

## 3 COMMENTS AND RESPONSES

### 3.3 COMMUNITY GROUPS, PRIVATE COMPANIES, AND PRIVATE ORGANIZATIONS

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

### 3 COMMENTS AND RESPONSES

Comment Letter B1

#### Friends of Riverside Airport

8175 Limonite Avenue, Jurupa Valley, CA 92509  
(951) 360 2070

To: Riverside Transmission Reliability Project

Hand Delivered April 24, 2018

Subject: Property Affected by Riverside Transmission Reliability Project.

Dear Sirs and Madams:

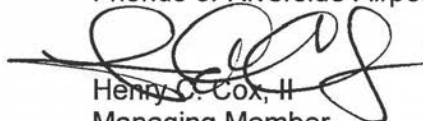
Attached please find a map showing our intended use for our property. We have been removing PCB's from the property under the supervision of the Department of Toxic Substances (DTSC). The City of Riverside has not allowed us to submit the attached map until the property meets the DTSC requirements. The project is covered by a Development Agreement between our LLC and the City.

The proposed taking for the power line would eliminate as many as 15 lots from the proposed map and would compromise the desirability of many more. Our clean up costs related to PCB's is approximately 30 million dollars for the 60 acres involved or an average of about \$500,000 per acre.

We realize that the power line is needed by the City and would cooperate if we were properly compensated for the pro rata share of our PCB clean up costs and our lost revenue from the development of the homes that would be eliminated.

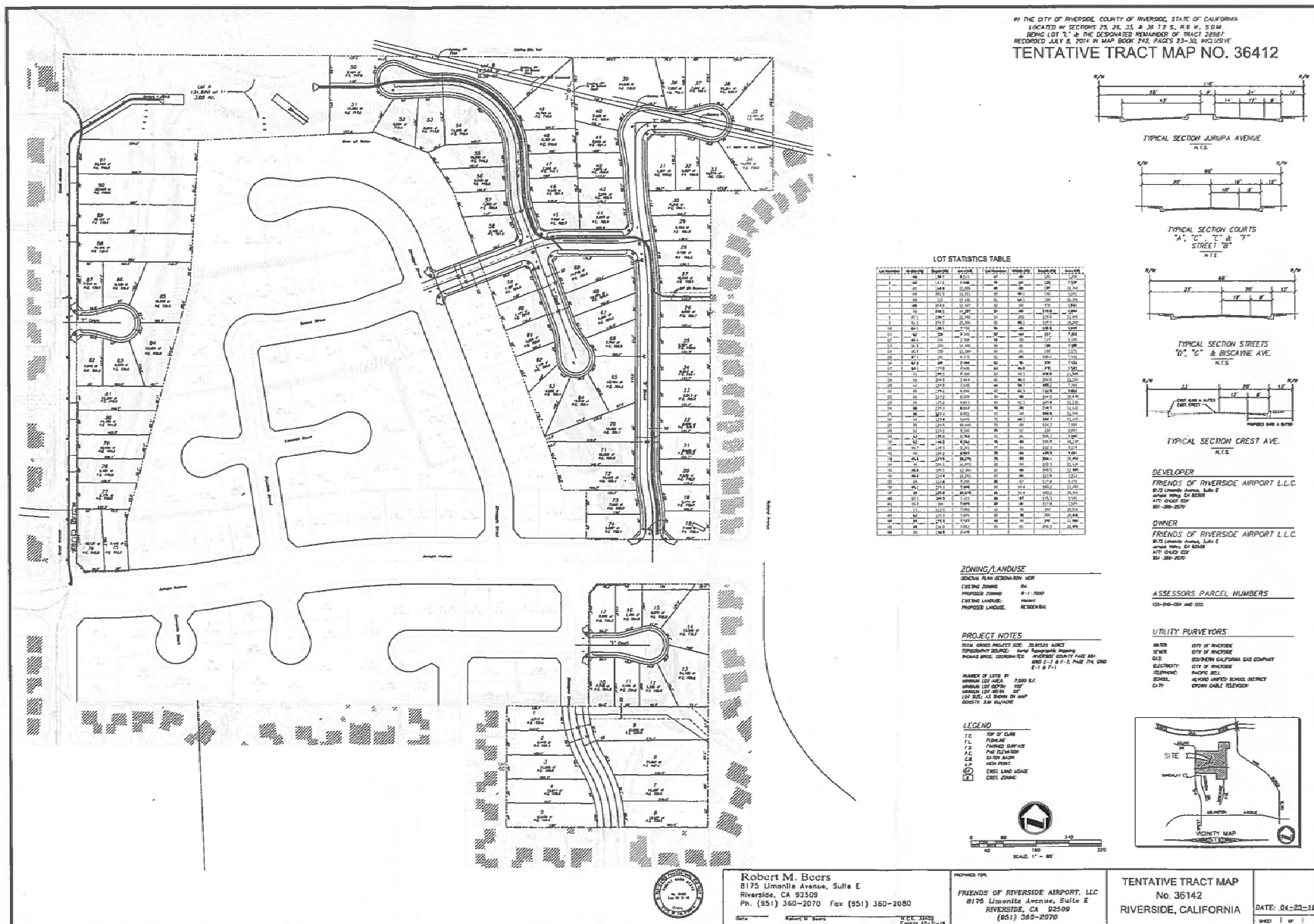
Sincerely,

Friends of Riverside Airport

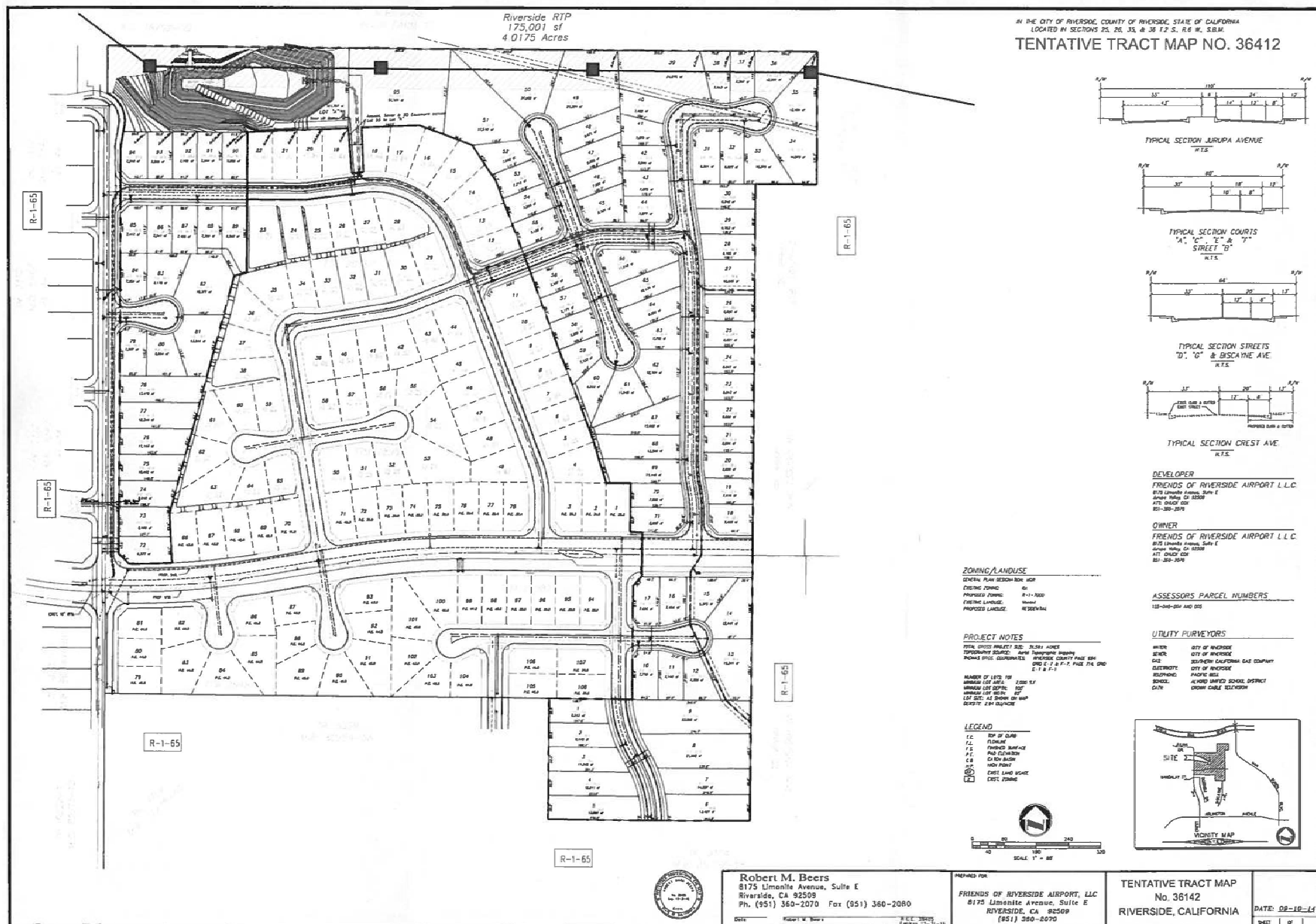
  
Henry C. Cox, II  
Managing Member

B1-1

### 3 COMMENTS AND RESPONSES



### 3 COMMENTS AND RESPONSES





### 3 COMMENTS AND RESPONSES

#### 3.3.1 Response to Letter B1: Cox, Henry - Friends of Riverside Airport

B1-1 This comment refers to a segment of the Proposed Project transmission line south of the Santa Ana River. Impacts associated with the transmission line south of the Santa Ana River are analyzed in the certified 2013 RTRP EIR. The CPUC analyzed the physical environmental impacts associated with the Revised Project. The transmission line south of the river is not within the scope of the Subsequent EIR (refer to MR-3). The CPUC will consider the certified 2013 RTRP EIR for analysis of the Proposed Project elements that have not changed since certification of the EIR in 2013. Refer to MR-2 for more information on the adequacy of the certified 2013 RTRP EIR.

Financial compensation for cleanup of hazardous materials is not an impact considered by CEQA. The issue of compensation may be raised within the CPUC General Proceeding. For information on participation in CPUC proceedings, refer to MR-4.

### 3 COMMENTS AND RESPONSES

Comment letter B2



#### Southern California Edison's Riverside Transmission Reliability Project

#### CPUC Comment Form Draft Subsequent EIR Informational Workshop

April 2018

Comments must be postmarked or received no later than **May 17, 2018** to be considered in the Final Subsequent Environmental Impact Report. Comments may be submitted at the informational workshops or mailed to the address below.

Before including your address, telephone number, email address, or other personal identifying information in your comments, please be aware that your entire comment (including your personal identifying information) may be made publicly available. You may request to withhold your personal identifying information from public review by stating so prominently at the beginning of your comment below. Such requests will be honored to the extent allowed by law.

Please print clearly:

As a resident of the city of Riverside and a RNP representative Board member for the area this Project will be in I am outraged. I feel that the City did not properly notify any of us regarding this Project and its impacts, to this day. The majority of residents in our area had no clue at all. The most any one was told was that Riverside was getting a second connection to the grid. Riverside city officials, city staff, even Riverside Public Utilities were very vague about the details to this Project, never stating where exactly it was located, if it was under or overhead, and why it was such a dire need for the city. The city should have been more up front with its residents, we feel cheated, ignored, and unimportant as a result of this. The impacts it would have on my neighborhood are extreme. Eight miles of overhead transmission lines would be running the entire West section of the Santa Ana River. The community is very dependant on this public outdoor recreation area. Don't pollute the skies. The 2013 EIR should be revised.

B2-1

B2-2

NAME

Anna Moore

DATE

April 24, 2018

ORGANIZATION/CONSTITUENCY REPRESENTED (IF ANY)

Riverside Neighborhood Partnership Board Representative

ADDRESS

6588 Sandy Lane Riverside CA 92505

EMAIL ADDRESS

eighty8anna@aol.com

Please hand this form in or mail by May 17 to:

Riverside Transmission Reliability Project  
717 Market Street, Suite 650  
San Francisco, CA 94103

Email comments to [riversidetrp@panoramaenv.com](mailto:riversidetrp@panoramaenv.com) or fax comments to 650-373-1211.

### 3 COMMENTS AND RESPONSES

#### 3.3.2 Response to Letter B2: Moore, Anna - Riverside Neighborhood Partnership Board Representative

B2-1           The comment states that many residents near the transmission line were unaware of the Proposed Project. Refer to MR-1 for a description of project history and a brief timeline of the project, including public notifications that were issued throughout the project history.

B2-2           This comment is regarding the overhead transmission line traveling along the south side of the Santa Ana River corridor through the City of Riverside, City of Norco, and Hidden Valley Wildlife Preserve; however, only the Revised Project elements that were not analyzed in the certified 2013 RTRP EIR are evaluated in this Subsequent EIR. The overhead transmission line south of the Santa Ana River corridor or other unchanged portions of the Proposed Project is not addressed in The Subsequent EIR. Refer to MR-3 and MR-2 for information about the Revised Project elements and the adequacy of the certified 2013 RTRP EIR for the Proposed Project elements that are not included in the Revised Project, respectively.

This Subsequent EIR presents an analysis of new or revised aspects of the Proposed Project that have the potential for significant effect. The Subsequent EIR provides updates to the certified 2013 RTRP EIR sections where circumstances or regulations have changed (e.g., air quality, tribal cultural resources).

