project would result in public health and safety concerns from the following potential hazards: brush fire, EMF, and earthquakes. The Project’s alignment is through farmland and protected open space, portions of which are within an area designated by Cal Fire as “Very High Fire Hazard Severity Zone.” Downed power lines could cause catastrophic fires. (Written - Community Letter)
- The environmental review should include site-specific geological surveys to identify geological hazards, identifying areas of slope instability, landslides, expansive soils, and areas of tectonic activity, and samples should be collected for carbon dating to determine if it is safe to undertake construction in the proposed area. (Written - Community Letter)
- Fire danger due to the proposed Project’s proximity to residences is concerning. (Oral – S. Pederson)
- Increased fire hazards and earthquake safety issues as a result of Project implementation are concerning. Past fire events have been caused by downed power lines. Some farmers in the area have stopped irrigating their avocado orchard; as a result, the dry land represents a fire hazard. Potential fire events that could be induced by a large earthquake along the Simi-Santa Rosa Fault are concerning. (Oral – N. Hauth)
- There is concern about the Project’s human health effects on family members. (Oral – N. Brandt; Oral – K. Cannon)

Transportation

- When feasible, construction-related truck trips, which may affect State Route 118 (intersects Gabbert Road/Tierra Rejada Road), State Route 23 (intersection Tierra Rejada Road), and State Route 101 (intersection Borchard Road), should be restricted to the off-peak commute period. (Written – Caltrans, District 7)
- A traffic control plan should be prepared and submitted to Caltrans for review. (Written – Caltrans, District 7)
- The EIR should include discussion of mitigation measures that would appropriately alleviate anticipated traffic impacts. (Written – Caltrans, District 7)
- The Project may be subject to various permits including oversize vehicle permits, transportation permits (any wide or unusual loads), and encroachment permits (for work performed within the State right-of-way). (Written – Caltrans, District 7)
- A copy of the EIR should be forwarded to Caltrans once it is available. (Written – Caltrans, District 7)

- The report should examine both construction and maintenance traffic across private farm roads, through protected habitat and quiet residential communities. There currently is no public access to any tower footings or the ROW in general. (Written - Ludington)

Cumulative

- The list of cumulative projects should be identified in the EIR. (Written - EARS, Tanner)
- The EIR Project should analyze previously completed components to ensure that cumulative impacts can be determined. CEQA does not allow the division of a project into smaller projects and the proposed EIR would ignore the already completed project. (Written – Santa Rosa Valley Municipal Advisory Council)

4.2 Issues Not Analyzed under CEQA

The EIR will be used to guide decision-making by the CPUC by providing an assessment of the potential environmental impacts that would result from the Project. The weighing of Project benefits (environmental, economic, or otherwise) against adverse environmental effects is outside the scope of the EIR. When the CPUC considers whether to approve SCE’s application for the Project, it will consider the EIR along with economic and other considerations.

The EIR will not consider electric and magnetic fields (EMF) in the context of the CEQA analysis of potential environmental impacts because [1] there is no agreement among scientists that EMF creates a potential health risk, and [2] there are no defined or adopted CEQA standards for defining health risk from EMF. Presently, there are no applicable federal, State, or local regulations related to EMF levels from power lines or related facilities, such as substations. However, CPUC policies and procedures (as reflected in decision D.06-01-042) require utilities to incorporate “low-cost” or “no-cost” measures for managing EMF from power lines up to approximately 4 percent of the total project cost.

The EIR will not consider comments related to whether or not SCE has the proper easements or ROWs for construction, operation, or maintenance of the Project. Negotiations of ROWs or easements occur between SCE and affected property owner(s) and generally do not require discretionary approval from a State or local agency. Consequently, such agreements would be outside the scope of CEQA. Any physical impacts that would occur within newly-acquired ROW as part of the Project would be assessed in the EIR.