### 3 COMMENTS AND RESPONSES



#### Southern California Edison's Riverside Transmission Reliability Project

Comment Letter B3

#### CPUC Comment Form Draft Subsequent EIR Informational Workshop

April 2018

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Before including your address, telephone number, email address, or other personal identifying information in your comments, please be aware that your entire comment (including your personal identifying information) may be made publicly available. You may request to withhold your personal identifying information from public review by stating so prominently at the beginning of your comment below. Such requests will be honored to the extent allowed by law.

Please print clearly:

2013 Draft EIR needs to be revisited now.  
Overhead transmission lines running 8 miles through  
protected wildlife habitats, beautiful open space,  
~~and~~ this is the gateway to Riverside from the  
west. It would substantially degrade existing  
landscape, Santa Ana River Corridor and impose an  
industrial use on <sup>this</sup> land. No No No overhead on  
South side of River. Riverside does NOT want  
this to change our beautiful gateway, last  
open space left.

B3-1

B3-2

NAME

Anna Mopre

DATE

April 24, 2018

ORGANIZATION/CONSTITUENCY REPRESENTED (IF ANY)

Riverside Neighborhood Partnership Representative

ADDRESS

6588 Sandy Lane Riverside CA 92505

EMAIL ADDRESS

eighty8anna@aol.com

Please hand this form in or mail by May 17 to:

Riverside Transmission Reliability Project

717 Market Street, Suite 650

San Francisco, CA 94103

Email comments to [riversidelrp@panoramaenv.com](mailto:riversidelrp@panoramaenv.com) or fax comments to 650-373-1211.



### 3 COMMENTS AND RESPONSES

#### 3.3.3 Response to Letter B3: Moore, Anna - Riverside Neighborhood Partnership Board Representative

- B3-1 Refer to responses to MR-2 regarding the adequacy of the certified 2013 RTRP EIR and response B2-2. The CPUC will consider the certified 2013 RTRP EIR for analysis of the Proposed Project elements that have not changed since certification of the EIR in 2013.
- B3-2 The opposition to the Proposed Project is noted. The comment will be included in the administrative record and considered by the CPUC during project deliberation.

### 3 COMMENTS AND RESPONSES

Comment Letter B4



#### Southern California Edison's Riverside Transmission Reliability Project

#### CPUC Comment Form Draft Subsequent EIR Informational Workshop

April 2018

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Before including your address, telephone number, email address, or other personal identifying information in your comments, please be aware that your entire comment (including your personal identifying information) may be made publicly available. You may request to withhold your personal identifying information from public review by stating so prominently at the beginning of your comment below. Such requests will be honored to the extent allowed by law.

Please print clearly:

Riverside does Not want the 2013 EIR  
overhead alignment. Goes against the  
Open Space & Conservation Element, degrades  
the existing visual character of our Western  
Gateway into our city. Bad for Riverside  
Residents, bad for our Wildlife Preserve, etc  
Bad Bad Bad! NO Means NO!

B4-1  
B4-2  
B4-3  
B4-4

NAME Anna Moore DATE APR 124, 2018  
ORGANIZATION/CONSTITUENCY REPRESENTED (IF ANY)  
Riverside Neighborhood Partnership Board representative  
ADDRESS Riverside Ward 7  
EMAIL ADDRESS

Please hand this form in or mail by May 17 to:

Riverside Transmission Reliability Project  
717 Market Street, Suite 650  
San Francisco, CA 94103

Email comments to [riversidefrp@panoramaenv.com](mailto:riversidefrp@panoramaenv.com) or fax comments to 650-373-1211.

### 3 COMMENTS AND RESPONSES

#### 3.3.4 Response to Letter B4: Anna Moore, Riverside Neighborhood Partnership Board Representative

B4-1 The commenter's opposition to the Proposed Project is noted. The comment will be included in the administrative record and considered by the CPUC during project deliberation.

B4-2 The comment refers to the open space/conservation element of the City of Riverside General Plan. The CPUC has sole and exclusive jurisdiction over the siting and design of investor-owned utility projects. Local land use regulation would not apply to the Revised Project.

The consistency of the Proposed Project with applicable plans and policies, including the Proposed Project elements in open space, was analyzed in the certified 2013 RTRP EIR. Refer to Section 3.2.9: Land Use, of the certified 2013 RTRP EIR.

The CPUC has consulted with local agencies regarding land uses potentially affected by the Revised Project. The Revised Project has no conflict with the open space and/or conservation policies. A land use consistency analysis focused on City of Jurupa Valley, City of Riverside, and County of Riverside General Plan Policies most relevant to the Revised Project is provided in Appendix J of the Subsequent EIR. For further information regarding the Revised Project impacts on land use and land use consistency with local polies refer to Section 4.9.6 and Appendix J of the Subsequent EIR.

B4-3 Aesthetic impacts of the transmission line south of the Santa Ana River were analyzed in the certified 2013 RTRP EIR. Refer to Chapter 3 of the certified 2013 RTRP EIR and MR-2.

B4-4 The impacts of the transmission line on the Hidden Valley Wildlife Preserve are analyzed in the certified 2013 RTRP EIR. Refer to Chapter 3 of the certified 2013 RTRP EIR and MR-2.

### 3 COMMENTS AND RESPONSES



#### Southern California Edison's Riverside Transmission Reliability Project

Comment Letter B5

#### CPUC Comment Form Draft Subsequent EIR Informational Workshop

April 2018

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Before including your address, telephone number, email address, or other personal identifying information in your comments, please be aware that your entire comment (including your personal identifying information) may be made publicly available. You may request to withhold your personal identifying information from public review by stating so prominently at the beginning of your comment below. Such requests will be honored to the extent allowed by law.

Please print clearly:

NO OVERHEAD POWERLINE !

B5-1

NAME Daisy Du DATE 4/25/2018  
ORGANIZATION/CONSTITUENCY REPRESENTED (IF ANY) Lesso Mail Development (Jurupa Valley) Limited  
ADDRESS 1010 Railroad St. Corona . CA . 92882  
EMAIL ADDRESS daisydu@lessoamerica.com

Please hand this form in or mail by May 17 to:

Riverside Transmission Reliability Project  
717 Market Street, Suite 650  
San Francisco, CA 94103

Email comments to [riversidelrp@panoramaenv.com](mailto:riversidelrp@panoramaenv.com) or fax comments to 650-373-1211.



### 3 COMMENTS AND RESPONSES

#### 3.3.5 Response to Letter B5: Du, Daisy – Lesso Mall Development Limited

B5-1      The commenter's opposition to the overhead portions of the Proposed Project is noted. The comment will be included in the administrative record and considered by the CPUC during project deliberation.

### 3 COMMENTS AND RESPONSES



#### Southern California Edison's Riverside Transmission Reliability Project

Comment Letter B6

#### CPUC Comment Form Draft Subsequent EIR Informational Workshop

April 2018

Comments must be postmarked or received no later than **May 17, 2018** to be considered in the Final Subsequent Environmental Impact Report. Comments may be submitted at the informational workshops or mailed to the address below.

Before including your address, telephone number, email address, or other personal identifying information in your comments, please be aware that your entire comment (including your personal identifying information) may be made publicly available. You may request to withhold your personal identifying information from public review by stating so prominently at the beginning of your comment below. Such requests will be honored to the extent allowed by law.

Please print clearly:

I believe in order to secure the "quality of life" for  
Citizens, we need to be a <sup>Preserve</sup> progressive country. Sometimes  
this may cost a lot of money, but in the long run  
we make it a better place to live. I am not opposed  
to providing Riverside with a backup power system,  
however, we must always maintain the quality  
of life for those who are directly affected by taking  
these lines overhead. I would strongly urge CPUC  
mandate these lines to go underground.

NAME JOHN A. RUSSO

DATE 4/25/18

ORGANIZATION/CONSTITUENCY REPRESENTED (IF ANY)

JURUPA VALLEY AGAINST POWERLINE ABUSE

ADDRESS JRUSSO@E-EQUITIES.COM

EMAIL ADDRESS

Please hand this form in or mail by May 17 to:

Riverside Transmission Reliability Project  
717 Market Street, Suite 650  
San Francisco, CA 94103

Email comments to [riversidefrp@panoramaenv.com](mailto:riversidefrp@panoramaenv.com) or fax comments to 650-373-1211.

### 3 COMMENTS AND RESPONSES

#### 3.3.6 Response to Letter B6: Russo, John – Jurupa Valley Against Powerline Abuse

- B6-1      The commenter's preference for the underground construction alternatives is noted. Alternatives 1 and 2 of the Revised Project are underground alternatives that would result in all elements of the Revised Project being constructed underground. The comment will be included in the administrative record and considered by the CPUC during project deliberation.

### 3 COMMENTS AND RESPONSES

Comment Letter B7

**The Utility Reform Network (TURN) Comments on  
Riverside Transmission Reliability Project  
(Application No. 15-04-013)  
Draft Subsequent Environmental Impact Report**

Submitted by	Company	Submitted to	Date Submitted
Thomas Long Legal Director, TURN 785 Market St., Suite 1400 San Francisco, CA 94103 Email: <a href="mailto:TLong@turn.org">TLong@turn.org</a> Phone: (415) 929-8876 x303	The Utility Reform Network (TURN)	c/o Panorama Environmental, Inc. <a href="mailto:riversidetrp@panoramaenv.com">riversidetrp@panoramaenv.com</a>	May 15, 2018

The Utility Reform Network (TURN) appreciates the opportunity to provide comments to the California Public Utilities Commission (CPUC) on the Draft Subsequent Environmental Impact Report (DSEIR) for the Southern California Edison Southern California Edison's (SCE) proposed Riverside Transmission Reliability Project (RTRP or Project) in Riverside County, California.

#### **Background**

The Proposed Project is a component of the larger Riverside Transmission Reliability Project (RTRP) that was jointly planned by SCE and Riverside Public Utilities (RPU). The RTRP includes components that would be owned and operated separately by RPU and SCE. RPU would construct, own, operate, and maintain certain elements of the RTRP, including the new 69-kilovolt (kV) Wilderness Substation, 69-kV sub-transmission lines, and interconnection and telecommunication facilities.

The SCE CPCN application (A. 15-04-013) includes the construction, operation, and maintenance of RTRP elements that would be owned and operated by SCE including:

- Approximately 8 miles of new overhead 230-kV transmission line
- Approximately 2 miles of new underground 230-kV transmission line
- New 230-kV Wildlife Substation
- Modifications of existing overhead distribution lines
- Modifications at existing substations
- Telecommunication facilities between the existing Mira Loma and Vista Substations, and the proposed Wildlife Substation



### 3 COMMENTS AND RESPONSES

The original SCE CPCN application estimated direct costs for RTRP's CAISO Controlled Facilities at **\$234.5 million** in 2015 constant dollars. However, the more recently proposed RTRP Hybrid Project is expected to cost **\$353 million** (constant 2015 dollars), which equates to **\$405.3 million** in nominal 2023 dollars.<sup>1</sup> The City of Riverside analyzed the RTRP in an EIR finalized in 2013. The DSEIR addresses some aspects of the Proposed Project that were not previously analyzed by RPU in their 2013 EIR.

The two basic Project objectives identified in the DSEIR are<sup>2</sup>:

- CPUC Basic Project Objective #1: Increase capacity to meet existing electrical system demand and anticipated future load growth; and
- CPUC Basic Project Objective #2: Provide additional source of bulk power into the RPU electrical system

The DSEIR incorrectly applies the above-mentioned two Project objectives to eliminate some potential Project alternatives considered in the DSEIR including the "No Project" alternative. Under the California Environmental Quality Act (CEQA), the CPUC must fully explore the "No Project" alternative.

B7-1

#### Assessment

##### *The Adequacy of Existing Resources to Meet Current Need and Declining Forecast of Future Loads Call into Question the Need for the Proposed Project*

Based upon the data provided in the *DSEIR* and in the *Joint RTRP Lower Voltage and Other Design Alternatives Report* (Lower Voltage Report) developed by RPU and SCE with advice and guidance from CAISO, there is no need for the Project Objective #1, that is, a need to increase capacity to meet existing electrical system demand and anticipated future load growth. Figure 1 below compares the RPU's projected annual peak load with RPU's current load serving capability. RPU has an estimated *1-in-20* peak load of 669 MW by 2023 and 689 MW by 2029 as shown as the yellow line in Figure 1.<sup>3</sup> As can be seen, RPU's current combined load serving capability at Vista substation and its internal generation of nearly 785MW is significantly higher than its *1-in-20* projected peak load of 689 MW in 2029. Even under a single contingency condition, i.e., the loss of a single RPU generating unit, the combined load serving capability of RPU is as high as 737MW (557MW at Vista plus 180MW of internal generation), which is still significantly greater than the projected peak load by 2029. Furthermore, as shown in the orange line in Figure 1, RPU's *1-in-10* Net Electricity Peak Demand under the California Energy Demand (CED) Forecast 2018 - 2030, Mid Demand Baseline Case, Low AAEE<sup>4</sup> and AAPV<sup>5</sup> Savings developed in February 2018 as part California Energy Commission (CEC) 2017

B7-2

<sup>1</sup> The use of the term "Hybrid" refers to the combination of both overhead and underground transmission facilities included in the design. The RTRP design as originally proposed and evaluated in the 2013 FEIR consisted entirely of overhead facilities.

<sup>2</sup> DSEIR, p. 1-13

<sup>3</sup> DSEIR, p. 1-13, and Lower Voltage Report, pp. 17, 37 and 105.

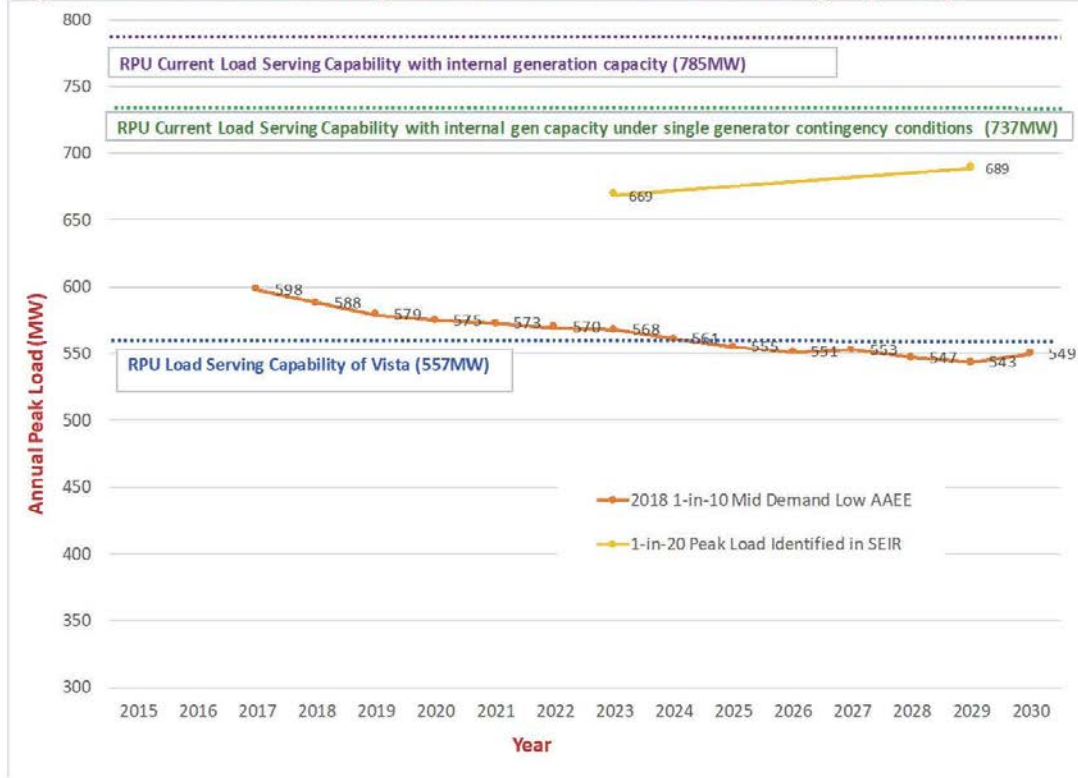
<sup>4</sup> Additional Achievable Energy Efficiency savings

<sup>5</sup> Additional Achievable photovoltaic adoptions

### 3 COMMENTS AND RESPONSES

Integrated Energy Policy Report (IEPR), indicates that the RPU loads are declining through 2030 further reducing the need for increasing system capacity to meet RPU's demand needs.

**Figure 1: RPU's Peak Load Projections and Its Current Load Serving Capability**



B7-2

This load data indicates that there is no need whatsoever to increase capacity to meet RPU's existing electrical system demand and anticipated future load growth over the 10-year planning horizon.

The DSEIR identifies some operating constraints associated with RPU's internal generation as reasons not to consider the current 228 MW of internal generation as part of the power supply that can meet existing and future demand. In particular, the number of hours these units can operate is limited to 1,200 hours per year by the South Coast Air Quality Management District (SCAQMD) permits and no more than two starts per day. The DSEIR concludes:

B7-3

Due to the limitations in use of these "peaker" units they cannot be considered part of the base power supply for Riverside, and additional capacity is needed to meet the existing and future demand for system reliability.<sup>6</sup>

<sup>6</sup> DSEIR, p. 1-13.



### 3 COMMENTS AND RESPONSES

However, such limitations are not unusual for resources that meet peak demand. Rather than clearly demonstrating how these emission-related operating constraints disallow RPU to use its internal generation in meeting its peak demand, DSEIR simply assumes that to be the case, without supporting analysis and contrary to experience to date. It is not evident from the DSEIR that RPU is currently unable to meet its existing load that is unmet by the Vista substation using its internal generation. And as shown in Figure 1 above, the CEC *1-in-10* peak load is expected to decrease going forward. TURN recommends that the Final EIR include a historical data analysis to test whether the RPU internal generation had any challenges whatsoever in supplying the load locally. To meet the future load growth, if any, TURN suggests undertaking a production cost modeling exercise that would consider all the operating constraints of the RPU internal generation including the emission restrictions.

B7-3

#### *No Demonstrable Need to Provide Additional Source of Bulk Power into the RPU Electrical System*

The DSEIR eliminates several project alternatives, viz. Alternative 13, Alternative 14, Alternative 15, Alternative 16, Alternative 17, Alternative 21, Alternative 22, and the *No Project* Alternative on the ground that they “would not add a second source of bulk power to Riverside at the scale that is needed to address the loss of power at Vista.”<sup>7</sup> The DSEIR also indicates that “a second source of power is required to create redundancy in the system in case there is damage to RPU’s dedicated transformer banks at Vista Substation.”<sup>8</sup> The DSEIR is essentially only considering project alternatives that would incrementally supply a minimum of 489 MW of capacity by 2023, ramping up to 554 MW by 2038. This would mean, under the alternatives retained in the DSEIR, to serve the expected load of 669MW and 734MW, respectively, RPU will have an overall load serving capability of 1,226MW (=489+737) and 1,291 MW (554+737) in the 5-year and 20-year planning horizons, which is unreasonably high.

The objective of assuming no RPU reliance whatsoever on Vista Substation well-exceeds the NERC and CAISO transmission planning standards. NERC TPL-001-4 identifies the loss of a switching station or substation (loss of one voltage level plus transformers) as an Extreme Event. Only when Extreme Events may result in Cascading shall an evaluation of possible actions designed to reduce the likelihood or mitigate the consequences and adverse impacts of the event(s) be conducted.<sup>9</sup> Note that, even in this case, the NERC requirement is for evaluation and not necessarily for mitigation. For other situations where loss of the entire station is the result of an extreme event, the CAISO Planning Standards indicate some improvement in service “may be justified by eliminating or reducing load outage exposure, through a benefit to cost ratio (BCR) above 1.0 and/or where there are other extenuating circumstances.”<sup>10</sup> For this Project, no such BCR calculation nor explanation of unique extenuating circumstances has been presented.

B7-4

Concerning extenuating circumstances, there are multiple other substations within the CAISO control area that are operated without any redundant sources. Therefore, SCE needs to provide a rationale for requiring reliability for RPU well above what is the norm on the CAISO system. In

<sup>7</sup> DSEIR, pp. 3-14 through 3-17.

<sup>8</sup> DSEIR, p. 1-13.

<sup>9</sup> NERC TPL-001-4 Requirement 3.5

<sup>10</sup> California ISO Planning Standards Nov 2, 2017, Section 5.4

### 3 COMMENTS AND RESPONSES

addition, there are additional SCE transformers at Vista substation that can be paralleled with the existing transformers serving Riverside load in case of an outage on the transformers<sup>11</sup>. The DSEIR should only eliminate an alternative if following the procedure described in the Draft EIR<sup>12</sup> fails to relieve the thermal overload on the transformer(s) due to normal planning contingencies. Moreover, the DSEIR should describe and evaluate additional low voltage alternative(s) that transfer enough load among the Vista transformers so as to keep the Vista transformers from overloading following a loss of a transformer.

B7-4

Therefore, the project alternatives should not be eliminated on the basis of such a stringent and unnecessary project objective that exceeds normal planning practices without justifying why this project presents unique extenuating circumstances.

#### **Conclusion**

TURN appreciates the opportunity to provide these comments to the Commission. It is imperative that the state's electricity infrastructure provide safe and reliable electricity to the state's homes and businesses. However, in doing so, it is critical that all proposed applications be presented to the Commission for complete review in a manner consistent with the Commission's general orders and rules, and that the state's ratepayers not be burdened with costs for facilities and projects that are not necessary.

B7-5

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<sup>11</sup> City of Riverside, Draft EIR, October 2012, p. 1-17.

<sup>12</sup> *Ibid.*



### 3 COMMENTS AND RESPONSES

#### 3.3.7 Response to Letter B7: Long, Thomas – The Utility Reform Network

- B7-1      The commenter summarily states that the project objectives are incorrectly applied and therefore alternatives, including the No Project Alternative, are incorrectly eliminated.
- Section 15124(b) of CEQA Guidelines states the following about project objectives. “A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.” The CPUC has included objectives to help define and evaluate a reasonable range of alternatives in the EIR. The Subsequent EIR includes a description of how the basic objectives were defined and evaluated in compliance with CEQA. Refer to Section 1.4 for the objectives that were proposed by SCE, a description of the CPUC’s evaluation of each objective, and the basic project objectives that were used by the CPUC to evaluate alternatives.
- CEQA Guidelines Section 15126.6(e) requires evaluation of a “no project” alternative “to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.” The No Project Alternative was evaluated in the Subsequent EIR in compliance with CEQA Guidelines. The impacts of the No Project Alternative are provided in each resources section in Chapter 4.
- B7-2      The commenter provides information regarding the current adequacy of existing facilities to serve the load within the RPU service area and contends that the Proposed Project is not needed to meet capacity needs of the City of Riverside (i.e., there is no requirement meet Objective 1 of the SEIR).
- The CPUC defined project objectives as required in compliance with CEQA Guidelines Section 15124(b). The need was evaluated as part of the alternatives analysis and was determined to be an appropriate objective of the project for the CEQA analysis. Refer to Section 1.4.2 of the Subsequent EIR for additional details on how the objectives were evaluated by the CPUC.
- Concerns regarding the need for the project are separately considered by the CPUC as part of the general proceeding for the CPCN. Refer to MR-4 regarding the CPUC decision-making process, which includes the general proceeding. For these reasons, the additional analysis and modeling called for by the commenter is unwarranted.
- B7-3      As stated in the response B7-2, the objectives for the project were defined in compliance with CEQA Guidelines. The need for the project will be addressed by

### 3 COMMENTS AND RESPONSES

the CPUC as part of the CPCN process. Refer to MR-4 regarding the CPUC decision-making process.

B7-4           The commenter asserts that Objective 2, providing a second source of power to the RPU system, is overly stringent and exceeds normal power transmission planning practices. The commenter requests that evidence concerning the extenuating circumstances requiring the overly stringent approach be provided. Refer to Section 1.4.2 of the Subsequent EIR for additional details on how the objectives were evaluated by the CPUC.

As described in response B7-1, the CPUC defined objectives in compliance with the requirements of CEQA Guidelines and the objectives allowed for evaluation of a reasonable range of alternatives. The need for the project, including appropriate planning standards, will be addressed by the CPUC separately during the proceeding for the CPCN. Refer to MR-4 regarding the CPUC decision-making process.

B7-5           Comment noted.

### 3 COMMENTS AND RESPONSES

Letter Comment B8

---

#### Power Line

---

**Denise McQuillan** <deniece9.csea@gmail.com>  
To: riversidetrp@panoramaenv.com

Tue, May 15, 2018 at 4:07 PM

No **I** B8-1

Denise H. McQuillan  
Secretary  
CSEA Alvord Chapter #339  
951 850-1270 cell #  
951 710-9622 office#

*Be Kind to Each Other and Especially to Yourself, You Are the One and Only You.*



Virus-free. [www.avg.com](http://www.avg.com)

#### 3.3.8 Response to Letter B8: McQuillan, Denise – California School Employees Association

B8-1            The opposition to the project is noted.

### 3 COMMENTS AND RESPONSES



David B. Cosgrove  
Direct Dial: (714) 662-4602  
E-mail: dcosgrove@rutan.com

Comment Letter B9

May 16, 2018

**VIA E-MAIL AND  
FIRST CLASS MAIL**

Mr. Jensen Uchida  
CPUC Project Manager  
c/o Panorama Environmental, Inc.  
717 Market Street, Suite 650  
San Francisco, CA 94103

Re: Comments to Subsequent Environmental Impact Report

Dear Mr. Uchida:

As you know from prior correspondence, our office represents Sky Country Investment Co/East, LLC, ("SKE") the owner of property directly impacted by the proposed Revised Project for the Riverside Transmission Reliability Project ("RTRP"). SKE's holdings consist in part of County Assessor Parcel Nos. 160-060-023, 160-050-021, and 160-050-073 ("SKE Property"). Under the Revised Project, portions of the SKE Property are proposed as the site for two of the four riser poles transitioning the Revised Project's underground facilities to above-ground overhead wires. According to the SEIR, these poles will be approximately 165 feet in height, ten feet in diameter, will be spaced approximately 150 feet apart, and will require approximately one half of an acre of total work area for installation. (SEIR, pp. 2-14-15.)