The EIR also will not consider comments that pertain to SCE’s determination of project need. The CEQA process does not require the EIR to assess Project need as established by the project applicant. In addition, CPUC General Order 131-D does not require an affirmative showing of need for projects under 200 kV and this issue is not generally litigated in PTC proceedings. The EIR will study a “No Project Alternative” which will examine the environmental impacts of not building the Project. Thus, the analysis of the No Project Alternative will look into what would happen from an electrical standpoint if the project objectives are not met.

Economics-Related Comments Received

- The addition of TSPs could cause damage to structures when they fall, and could decrease current home values. (Written - M. Lelande)
- The Project will result in adverse effects on property values in Santa Rosa Valley. The economic growth of the Santa Rosa Valley has slowed down in parallel with the various SCE transmission line projects. (Oral – Barton; Oral – Brandt)

EMF-Related Comments Received

- The CPUC has a long-standing policy of prudent avoidance of EMF exposure and the “no-cost and low-cost” standard adopted by CPUC was an action plan established in CPUC Decision 93-11-013, in which CPUC acknowledged the potential harmful effects of EMF. Since the intervening 20 years since the CPUC established this standard, the CPUC has not promulgated any further guidelines. Yet, the EMF exposure is real and documented and should be evaluated in the EIR. (Written – Community Letter)
- Concern about EMF exposure on residents. A couple families have members that were diagnosed with leukemia and recently moved away. (Oral – K. Hall, Oral – S. Comejo)
- Project-related effects associated with EMF exposure. Recent ailments (e.g., serious case of osteoporosis, epilepsy) have occurred and power line-related EMF may have contributed to the ailments. The commenter’s home is located 87 meters away from the proposed transmission line alignment. (Oral – M. Dubois-Walker)

Project Need-Related Comments Received

- SCE’s assessment of “need” is in question; SCE’s need projections are based on speculative growth, and are outdated. The outdated Project “need” data, spawned by the 2005 “heat storm peak loading” projections that have time and again proven to be false. In addition, SCE has provided several different and inconsistent forecast dates by which the new 66 kV lines must be energized to avoid overload (and most recently, a drop in voltage). In reality, actual peak demand has dropped from its high point in 2008 and has not gone up. SCE’s forecast models seem to anticipate growth no matter what. It has not happened. As protestors forecasted, need has actually declined – whether due to the economic downturn and recession, the tanking of the housing market, the explosion of solar installations, or the effectiveness of energy saving programs already in place – need has declined. (Written-Community Letter)
- Resolution E-4243 was secured under false pretenses. SCE manipulated facts and data to gain CEQA exemption as follows:
 - It characterized the Project as a mere “maintenance operation within an existing ROW,” which led the Energy Division to assume the ROW was so disturbed by public uses that review was unnecessary.
 - It failed to disclose a number of known potentially significant environmental impacts.
 - It has presented skewed need projections since 2005, none of which have been substantiated by actual demand.
 - While stakeholders were awaiting further settlement discussions, it restored the draft resolution to the CPUC’s agenda, without notice to stakeholders.

- SCE's misrepresentations and omission provided the grounds upon which approval of Resolution-4243 was based. (Written - Community Letter)
- An assessment describing the need for the proposed transmission line should be supplied. (Oral – Ventura County Board of Supervisors staff member; Written – County of Ventura, Board of Supervisors)
- The Project should be evaluated as a whole in the EIR. The load projections are not correct and, with respect to Project need, different dates have been used which begs the question about the true need for the Project. (Oral – Ludington)
- The community has grown and now has shrunk due to recent layoffs by Amgen and, therefore, the true need for the proposed Project is questioned. The peak loading projections are false. (Oral – Brandt)