A photo depiction of the type of the impact these massive structures will have on the property was included with Southern California Edison's Underground Alternatives Desktop Study of July 2015, provided as Attachment 6 in response to The CPUC's Deficiency Report, at p. 28:

*[See Following Page]*



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**RUTAN**  
RUTAN & TUCKER, LLP

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Obviously SKE does not want these huge, disruptive electrical infrastructure facilities on its property. That is why SKE is grateful to the CPUC, and Panorama Environmental in particular, for the effort and attention that has gone into the preparation of the SEIR, and its analysis of alternatives. SKE is particularly gratified that the environmentally superior alternative (apart from the “No Project” alternative) is Alternative 1, the proposal for undergrounding the RTRP in Pats Ranch Road. (SEIR, p. 6-26.) SKE has long advocated undergrounding the RTRP as the superior solution to the host of difficult environmental issues raised by the Revised Project, and appreciates the SEIR analysis that proves its environmental preferability.

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SKE does have a few minor points of comment on other aspects of the SEIR, however. Specifically, the aesthetic impacts of Alternative 3 are understated. While the aesthetic impact of Alternative 3 is still recognized as significant (SEIR, p. 4.1-53), SKE takes issue with the characterization of Alternative 3 impacts from Key Observation Points 5 and 6 as less than significant, and that overall visual impact would be reduced. (SEIR p. 5-47.) The mere relocation of these massive riser poles from adjacent to Limonite (as proposed with the Revised Project) to a point further north, adjacent to the I-15, does nothing to ameliorate their negative aesthetic impact. Alternative 3 still places those structures within the Limonite Avenue gateway for both the City of Jurupa Valley and Eastvale. (SEIR p. 4.1-13.) In fact, Alternative 3 makes these poles more aesthetically intrusive due to their proximity to a far greater number of motorists, given the relative traffic counts between Limonite Avenue and the I-15 freeway. SEIR pp. 4-13-6-7 fix the I-15 average traffic counts at between 148,000 and 151,000, while Limonite counts are a fraction of this at 30,973 to 42,196.<sup>1</sup> When examining cumulative aesthetic impacts, the SEIR concludes that the effects of “industrialization” and “urbanization” extend for a mile from project structures or construction effects. (SEIR, p. 5-14.) Because Alternative 3 moves the riser poles less than that distance from KOP 5 and 6, the SIER’s characterization of reduced visual impact from these vantage points is internally inconsistent.

B9-2

B9-3

Further, Key Observation Points numbers 5 and 6 are well removed from the Alternative 3 proposed location for the riser poles, which SKE believes artificially softens the burdensome visual impact these mammoth structures will create. SKE believes that relocation of the riser poles to Alternative 3’s location will cause significant impacts to future developability of the SKE Property, resulting in cumulative land use compatibility impacts.

B9-4

In addition, SKE believes that mitigation measure AES-01 is impermissibly vague, because there is no specific standard for mitigation specified. The only limitation appears to be mitigation “to the extent practical.” (SEIR, p. 9-9.) A specific mitigation standard, measureable and enforceable, is required here.

B9-5

Last, SKE believes the SEIR needs to examine recent activity and proposals affecting the Hidden Valley Wildlife Preserve Area. SEIR pp. 4.9-11 through 17 discuss this, but appear to proceed from a false premise regarding the Revised Project. The SEIR presumes that the only impacts to the Hidden Valley Wildlife Area will be the proposed distribution line relocation number 7, which is presupposed to be undergrounded. The SEIR concludes that because this line

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<sup>1</sup> Other traffic counts done for the County of Riverside are in accord. In the County’s Draft Environmental Impact Report, section 4.18 “Transportation and Circulation” daily volumes for Limonite Avenue between Wineville Avenue and 0.1 miles east of Beach Street was calculated at 18,400 average daily trips. This compares to 145,000 for the I-15 between Limonite Avenue and Cantu Galleano Ranch Road. (County of Riverside Environmental Impact Report No. 521, Public Review Draft, February 2015, pp. 4.18-17; 4.18-51.)



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would be buried under ground, and underground utilities are compatible with the LWCF Act, no impact would occur. (SEIR p. 4.9-17.)

Recent events indicate otherwise. The Riverside County Regional Park and Open-Space District (“RivCoParks”) on March 23, 2018, invited public comment regarding a proposed Hidden Valley Wildlife Area boundary change. A copy of this notice is attached under TAB 1. According to the notice, RivCoParks is apparently cooperating with RTRP plans that contemplate significantly more intrusive facilities through the Hidden Valley Wildlife Area than simply undergrounding a distribution line. That notice references, “[n]ew access roads, steel lattice and pole structures, and a 100-foot right-of-way . . . that would be established within the HVWA.” The notice likewise proposes a 10.8 acre boundary change, which SKE understands would have to be approved by the National Park Service. (See, SEIR, p. 4.12-7.) If so, the list of discretionary approvals for which the SEIR may be used would have to be expanded.

This HVWA conversion proposal has generated significant public controversy, and our office corresponded with RivCoParks regarding it on April 20, 2018. A copy of that letter is attached under TAB 2. The City of Jurupa Valley is also deeply troubled by this proposal, and submitted its own letter on April 23, 2018, a copy of which is attached under TAB 3.

B9-6

The very existence of the SEIR is premised on CEQA Regulations section 15162, and recognition that when there are substantial changes to a proposed project requiring major revisions to address new, significant environmental impacts, additional analysis is required. In the same vein, RivCoParks’s recent modification to the RTRP Project means our work is still not done. The RivCoParks proposal to devote over 10 acres of HVWA recreational property as the site for new overhead lines and “steel lattice and pole structures,” requires additional environmental analysis, and identification and discussion of additional mitigation measures. These must be folded into the SEIR, prior to its certification.

SKE recognizes that proper CEQA consideration of this new wrinkle in the RTRP proposal may delay final environmental certification. Still, the inconsistency between what RivCoParks now proposes for RTRP in the HVWA, and the presumptions regarding HVWA impacts stated in the SEIR to the effect that only undergrounded distribution lines are implicated (SEIR p. 4.12-8), cannot stand. The SEIR speaks of 1.06 acres of disturbance in HVWA for Line 7, and 1.36 in the Santa Ana River Wildlife Area for distribution Line 8. (SEIR 4.12-17.) RivCoParks is now talking about 10.8 acres of conversion for HVWA alone, which “would be permanently utilized for electrical transmission infrastructure.” This inconsistency must be reconciled.

The RTRP project, should it ever be built, will install intrusive utility infrastructure whose negative impacts will span multiple decades. Given the apparently evolving nature of the Revised Project proposal, taking additional time to finalize environmental review in a proper and thorough manner is justified.

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SKE appreciates the opportunity to comment on the SEIR. Again, SKE is grateful for the diligence and efforts that went into the preparation of the document, and the receptive ear lent to scoping session and other community concerns expressed regarding the Revised Project. SKE looks forward to utilizing the SEIR as a basis for urging selection of environmentally superior alternatives to the Revised Project.

B9-7

Very truly yours,

RUTAN & TUCKER, LLP

A handwritten signature in blue ink that reads "David B. Cosgrove". The signature is fluid and cursive.

David B. Cosgrove

DBC:mrs  
Enclosures

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**TAB 1**

**TAB 1**

### 3 COMMENTS AND RESPONSES



## Riverside County Regional Park and Open-Space District

Scott Bangle, Parks Director/General Manager | Kyla Brown, Assistant Director

RECEIVED

MAR 27 2018

CITY OF JURUPA VALLEY

March 23, 2018

#### REQUEST FOR PUBLIC COMMENT

##### REGARDING HIDDEN VALLEY WILDLIFE AREA BOUNDARY CHANGE

The Riverside Transmission Reliability Project (RTRP) is a high-voltage utility project jointly proposed by Southern California Edison (SCE) and Riverside Public Utilities (RPU) currently undergoing review by the California Public Utilities Commission (CPUC). The Project as proposed would consist of approximately eight (8) miles of overhead and approximately two (2) miles of underground 230 kV transmission line, as well as 69 kV subtransmission lines and other facility upgrades.

The RTRP would cross portions of the Hidden Valley Wildlife Area (HVWA), managed by the Riverside County Regional Park and Open Space District (County Parks), on the south side of the Santa Ana River in several locations. New access roads, steel lattice and pole structures, and a 100-foot right-of-way would be established within the HVWA. The affected HVWA lands were funded, in part, under the Land and Water Conservation Fund (LWCF), a federal program that provides funds to local and other agencies for the acquisition of public recreation land. Conversion of these lands to non-recreation uses (e.g. utility infrastructure) requires review and approval by the National Park Service (NPS), and the acquisition of "replacement" lands to offset Project impacts. Submittal of a Project Description-Environmental Screening Form by the sponsoring agency (County Parks) and appropriate National Environmental Policy Act (NEPA) environmental review is required by the NPS as part of this Conversion Area and Replacement proposal review process.

The RTRP would affect approximately 10.8 acres of HVWA LWCF funded lands in three (3) general locations (see Figure 1). These "Conversion Areas" would be permanently utilized for electrical transmission infrastructure. A similarly sized contiguous portion of a parcel (#153240030-6), owned by the City of Riverside and Riverside County and located near the park's entrance road north of Arlington Avenue, would be incorporated into the HVWA to compensate for the loss of recreational function within the park, expanding its area by approximately 10.6 acres. No zone change is proposed as a result of the Conversion Area and Replacement proposal.

During project siting and as detailed in the project's (Draft and Final) Environmental Impact Report (EIR) developed in accordance with the California Environmental Quality

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Book your next reservation at: [www.RivCoParks.org](http://www.RivCoParks.org)



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March 23, 2018

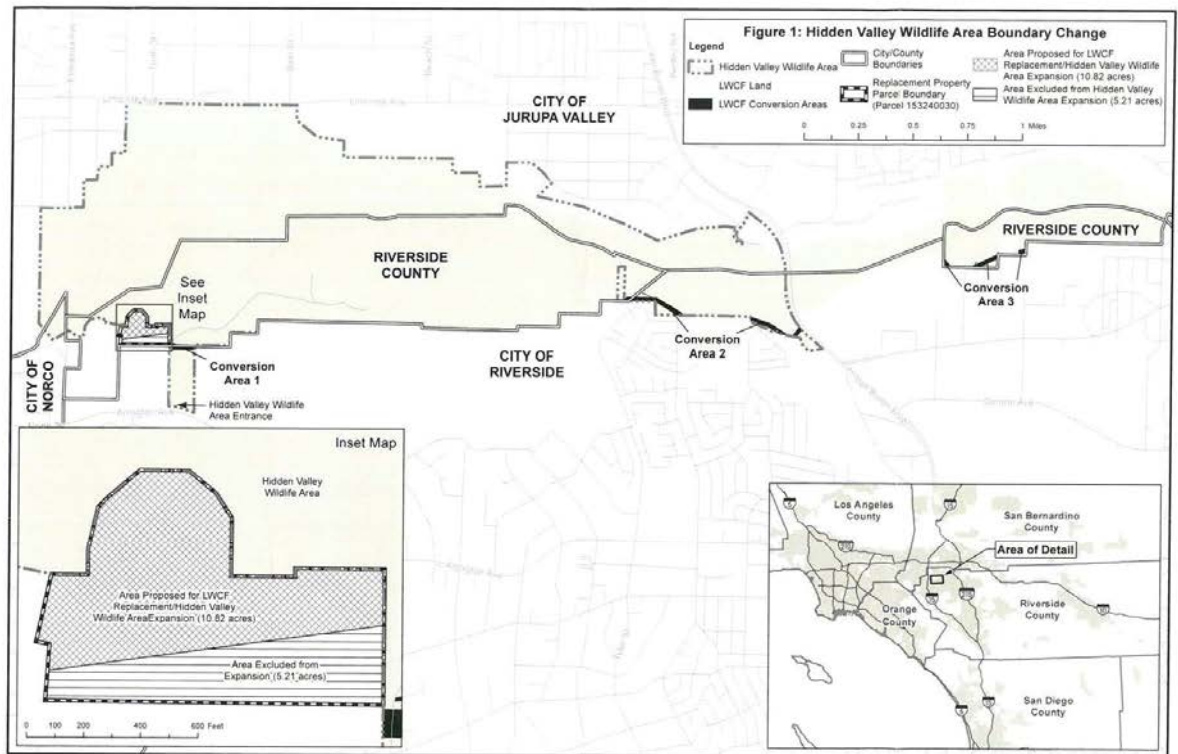
Act (CEQA), impacts on LWCF lands and other resources were avoided to the extent possible, and an extensive public involvement process was included as part of project planning. The NEPA environmental review conducted by the NPS for Conversion Area and Replacement proposal will be available for public review when it is completed. More details regarding project planning and previous public involvement activities are available on the CPUC's website at:  
<http://www.cpuc.ca.gov/Environment/info/panoramaenv/RTRP/>

County Parks is encouraging interested and affected agencies and members of the public to provide input on the proposed conversion, replacement and expansion of the HVWA by April 23, 2018. Comments may be submitted by the following methods:

By email to: [RTRP-LWCF@powereng.com](mailto:RTRP-LWCF@powereng.com)

By mail to: Riverside County Regional Park and Open Space District - c/o Darrin Gilbert.  
POWER Engineers, 731 East Ball Road, Anaheim, CA 92805

### 3 COMMENTS AND RESPONSES





**TAB 2**

**TAB 2**

### 3 COMMENTS AND RESPONSES



David B. Cosgrove  
Direct Dial: (714) 662-4602  
E-mail: [dcosgrove@rutan.com](mailto:dcosgrove@rutan.com)

April 20, 2018

Riverside County Regional Park  
and Open Space District  
c/o Darrin Gilbert  
POWER Engineers  
731 East Ball Road  
Anaheim, CA 92805

Re: Proposed Hidden Valley Wildlife Area Boundary Change

Dear Mr. Gilbert:

I am writing in response to the "Request for Public Comment regarding Hidden Valley Wildlife Area Boundary Change," dated March 23, 2018 ("Notice"), issued by Riverside County Regional Park and Open Space District ("RivCoParks"). Our office represents a number of property owners whose property will be directly impacted by the proposed Riverside Transmission Reliability Project ("RTRP"), and who oppose it.<sup>1</sup> We believe the proposed boundary change is ill-advised, and very likely contrary to law. We encourage RivCoParks to reject it outright.

First, as a procedural matter, we believe the comment period which was proposed to close on April 23, 2018 must be extended. We understand the e-mail address to which comments were supposed to be directed by the Notice - "RTRP-LWCF@powereng.com", was not accepting e-mails from unknown addresses. An e-mail request I made for information regarding the proposal on April 17, 2018 apparently did not go through, and was only recognized because I copied RivCoPark's General Manager, Scott Bangle, who I understand made Power Engineers aware of the issue. If my e-mail did not go through, I suspect I am not alone, and it seems reasonable to assume there may have been no e-mail reception of any comments made from 3-23-18 until at least 4-17-18. The thirty day comment period should be reset, and we ask that this be done.<sup>2</sup>

<sup>1</sup> My clients are Sky Country Investment Company/East LLC, and the trustees of the Anthony P. Vernola Trust Dated October 18, 2000 and the Pat and Mary Ann Vernola Trust; Marital Trust. The points raised herein apply to any person who uses the Hidden Valley Wildlife Area, or is interested in its preservation, however.

<sup>2</sup> This e-mail snafu calls up the broader question why comments solicited by RivCoParks are being directed to an engineering consulting firm, Power Engineers. Power Engineers' website lists Riverside Public Utilities, the project applicant on RTRP, as one of its clients. With all due respect, routing comments on a proposed government action relating to a park and wildlife area, to a consultant who assists in the building of overhead power lines, hardly

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Turning then to the merits, our first objection is that the proposed boundary change is inconsistent with the County of Riverside's 2017 General Plan. The Hidden Valley Wildlife Area ("HVWA"), which is the subject of the proposed boundary change, lies within the Open Space-Conservation Habitat ("OS-CH") designation. That designation applies to public and private lands to be conserved and managed in accordance with adopted MSHCPs. It allows ancillary structures or uses only for the purpose of preserving or enjoying the open space. (County of Riverside General Plan, July 11, 2017, Page LU-55.)

Removing property from an established land preserve, to facilitate a major, intrusive utility infrastructure installation, is inimical to this "Conservation" designation, and its purposes. We fail to see how paving the way (literally) for a 230 KV transmission line, solely for the benefit of the residents of the City of Riverside, serves the purpose of County residents for preserving or enjoying the Hidden Valley Wildlife Area for open space.

We also note that the Draft Environmental Impact Report for RTRP, from August 2011, pointed up Open Space policies from the 2003 Riverside County General Plan, which included OS 20.2: "Prevent unnecessary extension of public facilities, services, and utilities, for urban uses, into open space conservation designated areas." (RTRP EIR. pp. 3-17-18.) While this particular general plan policy does not appear to have been carried forward in identical form in the July 11, 2017 version, the current plan still defines preservation of open space as one of the key land use policies of the County: "Due to increasing growth pressures, there is danger that the quality and character of some open space areas may be diminished. The balance between accommodating future growth and preserving the quality of Riverside County's open spaces is one of the most challenging and volatile issues in the county." (General Plan, July 11, 2017, p. LU-53.) The General Plan also states: "The County of Riverside has a commitment to ensuring that open spaces remain an integral part of Riverside County's future and are protected through the policies of the General Plan[.]" (*Id.*) The spirit of the policy of protecting habitat areas therefore remains, and we believe frames the paramount responsibility of RivCoParks in approaching this boundary change proposal.

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inspires confidence in objectivity.

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We also call attention to Land Use Policy 7.2 from the July 11, 2017 General Plan, which indicates that public facilities may be allowed “in any other land use designation *except for the open space-conservation and open space-conservation habitat land use designations.*” From this, it is clear that the RTRP is manifestly incompatible with the OS-CH Land Use Designation for the HVWA, and therefore, directly contrary to the County’s General Plan.

As the district charged with the protection and stewardship of HVWA’s important natural resources, we encourage RivCoParks to stay true to the long-standing policy of preventing unnecessary extension of public facilities into open space conservation areas, and to reject this boundary change.

Further, the RTRP project proponents themselves are already on record admitting that the negative environmental effects of their proposed high voltage wires on the HVWA are significant. The RTRP Environmental Impact Report from August 2011, at pp. 3-309 - 310 specifically says the environmental consequences its project visits on this important natural area are significant, but goes on to allege that they are unavoidable. The justification for this improbable assertion was the alleged infeasibility of undergrounding any segment of the RTRP whatsoever. (*Id.*)

Wrong. As subsequent events have transpired, the RTRP project proponents have not only considered, but actually agreed, to underground segments of the RTRP. In fact, the Subsequent Environmental Impact Report prepared on the RTRP by the California Public Utilities Commission, and released just this month, states: “In September 2016, SCE revised the Proposed Project to relocate a portion of the transmission line and to change the design of a segment of the transmission line from overhead to underground.” (SEIR, April, 2018, p. 1-1.) The project proponents’ own conduct therefore disproves the fundamental premise on which their prior EIR shrugged off the environmental effects on HVWA.

It is unclear on what environmental review RivCoParks proposes to base any action it may initiate to implement the HVWA boundary change.<sup>3</sup> The Notice references the prior RTRP EIR, but also references an Environmental Assessment under NEPA, ostensibly to cover the anticipated Federal action that will ultimately be required from the National Park Service to effectuate the boundary change. To the extent that RivCoParks intends to

<sup>3</sup> This question was touched upon in my April 17, 2018 e-mail, but has not yet been answered.



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participate in future NEPA analysis, any action it may take now, without referencing or making publicly available that analysis, is premature.

To the extent that RivCoParks intends to utilize the RTRP EIR, however, that analysis is now obsolete. At a minimum, the change in the RTRP project, which now includes undergrounding, triggers the need for additional environmental review under CEQA pursuant to *Title 14, California Code of Regulations*, § 15162. That regulation provides, in pertinent part, that subsequent environmental analysis is required whenever any of the following appear:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on

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the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(14 Cal. Code Regs. § 15162(a).)

The project proponents' admission that undergrounding is not only possible, but preferable, on various project segments is certainly a substantial change in the "circumstances under which the project is undertaken," since the fundamental premise on which the HVWA impacts were previously deemed "unavoidable" no longer are. The California Public Utilities Commission has already deemed the prior RTRP EIR inadequate on segments around the I-15 and Limonite, and in fact has identified additional undergrounding as the environmentally superior alternative, after the "no project" alternative. Undergrounding through the HVWA must therefore now be analyzed, both for its environmental impact, and its feasibility, before the boundary change can proceed. So, we believe, should alternative alignments that avoid the HVWA altogether.

Moreover, we understand that ultimately, the National Parks Service, acting by and through the Pacific West Regional Office and its administration of the Land and Water Conservation Fund ("LWCF"), will have to review and pass on this proposed boundary change. The proposal will have to comply with 36 CFR § 59.3, "Prerequisites for Conversion Approval." A copy of the text of that regulation is attached.

Here, we have serious concerns whether the requirements of that federal regulatory provision can be met.

First, subsection (b)(1) of that regulation requires that all practical alternatives have to be evaluated. We see little record of consideration of any alternatives that would avoid the HVWA, nor undergrounding the facilities if the alignment through HVWA is unavoidable, to avoid permanent, long-term visual scarring and the intrusion from constant maintenance, operation, and repair activity that are endemic to overhead electrical transmission lines.

Second, subsection (b)(2) indicates it must be demonstrated that the substitute property coming back in the exchange is of at least the fair market value as that to be provided, pursuant to uniform federal appraisal standards. Has an appraisal assessing comparative values been prepared? If appraisal studies have been undertaken, they should be made available for public review, analysis, and critique.

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Subsection (b)(3) requires that the proposed replacement property must be of reasonably equivalent use from that being converted. Here, we question whether any such finding can be made. According to the map attached to the Notice, the “Conversion Areas” span a total seven distinct portions of the HVWA, all of which contribute to the present integrity of the preserve. It has not been explained how replacement of these areas with the “area proposed for LWCF replacement” will serve a similar or higher function as these converted areas.

Perhaps most impactful, 36 CFR § 59.3(b)(5) requires, in the case of assisted sites which are partially rather than wholly converted, the impact of the converted portion on the remainder shall be considered. Here, more than anywhere else, the proposed boundary change fails. The RTRP will place gargantuan overhead utility structures through areas intended to be preserved as habitat. The obtrusiveness from a visual standpoint, as well as from a maintenance and operation standpoint, cannot be overstated. To demonstrate compliance with this regulatory requirement, (and to illustrate the real impacts of what is being proposed) we request RivCoParks to conduct a visual impact analysis, which should include physical marking of the proposed dimensions of the overhead utilities, in terms of both height and footprint. Only then will the true impacts through the remainder of the HVWA area be evident to all HVWA users, whose interests are most directly at stake.

These are just a few of the nine subsections in 36 CFR § 59.3(b) RivCoParks must meet to gain National Park Service approval of this deeply flawed boundary change proposal. We request that RivCoParks prepare written findings, reviewable for comment by the public, on all of the federal regulatory requirements, prior to taking any step to approve, endorse, or otherwise further the boundary change. Once that is done, we are confident that the proposed boundary change for HVWA will be proven to fall well short of federal regulatory requirements, in a number of respects. Further, we request RivCoParks fully and publically document its analysis of the view impacts, appraisal analyses, and comparative functionality of the areas to be severed from the existing preserve with the lands proposed to be provided. Only this will demonstrate to Riverside County park users the true impacts of what the City of Riverside is asking them to sacrifice for the City’s utility infrastructure goals.

In conclusion, RivCoParks’ consideration of the proposed boundary change to the HVWA is puzzling, even troubling. RivCoParks has as its mandate and its mission the preservation of wildlife habitat areas. This proposal flies directly in the face of that



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mission, and offers no tangible or demonstrated benefit to the park users RivCoParks is charged to defend. The City of Riverside's utility infrastructure goals are not the County of Riverside's responsibility, and certainly not when advanced at the cost of established wildlife habitat preserve areas. We strongly encourage RivCoParks to reject this proposal outright.

Thank you for the opportunity to comment.

Very truly yours,

RUTAN & TUCKER, LLP

David B. Cosgrove

DBC:tt  
Enclosure

cc: Scott Bangle  
Parks Director/General Manager  
4600 Crestmore Road  
Jurupa Valley, CA 92509

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Riverside County Counsel  
3960 Orange Street, Suite 500  
Riverside, CA 92501

Supervisor Kevin Jeffries  
4080 Lemon Street, 5th Floor  
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Supervisor V. Manuel Perez  
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Supervisor Marion Ashley  
4080 Lemon Street, 5th Floor  
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Center for Biological Diversity  
660 S. Figueroa St., Suite 1000  
Los Angeles, CA 90017

Endangered Habitats League  
c/o Dan Silver, Executive Director  
8424 Santa Monica Blvd., Suite A 592  
Los Angeles, CA 90069-4267

Sierra Club, San Gorgonio Chapter  
PO Box 5425  
Riverside, CA 92517

Center for Community Action and Environmental Justice  
7701 Mission Blvd.  
Jurupa Valley, CA 92509



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## 36 CFR sec. 59.3

### § 59.3 Conversion requirements.

(a) *Background and legal requirements.* Section 6(f)(3) of the L&WCF Act is the cornerstone of Federal compliance efforts to ensure that the Federal investments in L&WCF assistance are being maintained in public outdoor recreation use. This section of the Act assures that once an area has been funded with L&WCF assistance, it is continually maintained in public recreation use unless NPS approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value.

(b) *Prerequisites for conversion approval.* Requests from the project sponsor for permission to convert L&WCF assisted properties in whole or in part to other than public outdoor recreation uses must be submitted by the State Liaison Officer to the appropriate NPS Regional Director in writing. NPS will consider conversion requests if the following prerequisites have been met:

(1) All practical alternatives to the proposed conversion have been evaluated.

(2) The fair market value of the property to be converted has been established and the property proposed for substitution is of at least equal fair market value as established by an approved appraisal (prepared in accordance with uniform Federal appraisal standards) excluding the value of structures or facilities that will not serve a recreation purpose.