General Comments

- Past requests have been submitted to CPUC regarding the environmental review for the proposed Project since October 2008, including the filing of General Order 131-D, Section III.B.1.g, the commenter's response to SCE's claimed exemption, litigation between 2008 and 2010, and CPUC's adoption of Resolution E-4243, exempting the project from environmental review. The application for rehearing of Resolution E-4243 (filed April 14, 2010) and the CPUC's order granting rehearing petition (filed November 10, 2011) are attached and referenced. (Written – Pritz & Associates)
- Expressed support for the Project. (Written W. Westerling; Written - V. Dransfeldt; Written - J. Orr)
- Expressed support for the current Project and pole positioning. Any changes to the Project would be inconsistent with the intent of the easement recorded in 1970 and would have a negative impact on other properties and their use. (Written - J. Hargleroad)
- Expressed support for the Project as long as SCE constructs within their easement and Opposition to the possible relocation of the poles. (Written S. Fusci)
- Disappointment about the shortage of public notification and how small the actual notice was. (Oral – K. Cannon)
- SCE should provide a master plan that describes all of their future energy projects in the Project area in order to really understand the proposed Project. (Oral – Santa Rosa Valley Municipal Advisory Council)
- The following Project-related concerns have been raised throughout the April 10, 2014 scoping meeting: fire hazard, plants, fossil fuels, earthquake, effects on residents, noise, habitat, change in circumstance, decrease in growth, questions of need based on new available resources (energy conservation), health risk for those near the line, agricultural resources, medical conditions, brush clearance, and cumulative impacts. There is disappointment about how SCE has been disingenuous about the project, and the fact that CEQA review is beginning in the middle of the Project is disliked. (Oral – Pritz)
- Expressed support for the Project and the understanding that SCE has acquired the easement for the sole purpose of the Project and that SCE has a legal right to expand their equipment within the existing easement. If SCE pursues expansion of the poles on Gerry

Road, condemnation would be a factor and notes that the title reports for homeowners along Gerry Road states that the power poles are to be wooden poles only, which would not be adequate for the proposed Project. Homeowners contesting the Project were fully aware of the existing easement when they purchased their homes. (Written - B. Gutierrez)

- Expressed opposition to the proposed Project alignment, which is located on the east side of the SCE's right-of-way. Some residences are located as close as 20 feet from the property line. (Written – C. Andresen)
- Should the community, City and County leaders, and SCE determine whether new construction, upgrades, or replacement to SCE equipment be needed, such equipment should be buried under ground. (Written – M. Penilla)
- Subsequent documentation related to the Project should be directed to the Ventura County Watershed Protection District for review and comments. (Written - Ventura County Watershed Protection District)
- The CPUC should conduct an environmental review and evaluation of alternatives for the Project and an EIR would be the appropriate document to include such a review. (Written – County of Ventura, Board of Supervisors)
- The Project is part of a larger project as it is an amendment to the Moorpark System within the ISO Controlled Grid to correct reliability issues. The environmental document should include discussion of other relevant programs that have potential to affect the environment, including other considerations being considered by SCE to fulfill their responsibility to manage the existing grid. (Written – EARSI, D. Tanner)
- The Permit to Construct application is not complete and is inconsistent with the policy of the CPUC as reflected in the Garamendi Principles (SB 2431, Chapter 1457, Statutes of 1988, Garamendi). More specifically, the Application is not consistent with the following aspects of the Garamendi Principles:
 - “Encourage the use of existing rights-of-way by upgrading existing transmission facilities where technically and economically justifiable.” The Project proposes to construct new transmission facilities, rather than upgrading existing facilities. The Project would overload the Ormond Beach-Moorpark right-of-way/easement resulting in power lines very close to sensitive land uses, sensitive habitat, and could result in impacts on cultural resources and aesthetics. The PTC application should show that it is not technically and economically justifiable to use the existing rights-of-way by upgrading existing transmission facilities as required by Garamendi.
 - “When construction of new transmission lines is required, encourage expansion of existing rights-of-way, when technically and economically feasible.” There is no evidence indicating that the applicant or CPUC considered expansion of existing rights-of-way.
 - “Provide for the creation of new rights-of-way when justified by environmental, technical, or economic reasons, as determined by the appropriate licensing agency.” The PTC application does not include any evidence considering the creation of new rights-of-way. It is justifiable in this case because the Project would overload the easement and result in environmental impacts and notes that past project construction activities have already resulted in adverse effects on the environment.