(3) The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted. Dependent upon the situation and at the discretion of the Regional Director, the replacement property need not provide identical recreation experiences or be located at the same site, provided it is in a reasonably equivalent location. Generally, the replacement property should be administered by the same political jurisdiction as the converted property. NPS will consider State requests to change the project sponsor when it is determined that a different political jurisdiction can better carry out the objectives of the original project agreement. Equivalent usefulness and location will be determined based on the following criteria:

(i) Property to be converted must be evaluated in order to determine what recreation needs are being fulfilled by the facilities which exist and the types of outdoor recreation resources and

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opportunities available. The property being proposed for substitution must then be evaluated in a similar manner to determine if it will meet recreation needs which are at least like in magnitude and impact to the user community as the converted site. This criterion is applicable in the consideration of all conversion requests with the exception of those where wetlands are proposed as replacement property. Wetland areas and interests therein which have been identified in the wetlands provisions of the Statewide Comprehensive Outdoor Recreation Plan shall be considered to be of reasonably equivalent usefulness with the property proposed for conversion regardless of the nature of the property proposed for conversion.

(ii) Replacement property need not necessarily be directly adjacent to or close by the converted site. This policy provides the administrative flexibility to determine location recognizing that the property should meet existing public outdoor recreation needs. While generally this will involve the selection of a site serving the same community(ies) or area as the converted site, there may be exceptions. For example, if property being converted is in an area undergoing major demographic change and the area has no existing or anticipated future need for outdoor recreation, then the project sponsor should seek to locate the substitute area in another location within the jurisdiction. Should a local project sponsor be unable to replace converted property, the State would be responsible, as the primary recipient of Federal assistance, for assuring compliance with these regulations and the substitution of replacement property.

(iii) The acquisition of one parcel of land may be used in satisfaction of several approved conversions.

(4) The property proposed for substitution meets the eligibility requirements for L&WCF assisted acquisition. The replacement property must constitute or be part of a viable recreation area. Unless *each* of the following additional conditions is met, land currently in public ownership, including that which is owned by another public agency, may not be used as replacement land for land acquired as part of an L&WCF project:

(i) The land was not acquired by the sponsor or selling agency for recreation.

(ii) The land has not been dedicated or managed for recreational purposes while in public ownership.

(iii) No Federal assistance was provided in the original acquisition unless the assistance was provided under a program expressly authorized to match or supplement L&WCF assistance.

(iv) Where the project sponsor acquires the land from another public agency, the selling agency must be required by law to receive payment for the land so acquired.

In the case of development projects for which the State match was not derived from the cost of the purchase or value of a donation of the land to be converted, but from the value of the development itself, public land which has not been dedicated or managed for



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recreation/conservation use may be used as replacement land even if this land is transferred from one public agency to another without cost.

(5) In the case of assisted sites which are partially rather than wholly converted, the impact of the converted portion on the remainder shall be considered. If such a conversion is approved, the unconverted area must remain recreationally viable or be replaced as well.

(6) All necessary coordination with other Federal agencies has been satisfactorily accomplished including, for example, compliance with section 4(f) of the Department of Transportation Act of 1966.

(7) The guidelines for environmental evaluation have been satisfactorily completed and considered by NPS during its review of the proposed 6(f)(3) action. In cases where the proposed conversion arises from another Federal action, final review of the State's proposal shall not occur until the NPS Regional office is assured that all environmental review requirements related to that other action have been met.

(8) State intergovernmental clearinghouse review procedures have been adhered to if the proposed conversion and substitution constitute significant changes to the original Land and Water Conservation Fund project.

(9) The proposed conversion and substitution are in accord with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or equivalent recreation plans.

(c) *Amendments for conversion.* All conversions require amendments to the original project agreements. Therefore, amendment requests should be submitted concurrently with conversion requests or at such time as all details of the conversion have been worked out with NPS. Section 6(f)(3) project boundary maps shall be submitted with the amendment request to identify the changes to the original area caused by the proposed conversion and to establish a new project area pursuant to the substitution. Once the conversion has been approved, replacement property should be immediately acquired. Exceptions to this rule would occur only when it is not possible for replacement property to be identified prior to the State's request for a conversion. In such cases, an express commitment to satisfy section 6(f)(3) substitution requirements within a specified period, normally not to exceed one year following conversion approval, must be received from the State. This commitment will be in the form of an amendment to the grant agreement.



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(d)*Obsolete facilities.* Recipients are not required to continue operation of a particular facility beyond its useful life. However, when a facility is declared obsolete, the site must nonetheless be maintained for public outdoor recreation following discontinuance of the assisted facility. Failure to so maintain is considered to be a conversion. Requests regarding changes from a L&WCF funded facility to another otherwise eligible facility at the same site that significantly contravene the original plans for the area must be made in writing to the Regional Director. NPS approval must be obtained prior to the occurrence of the change. NPS approval is not necessarily required, however, for each and every facility use change. Rather, a project area should be viewed in the context of overall use and should be monitored in this context. A change from a baseball field to a football field, for example, would not require NPS approval. A change from a swimming pool with substantial recreational development to a less intense area of limited development such as a passive park, or vice versa, would, however, require NPS review and approval. To assure that facility changes do not significantly contravene the original project agreement, NPS shall be notified by the State of *all* proposed changes in advance of their occurrence. A primary NPS consideration in the review of requests for changes in use will be the consistency of the proposal with the Statewide Comprehensive Outdoor Recreation Plan and/or equivalent recreation plans. Changes to other than public outdoor recreation use require NPS approval and the substitution of replacement land in accordance with section 6(f)(3) of the L&WCF Act and paragraphs (a) through (c) of this section.

[ 51 FR 34184, Sept. 25, 1986, as amended at 52 FR 22747, June 15, 1987]

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**TAB 3**

**TAB 3**

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April 23, 2018

VIA ELECTRONIC MAIL & U. S. CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Riverside County Regional Park and Open-Space District  
C/O Darrin Gilbert  
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Riverside County Regional Park and Open-Space District  
Attn: Scott Bangles, Park Director/General Manager  
4600 Crestmore Road  
Jurupa Valley, California 92509

Re: ***The City of Jurupa Valley's Comments in Response to Riverside County Regional Park and Open-Space District's March 23, 2018 Request for Public Comment re: Hidden Valley Wildlife Boundary Change***

Dear Mr. Gilbert and Mr. Bangles:

The City of Jurupa Valley (the "City") has reviewed and submits the below comments in response to the Riverside County Regional Park and Open-Space District's ("District") March 23, 2018 Request for Public Comment on the proposed conversion, replacement, and boundary changes to the Hidden Valley Wildlife Area ("HVWA") in conjunction with the Riverside Transmission Reliability Project ("RTRP").<sup>1</sup>

The RTRP would affect approximately 10.8 acres of HVWA land funded by the Land and Water Conservation Fund ("LWCF"). The LWCF was established by Congress with the specific goal of safeguarding natural areas, water resources, cultural heritage, and recreational opportunities. The RTRP, however, seeks to construct massive 230 kV transmission lines and

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<sup>1</sup> The District's proposal to alter the boundaries of and convert lands within the HVWA is referred to as the "Project."

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facilities, including steel lattice and pole structures up to 170-feet in height, that will traverse the HVWA.

Consequently, the RTRP and the Project seek to place massive, above-ground electric utility structures on land that has been specifically acquired and designated for open space and recreational uses. For the reasons demonstrated below, the District should fully and independently analyze the impacts of and alternatives to the Project to address the Project's numerous deficiencies and the public's significant concerns:

- The District must independently analyze undergrounding the RTRP in the HVWA and cannot rely on the obsolete 2011 Draft Environmental Impact Report ("EIR") and 2013 Final EIR because those documents incorrectly presume that undergrounding is infeasible when, in fact, the California Public Utilities Commission and the RTRP applicant have conceded undergrounding is both feasible and the environmentally superior alternative for the RTRP.
- The District must fully and independently analyze the contemplated replacement of LWCF lands prior to making a decision on the Project to ensure that the lost LWCF land is adequately compensated by and replaced with land that is comparable in use, value, and location.
- The LWCF Program specifically authorizes and provides funding for undergrounding options that the District must explore and analyze.
- The District has not demonstrated that it has complied with the requirements of the LWCF Act, specifically the requirements under 36 CFR § 59.3, for approval of the Project.
- The Project is inconsistent with state and federal land use policies.
- The District must comply with the scoping requirements for the Project's Environmental Screening Form by meaningfully engaging the public and local government, in the scoping process.
- The District cannot abdicate the District's independent review and decision-making obligations to the RTRP applicant through its consultant, POWER Engineers.

**I. The District Cannot Ignore Its Legally-Required Duties of Fully Analyzing the Project By Relying on the Outdated 2011 Draft EIR and 2013 Final EIR.**

The District cannot rely on the 2011 Draft EIR and 2013 Final EIR for an analysis of the Project's impacts on LWCF lands because those environmental reports are obsolete and do not



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analyze impacts of the Project and the RTRP, including feasible alternatives, according to the drastically-altered baseline conditions and presumptions that are now presented.

**A. The District Must Independently Analyze the Feasibility, Impacts, and Alternatives of Undergrounding All or a Portion of the RTRP in the HVWA.**

Because the analysis of and conclusions on the viability of undergrounding in the 2011 and 2013 EIRs have been contradicted by and superseded in the 2018 Subsequent Draft EIR, the District must independently analyze the feasibility, impacts, and alternatives of undergrounding for the HVWA. Indeed, the RTRP applicant and the Subsequent Draft EIR now both concede, contrary to the 2011 and 2013 EIRs, that undergrounding significant portions of the RTRP is not only feasible but also the preferred and environmentally superior option among all other alternatives for the RTRP. This constitutes a major change in the baseline presumptions and conditions for the RTRP and the Project. Thus, the District cannot now rely on the outdated analysis and conclusions of the 2011 and 2013 EIRs and must independently review the impacts, feasibility, and alternatives of undergrounding the RTRP alignment that traverses through the HVWA.

The California Environmental Quality Act ("CEQA") requires subsequent environmental review, including a subsequent EIR, when new information shows that mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant impacts:

"New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete . . . shows any of the following: . . . (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project."

(Cal. Code Regs., tit. 14, § 15162(3).) Likewise, a public agency cannot use an EIR from an earlier project for a later project if the EIR would not adequately describe alternatives and mitigation measures related to each significant effect. (CEQA Guidelines § 15153.)

Here, new information of substantial importance -- the feasibility of, official preference for, and environmental superiority of undergrounding portions of the RTRP line -- has been presented, requiring that the District analyze undergrounding for the HVWA. Specifically, the 2018 Subsequent Draft EIR confirms that undergrounding portions of the 230 kV transmission line is both feasible and the preferred alternative because undergrounding "would avoid significant aesthetic impacts from riser poles and overhead transmission lines between Cantu Galleano Ranch Road and Limonite Avenue." (Draft Subsequent EIR ES-12, ES-13, ES-20.) This new information starkly contrasts with the outdated conclusions and analysis in the 2011 and

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2013 EIRs, which rejected undergrounding even limited portions of the RTRP line as infeasible: “In all, then, undergrounding even a limited portion of the Project as a means of potential mitigation is both infeasible and environmentally more damaging than the currently proposed Project’s overhead lines.” (Draft EIR 3-54; Final EIR 3-41 [Volume II Revised Draft EIR].) Indeed, the Final EIR specifically and incorrectly concluded that “undergrounding even limited sections of the Project’s 230 kV transmission line as a means of potential mitigation is infeasible.” (FEIR 3-322 [Volume II Revised Draft EIR].) Because the Subsequent Draft EIR confirms that undergrounding portions of the RTRP’s 230 kV transmission line is feasible and the environmentally superior alternative, new information has been presented regarding the viability of undergrounding that the District must now analyze for the HVWA. Indeed, because the 2011 and 2013 EIRs incorrectly rejected undergrounding even a portion of the RTRP as infeasible, the District cannot rely on the obsolete 2011 and 2013 EIRs in evaluating undergrounding for the HVWA.

The District must analyze undergrounding for the HVWA and the Project because undergrounding is now not only feasible and environmentally superior but also would reduce significant aesthetic impacts that would otherwise be immitigable. The 2011 Draft EIR confirms that the visual impacts of massive overhead 230 kV transmission lines would be greatest in the HVWA and LWCF areas: “where visual impacts of the overhead line are greatest (the Santa Ana River corridor, including the Santa Ana River Trail and Hidden Valley Wildlife/LWCF areas).” (DEIR 6-30.) The Draft EIR concluded that the significant aesthetic impacts of overhead transmission lines in the HVWA would be immitigable: “[the] Hidden Valley Wildlife area to the west . . . impacts on views from this area would be potentially significant and immitigable, as they would degrade the visual character and quality of the interface of residential, recreational, and the Santa Ana River’s trails and open space uses.” (Draft EIR 3-54.) Likewise, the Final EIR confirms that “[s]ome visual impacts are significant, unavoidable and immitigable” regarding the HVWA. (Final EIR 2-201.) Undergrounding, however, has been demonstrated to be a viable mitigation measure and would provide the greatest aesthetic benefit, reducing what were significant and previously thought-to-be immitigable impacts, by removing overhead utility lines: “The aesthetic appeal to a vista without the interruption of utility lines is the most recurring benefit stated regarding underground transmission lines.” (DEIR 6-30 [emphasis added].) Because undergrounding portions of the RTRP in the HVWA would drastically reduce significant aesthetic impacts of the RTRP and the Project, the District must analyze the impacts, feasibility, and alternatives for undergrounding in the HVWA. To accurately depict the aesthetics analysis of undergrounding, the District also must include detailed view simulations regarding undergrounding and its alternatives in the HVWA.

In addition to the requirements for complying with CEQA, the District also must analyze the impacts and feasibility of undergrounding pursuant to the District’s National Environmental Policy Act (“NEPA”) obligations. Specifically, in order to obtain Project approval from the National Park Service (“NPS”), the District must submit a Project Description-Environmental



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Screening Form and appropriate NEPA review as required by the NPS as part of the Conversion Area and Replacement proposal review process. Indeed, under 42 U.S.C.A § 4332, NEPA requires that the District must provide a detailed statement the environmental impact of the proposed action; any adverse environmental effects which cannot be avoided should the proposal be implemented; alternatives to the proposed action; and any Irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. To fully analyze the Project's impacts, unavoidable adverse environmental effects, and alternatives under the District's NEPA obligations, the District must include an analysis of the impacts, feasibility, and alternatives for undergrounding in the HVWA.

**B. The District Must Fully and Independently Analyze the Contemplated Replacement of LWCF Lands Prior to Making a Decision on the Project.**

Because neither the 2011 Draft EIR nor the 2013 Final EIR analyzes the contemplated replacement of LWCF lands, the District must analyze the impacts of and alternatives for any loss and replacement of LWCF lands. Specifically, the District proposes to substitute a "similarly sized contiguous portion of a parcel (#153240030-6) . . . to compensate for the loss of recreational function within the park." (District's Request for Public Comment.) The 2011 Draft EIR and 2013 Final EIR, however, do not present any analysis of this proposed land exchange. Neither environmental document analyzes the specific characteristics, use, or value of the LWCF land that will be lost with the specific characteristics, use, and value of the contemplated parcel with which the LWCF land will be replaced. Without such an analysis and comparison, including detailed view simulations and use comparisons, the District cannot demonstrate and the public cannot be assured that the loss of any LWCF land will be adequately compensated with the land from parcel #153240030-6. Indeed, merely accepting the District's proposal at this stage threatens to exchange beautiful open space and recreation land for pennies on the dollar. Furthermore, the District has not analyzed any of the alternatives to replacing LWCF lands with parcel #153240030-6. Without such an analysis, the District cannot demonstrate and the public cannot be assured that other parcels of land are more viable alternatives than parcel #153240030-6 for replacing LWCF land.

**II. The LWCF Program Specifically Authorizes Undergrounding Options that the District Must Explore and Analyze.**

The LWCF State Assistance Program Manual specifically supports and facilitates the undergrounding of utilities in LWCF lands. Specifically, "[t]he State may allow underground utility easements within a Section 6(f)(3) area as long as the easement site is restored to its pre-existing condition to ensure the continuation of public outdoor recreational use of the easement area." (LWCF State Assistance Program Manual 8-12; see also DEIR 3-309, 3-310; FEIR 3-322 [Volume II].) Significantly, LWCF financial assistance is available for the specific purpose of undergrounding transmission lines: "

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**“LWCF financial assistance may be available for most types of facilities needed for the use and enjoyment of outdoor recreation areas. . . . The beautification of an outdoor recreation area is eligible provided it is not part of a regular maintenance program and the site's condition is not due to inadequate maintenance. This includes: landscaping to provide a more attractive environment; the clearing or restoration of areas that have been damaged by natural disasters; the screening, removal, relocation or burial of overhead power lines; and the dredging and restoration of publicly owned recreation lakes or boat basins and measures necessary to mitigate negative environmental impacts.”**

(LWCF State Assistance Program Manual 3-7 through 3-14 [emphasis added].) Because the LWCF program specifically authorizes and sets aside financial assistance for undergrounding utility lines, the District must fully and independently analyze undergrounding, including its impacts and alternatives, in the HVWA.

#### **III. The District Has Not Demonstrated That It Has Satisfied the Requirements of the LWCF Act for Approval of the Project.**

Under the LWCF Act, the Project must comply with the requirements of 36 CFR § 59.3, which specifies several “Prerequisites for Conversion Approval.” Based on the current record, however, the District has not demonstrated and cannot begin to demonstrate such compliance without first undertaking further, independent review of the Project.

The LWCF Act states that the NPS will consider conversion requests only if the following nine prerequisites have been met:

- “(1) All practical alternatives to the proposed conversion have been evaluated.**
- (2) The fair market value of the property to be converted has been established and the property proposed for substitution is of at least equal fair market value as established by an approved appraisal . . .**
- (3) The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted. . . .**
- (4) The property proposed for substitution meets the eligibility requirements for L&WCF assisted acquisition. The replacement property must constitute or be part of a viable recreation area. . . .**
- (5) In the case of assisted sites which are partially rather than wholly converted, the impact of the converted portion on the remainder shall be considered. If**



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such a conversion is approved, the unconverted area must remain recreationally viable or be replaced as well.

(6) All necessary coordination with other Federal agencies has been satisfactorily accomplished including, for example, compliance with section 4(f) of the Department of Transportation Act of 1966.

(7) The guidelines for environmental evaluation have been satisfactorily completed and considered by NPS during its review of the proposed 6(f)(3) action. . . .

(8) State intergovernmental clearinghouse review procedures have been adhered to if the proposed conversion and substitution constitute significant changes to the original Land and Water Conservation Fund project.

(9) The proposed conversion and substitution are in accord with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or equivalent recreation plans."

(36 C.F.R. § 59.3(b)(1)-(9).)

Here, the District has not demonstrated compliance with the foregoing requirements of the LWCF Act. Contrary to the requirements of subsection (b)(1) and as also demonstrated above, the District has not evaluated all practical alternatives. The District has not analyzed the impacts, viability, and alternatives for undergrounding all or a portion of the RTRP that will run through the HVWA in light of the new information confirming the viability and environmental superiority of undergrounding. Likewise, the District has not analyzed alternatives to replacing existing LWCF lands, such as a change in the RTRP's route that would avoid the HVWA altogether or substantially reduce the RTRP's intrusion into the HVWA. Finally, the District has not evaluated alternatives to replacing LWCF land with parcel #153240030-6 as opposed to using any other parcels to replace the LWCF land. Accordingly, the District has not demonstrated that the proposed land conversion is equitable and the most preferred route in terms of the replacement and lost land's value, use, aesthetics, location, and other characteristics.

Second, contrary to the requirements of subsection (b)(2), the District has not evaluated the fair market value of the LWCF land it proposes to convert and has not evaluated the fair market value of parcel #153240030-6. The District has not set forth any appraisals or studies regarding the fair market value of these lands. Accordingly, the District cannot demonstrate the conversion satisfies the fair market value requirements of the LWCF Act.

Third, the District has not demonstrated that the proposed replacement property is of reasonably equivalent usefulness and location as the LWCF land that is being converted. The

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District has not demonstrated that parcel #153240030-6 has a reasonably equivalent usefulness and location as the proposed LWCF land to be converted. Indeed, such an equivalence demonstration may be difficult, if not impossible, because the LWCF land that the District proposes to convert spans seven portions of the HVWA, and the loss of this large tract of the HVWA, its usefulness, and its particular location cannot be adequately offset by the land in parcel #153240030-6 or any other land. Indeed, the City doubts that the loss of open space and recreation land in the HVWA can be adequately offset by the replacement land. The HVWA provides trails and scenic vistas as part of its primary recreational function: “[the] Hidden Valley Wildlife Area...has access to 25 miles of hiking and equestrian trails. Visitors can get away from the noise and lights of the city and enjoy the beautiful views of the river or the bluff overlooking the Santa Ana River bottom.” Replacing a massive tract of the HVWA’s recreational functions with a parcel that is located in a small portion of the southwestern portion of the overall Hidden Valley Wildlife Area does not replace the value of land lost for the use of trails offering views of scenic vistas (primarily the Santa Ana River that is a linear scenic feature). The District has failed to make any showing that the proposed Project meets the equivalent usefulness and location criteria, and in fact, the District cannot.

Fourth, there is no indication that the District has met the eligibility requirements for converting parcel #153240030-6. Because the District proposes to acquire parcel #153240030-6 -- land that is currently in public ownership -- from the City of Riverside and Riverside County, the District must demonstrate that: (1) the land was not acquired by the sponsor or selling agency for recreation; (2) the land has not been dedicated or managed for recreational purposes while in public ownership; (3) no federal assistance was provided in the original acquisition; and (4) required payments for the land have been made. The District has not made any of the foregoing findings and cannot proceed with the Project absent such a showing.

Fifth, the LWCF Act requires that the District consider the impact of the converted portion of LWCF land on the remaining areas of the HVWA; the District has not made and cannot make such findings because the impacts from placing massive overhead transmission lines and facilities will be significant and irreparable to the entire HVWA. The RTRP and the Project seek to place massive overhead utility lines and structures -- up to 170-feet in height -- throughout areas in the HVWA that have been specifically designated for open space and recreation use. These massive structures will not only prevent the specific areas they are located in from being used for open space or recreation but also will negatively impact the open space and recreational uses of the entire HVWA as these facilities will be incredibly obtrusive and visually jarring from throughout the HVWA. The District must fully evaluate the Project’s and the RTRP’s impacts on the rest of the HVWA and do so by using visual impact analyses, visual simulations of the proposed height and location of transmission facilities in the HVWA, and visual simulations of the viewpoints from the rest of the HVWA according to how they would be altered by the proposed Project and RTRP.

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Finally, the District has not demonstrated that the Project satisfies all necessary coordination requirements with other federal agencies, such as compliance with section 4(f) of the Department of Transportation Act of 1966; that the guidelines for environmental evaluation have been satisfactorily completed and considered; that state intergovernmental clearinghouse review procedures have been adhered to; and that the proposed conversion and substitution are in accord with the Statewide Comprehensive Outdoor Recreation Plan and/or equivalent recreation plans.

#### IV. The Proposed Project Is Inconsistent with State and Federal Land Use Policies.

The Project does not comply with state and federal land use policies because it eliminates designated open space and recreational land uses, while imposing severe and widespread aesthetic impacts that impair the public's scenic and recreational resources.

California's Recreation Policy 4, (2005) requires that recreation areas be planned and managed to avoid damage to natural resources while providing recreational opportunities: "Recreation areas should be planned and carefully managed to provide optimum recreation opportunities without damaging significant natural or cultural resources. Management actions should strive to correct problems that have the potential to damage sensitive areas and degrade resources." Likewise, the LWCF program requires that LWCF lands serve a variety of public outdoor recreation activities, including walking and sightseeing: "Areas acquired may serve a wide variety of public outdoor recreation activities including but not limited to: walking and driving for pleasure, sightseeing, swimming and other water sports, fishing, picnicking, nature study, boating, hunting and shooting, camping, horseback riding, bicycling, snowmobiling, skiing, and other outdoor sports and activities." (LWCF Manual 3-4).

In contravention of these policies, the District's support of the RTRP and the proposed Project creates significant, negative visual impacts from the placement of massive, above-ground power transmission lines throughout the HVWA, irreparably damaging scenic resources and preventing significant portions of the HVWA from being used for their intended and designated recreational and open space purposes. This is contrary to the HVWA's stated mission of protecting such resources. Indeed, even the Draft EIR and Final EIR note that the placement of massive transmission lines in the HVWA conflicts with the LWCF program:

"The Proposed Project (230 kV transmission line) traverses lands . . . which have received federal funding through the LWCF program. These lands include the Hidden Valley Wildlife Area . . . . Placement of 230 kV transmission line components on these lands would constitute a conflict with the LWCF, according to the California State Parks, Office of Grants and Local Services, which is the Agency that oversees the LWCF program in California."

(DEIR 3-304, 3-305; FEIR 3-317 [Volume II].)



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**V. The District Must Comply With the Scoping Requirements for the Project's Environmental Screening Form ("ESF").**

Contrary to the requirements of the LWCF program, the District has not engaged the City and the rest of the affected public to scope the proposal for the Project. The LWCF State Assistance Program Manual requires that the District invite public agencies, like the City, to provide input early in the planning and scoping process to "yield information for use in defining the scope of the LWCF proposal and possible associated environmental impacts." (LWCF Manual 4-4 and 4-5). Indeed, the ESF "is designed for use as a tool during project scoping, planning, and proposal development to document environmental information and consider the LWCF proposal's possible environmental impacts." (LWCF Manual 4-5). Under step 6 of the ESF, a site inspection of the affected area must be conducted by individuals who are familiar with the type of affected resources, possess the ability to identify potential resource impacts, and to know when to seek additional data when needed. In contrast with these public and local government participation requirements, the District's Request for Public Comment fails to meet the requirements for meaningfully engaging the City and other stakeholders in the preparation of the Project proposal and the ESF. The City strongly urges that the District meet and confer with the City and interested stakeholders before preparing the ESF, especially in light of the District's premature development of the Project proposal without any public input.

**VI. The District Cannot Abdicate the District's Independent Review and Decision-Making Obligations to the RTRP Applicant.**

The District cannot abdicate its independent review and decision-making functions to the RTRP applicant -- POWER Engineers, Southern California Edison's and Riverside's consultant on the RTRP. Instead, the District must conduct an independent environmental review and objectively evaluate the Project and the RTRP. Delegating these functions to POWER Engineers, as the District has done in the Request for Public Comment, is a complete conflict of interest and violates well-established standards for environmental review.