- “Where there is a need to construct additional transmission, seek agreement among all interested utilities on the efficient use of that capacity.” There is no evidence indicating that the Project Applicant has sought agreement with interested parties on the efficient use of that capacity. (Written – EARSI, D. Tanner)
- The PTC application misrepresents the Project and notes that it is not a “rate-setting proceeding”. (Written – EARSI, D. Tanner)
- The NOP is incomplete and misleading due to the inadequacy of the PTC application. (Written – EARSI, D. Tanner)
- The CPUC should: cease all CEQA proceedings and re-examine the PTC application to determine if it is complete, determine that the Application is incomplete and notify SCE that the application must address the whole of the Project, conduct a new CEQA scoping process, and provide information on Applicant related planning efforts. (Written – EARSI, D. Tanner)
- The CPUC should establish an independent investigation to be conducted to determine if the Applicant withheld information from the public, local governments and CPUC on the Project’s potential environmental consequences during (1) processing of Advice Letter 2272-E and (2) on the appeal of Advice Letter 2272-E in applying for permits, certifications and/or agreements from state and federal agencies to construct a portion of the Project. If the investigation reveals that the Applicant did withhold information from the public, the CPUC should invalidate all permits, certifications, and or agreements issued for the project, remove constructed improvements, and assess punitive damages against those responsible. (Written – EARSI, D. Tanner)
- The EIR should be written in plain English to ensure that the document can be understood by the average (educated) citizen. (Written – EARSI, D. Tanner)
- The CPUC is not an independent party, noting that CPUC Commission President Michael Peevey is a former president of SCE, CPUC sided with SCE in their approval of Advice Letter 2272-E (which was subsequently invalidated), and CPUC sided with SCE by failing to prevent construction of the Project while the Rehearing of Resolution E-4243 was pending. All technical reports and the EIR should be prepared by an independent 3rd party. (Written – EARSI, D. Tanner)
- The NOP is biased as it is based on the Application. The PEA identifies Project-related adverse environmental impacts, which are characterized as less than significant. As NOP cites that alternatives analyzed in the PEA, how can SCE propose alternatives that would reduce the Project’s effects if it denies the existence of any adverse environmental effect? (Written – EARSI, D. Tanner)
- The CPUC should apply for the State of California Electric Investment Charge (EPIC) grant program offered by the California Energy Commission and that it apply for the grant entitled “Establish Strategies for Enhanced Local Regulatory Assistance and Permit Streamlining that Will Accelerate Deployment of Clean Energy Infrastructure.” The Project has been going on for years and has wasted ratepayer money. (Written – EARSI, D. Tanner)
- A chronological overview of the Project is provided, which includes the following:
 - March 15, 2010 – Resolution E-4243, Exemption G

- April 15, 2010 – Petition for Rehearing
- October 15, 2010 – SCE’s Notice to Energy division Re Intent to Construct
- July 20, 2011 – Letter to Governor Brown Re Delay of Rehearing Ruling
- August 3, 2011 – Temporary Restraining Order Against Farmers
- August 8, 2011 – Visible construction commenced, often 6-7 days/week
- November 10, 2011 – Order Granting Rehearing with “Cease and Desist,” and
- October 28, 2013 – SCE’s Application for PTC.

The 5-1/2 year history of the Project (under Case No. A.10-04-020) is summarized starting from advice letter dated 10/2/08, in which SCE gave the public its first notice of the Project, which indicated SCE’s plan of seeking exemption for any environmental review under Exemption G. The County of Ventura Board of Supervisors for the cities of Moorpark and Thousand Oaks, the Santa Rosa Valley Municipal Advisory Council and community members protested the rules and urged evaluation of alternatives. (Written – P. Ludington)

5. Consideration of Issues Raised in Scoping Process

A primary purpose of this Scoping Report is to document the process of soliciting and identifying comments from agencies and the public. The scoping process provides the means to determine those issues that interested participants consider to be the principal areas for study and analysis. Every issue that has been raised that falls within the scope of CEQA during scoping will be addressed and/or be considered in the EIR.