Significantly, the Court of Appeal has noted that the interests of a lead agency conducting environmental review of a project are at odds with and divergent from the interests of the project applicant, here the RTRP: "**when environmental review is in progress, the interests of the lead agency and a project applicant are fundamentally divergent.** While the applicant seeks the agency's approval on the most favorable, least burdensome terms possible, the agency is dutybound to analyze the project's environmental impacts objectively." (*Citizens for Ceres v. Superior Court* (2013) 217 Cal.App.4th 889, 898 [emphasis added].) Indeed, "[t]he lead agency must independently participate, review, analyze and discuss the alternatives in good faith." (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336, 1352.)

Here, the District incorrectly relies upon POWER Engineers to receive and evaluate the public comments in response to the District's March 23, 2018 Request for Public Comment.



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Such an abdication of the District's independent environmental review obligations is anathema to the objective and fair environmental review and decision-making that the law requires of the District, especially as the RTRP applicant has divergent interests that are at odds with the District's environmental protection and open space preservation goals. The City requests that the District independently conduct its environmental review and analysis of the Project and that the District require that all public comments and correspondence for the Project be directed to the District rather than POWER Engineers.

#### VII. Conclusion

The District's mandate is to preserve open space and recreational lands within the HVWA. As demonstrated above, placing massive, overhead transmission lines in the HVWA is in direct conflict with the District's goals. While the District evaluates the Project, the City urges the District to comply with its legal duties of conducting a full and fair environmental review of the Project; finally, for the reasons stated above, the City strongly recommends that the District reject the current proposal for overhead transmission lines in the HVWA.

Very truly yours,



Stephen D. Lee

cc: Gregory P. Priamos, Esq.  
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Endangered Habitats League  
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Los Angeles, California 90069-4267

Sierra Club, San Geronimo Chapter  
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Riverside, California 92517

Center for Community Action and Environmental Justice  
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Jurupa Valley, California 92509

Interested Parties registered in the Matter of the Application of SOUTHERN CALIFORNIA  
EDISON COMPANY (U 338-E)  
for a Certificate of Public Convenience and Necessity for the  
RTRP Transmission Project, CPUC Case No. A.15-04-013

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RICHARDS WATSON GERSHON

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#### 3.3.9 Response to Letter B9: Cosgrove, David – Rutan and Tucker, LLP

- B9-1 The opposition to the location of the riser poles under the Revised Project is noted.
- B9-2 The overall aesthetic impact would be reduced because the relocation of the riser poles as part of Alternative 3 would reduce the visual dominance of the structures for motorists along Limonite Avenue and the I-15 freeway onramp by moving the structures approximately 0.25 mile north.
- Simulations from Key Observation Point (KOP) 5 and KOP 6 were specifically included in the Draft Subsequent EIR at the request of the City of Jurupa Valley to illustrate the effects on views from Limonite Avenue, a designated City gateway. Alternative 3 removes the Lattice Steel Tower (LST) and places the riser pole structures somewhat outside the motorists' cone of vision when traveling east on Limonite Avenue and entering the City of Jurupa Valley. It is true that when exiting I-15 traveling north prior to and then turning east on Limonite Avenue, the riser pole structures will be seen in the direct line of vision. The difference in the effective scale of the riser poles between the Revised Project and Alternative 3 from this perspective are presented in the simulations from KOP 5. The horizontal difference between the riser poles in the Revised Project and Alternative 3 is approximately 870 feet. The riser poles in the Revised Project would be in the immediate foreground, versus the foreground for Alternative 3. See also A13-2 from the City of Eastvale.
- B9-3 The viewer sensitivity of motorists along both I-15 and Limonite Avenue is recognized in Appendix F, Table F-4. Neither roadway is a designated scenic route. Local visual impacts are determined using a numerical rating system that compares viewer response and the change in visual quality (refer to Appendix F of the Subsequent EIR). Viewer response, which considers viewer sensitivity and exposure, is considered to be moderate at KOPs 5 and 6 on Limonite Avenue. The Alternative 3 riser poles would be openly visible from these KOPs. However, the intactness and unity of the view to Alternative 3 from these KOPs would increase slightly in comparison to the Revised Project due to the perceived decrease in size of the riser poles and the elimination of a TSP. The intactness of a view is considered to be the memorability of the visual impression received from contrasting landscape elements as they combine to form a distinctive visual pattern. The unity of a view is based on the degree to which the visual resources of the landscape join to form a coherent, harmonious visual pattern. Existing fences, cell towers, freeway signs, traffic signals, light posts, and shopping center advertising detract from the existing unity and intactness of views from KOPs 5 and 6. The Alternative 3 riser poles are more consistent with the existing features within the view and, except for scale, resulted in a slightly different unity and intactness rating as compared to the Revised Project at both KOPs. The overall

### 3 COMMENTS AND RESPONSES

impact of Alternative 3 would be moderate and represents a reasonable mitigation measure as compared to the Revised Project.

B9-4 The visual analysis does not address the speculative nature of developability of a particular parcel, which is not considered an environmental effect. The distance to the closest riser pole from KOP 5 is approximately 300 feet. The short distance between riser pole and viewer is the reason the entire riser pole is not shown. The distance to the closest riser pole of Alternative 3 is approximately 1,170 feet. See also A14-4.

B9-5 The term “to the extent practical” is necessary in this case because it is impossible for the disturbed terrain to be restored exactly to pre-construction conditions due to fire safety vegetation clearance requirements and the replacement of non-native vegetation with native vegetation. The Pre-Activity Study Report will document baseline conditions and proposed revegetation activities. SCE is required to consult with landowners regarding revegetation activities and document that consultation in the Pre-Activity Study Report. An environmental monitor will be responsible for supervising SCE’s efforts to restore the disturbed terrain to the conditions agreed upon in the Pre-Activity Study Report.

B9-6 The Subsequent EIR analyzes changes in baseline conditions or project design that occurred after the certification of the 2013 RTRP EIR (refer to MR-3).p

The CPUC recognizes the potential impacts of the overhead transmission line within the Hidden Valley Wildlife Preserve. The certified 2013 RTRP EIR analyzed the impacts of the proposed transmission line through the Preserve and determined that potentially significant impacts to aesthetics, biological resources, cultural resources, hazards, and recreation would occur. Mitigation was required to reduce most impacts to a less than significant level. The aesthetic impact would remain significant and unavoidable within the Santa Ana River corridor.

The certified 2013 RTRP EIR identified a potentially significant impact related to construction of the overhead transmission line within the Hidden Valley Wildlife Preserve and Santa Ana River Wetlands Mitigation Bank. Consistent land uses within the Preserve and Mitigation Bank are determined by the Land and Water Conservation Fund (LWCF) Act. Land uses that are not consistent with the LWCF Act are considered a conversion of land (Section 6(f)(3)). Overhead transmission lines are not a consistent land use and, therefore, would be a significant impact. Section 6(f)(3) of the LWCF Act and 36 CFR 59.2 describe the process for land conversion that is required for land uses that are inconsistent with LWCF Act. The project impact associated with conversion of LWCF lands is analyzed in Section 3.2.14: Recreation, on page 3-321 of the certified 2013 RTRP EIR. Mitigation Measure REC-02 requires SCE and RPU to coordinate with National Park Service and California Parks Service, to replace the land that



### 3 COMMENTS AND RESPONSES

would be converted as a result of the RTRP. Refer to response A15-8 for more information regarding the federal environmental review required for the land conversion.

B9-7           The preference for the environmentally superior alternatives is noted.

### 3 COMMENTS AND RESPONSES



Comment Letter B10

Lisa Kolieb

Akerman LLP  
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May 17, 2018

VIA E-MAIL (riversidetrp@panoramaenv.com) and Priority Mail

Jensen Uchida  
CPUC Project Manager  
Riverside Transmission Reliability Project  
c/o Panorama Environmental, Inc.  
717 Market Street, Suite 650  
San Francisco, CA 94103

**Re: Comments on Draft Subsequent Environmental Impact Report - Riverside  
Transmission Reliability Project**

Dear Mr. Uchida:

We represent Lesso Mall Development (Jurupa Valley) Limited ("Lesso"), the owner of the Thoroughbred Farms property at 12071 Bellegrave Avenue, Mira Loma, CA 91752 ("Thoroughbred Farms" or "TF"). We have reviewed the Draft Subsequent Environmental Impact Report ("Draft SEIR"), State Clearinghouse No. 2007011113, dated April 2018, for the Riverside Transmission Reliability Project (A.15-04-013) ("Project" or "RTRP"). The RTRP surrounds the Thoroughbred Farms on two sides – both on the west and on the north, as the TF property serves as a turning point for the RTRP at Landon Drive, and accordingly the TF property will be significantly impacted by the Project as currently proposed.

We have reviewed the comment letter prepared by Richards Watson & Gershon, submitted on behalf of the City of Jurupa Valley, dated May 17, 2018 ("Jurupa Valley Comment Letter") and fully support and agree with their comments. As such, please consider the Jurupa Valley Comment Letter incorporated herein by reference. Based upon the comments noted in the Jurupa Valley Comment Letter and the comments set forth below, we believe that the Draft SEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA") (Pub. Res. Code §§ 21000, et seq.), and the State of California Guidelines for the California Environmental Quality Act (14 Cal. Code Regs §§15000 et seq.). Accordingly, as also requested by the City of Jurupa Valley, Lesso requests that the CPUC suspend any further consideration of the Project until a Draft SEIR that fully discloses and analyzes the potential impacts of the Project and fully considers feasible alternatives to the Project has been prepared and recirculated for public review and comment. As noted above, Lesso supports the arguments and conclusions stated in the Jurupa Valley Comment Letter, and as such will not restate them here as they are incorporated by reference.

B10-1

B10-2

akerman.com

45212184;2

### 3 COMMENTS AND RESPONSES

Riverside Transmission Reliability Project Comment Letter  
May 17, 2018  
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Instead, this comment letter will focus on the inadequacy of the Draft SEIR as it relates to impacts on the TF property.

I. **THE DRAFT SEIR FAILS TO ADEQUATELY ANALYZE THE PROJECT'S ENVIRONMENTAL IMPACTS ON THE TF PROPERTY**

The Draft SEIR fails to adequately analyze the Project's environmental impacts. This is particularly the case as it relates to the Project's impacts on the TF property. As currently proposed, the Project includes approximately 8 miles of new overhead 230-kV transmission line and approximately 2 miles of new underground transmission line. We understand that as a result of public comment and opposition, the Project was revised by SCE to relocate a portion of the 230-kV transmission line and to change the design of a segment of the transmission line from overhead to underground. However, despite the revision to the Project to underground a portion of the line to reduce significant environmental impacts, the Draft SEIR fails to adequately analyze the impacts on properties adjacent to the overhead lines still proposed as part of the revised Project.

B10-3

II. **THE DRAFT SEIR DOES NOT ADEQUATELY ADDRESS THE AESTHETIC IMPACTS OF THE PROJECT ON THE TF PROPERTY.**

Although the Project would have significant impacts on the TF property in many areas, the most significant would be aesthetics. As discussed in the Jurupa Valley Comment Letter, the Draft SEIR does not include representative Key Observation Points ("KOP") and thereby misstates the lack of impacts on the TF site. The Project surrounds the TF site on two sides – both on the west and on the north, as the TF property serves as a turning point for the Project at Landon Drive. As currently configured, the Project proposes unsightly overhead transmission lines directly adjacent to the TF property. These overhead transmission lines would impact scenic vistas and visual characteristics and degrade views. However, despite this, the SEIR does not even analyze the TF site as a key observation point to study how it would be impacted, even though the two closest observation point locations would have moderate and high visual impacts. (Draft SEIR, p. 4.1-24)

B10-4

The KOPs chosen are not representative of views that people would have from the adjacent sites and artificially minimize the Project's features. In fact, despite the fact that the RTRP surrounds the TF property on two sides, none of the KOP locations included in the Draft SEIR show true views from the TF site. Accordingly, the aesthetic impacts of overhead lines adjacent to the TF site have not been adequately studied.

III. **THE DRAFT SEIR INCORRECTLY CONCLUDES THAT THERE IS NO FEASIBLE MITIGATION TO REDUCE THE SIGNIFICANT AESTHETIC IMPACTS.**

As stated in the Jurupa Valley Comment Letter, the Draft SEIR incorrectly concludes that there is no feasible mitigation to reduce the significant aesthetic impacts. This conclusion is specifically contradicted in the Draft SEIR's own findings where it states that undergrounding is not only a feasible mitigation to reduce significant aesthetic impacts, but that it is the environmentally superior alternative. (Draft SEIR, pages ES-12, ES-13, ES-20, 3-8, 6-18.) In fact, the Draft SEIR fully analyzes four alternatives, two of which fully underground alternative route segments, and two of which partially underground alternative segments along the route proposed in the previous DEIR. All four of the alternatives would "avoid significant aesthetic impacts" which exist under the current Project proposal. (Draft SEIR, pages ES-13 and

B10-5



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Riverside Transmission Reliability Project Comment Letter  
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ES-14.) Moreover, the Draft SEIR specifically identifies "Alternative 1: Bellegrave – Pats Ranch Road Underground" as the "Environmentally Superior Alternative." (Draft SEIR, page ES-20.) In fact, the Draft SEIR concludes that all of the alternatives fully studied were environmentally superior to the proposed Project. (Draft SEIR, page 6-2).

B10-5

#### **IV. THE DRAFT SEIR FAILS TO ADEQUATELY ANALYZE FEASIBLE ALTERNATIVES**

As discussed in the Jurupa Valley Comment Letter, the Draft SEIR fails to adequately analyze undergrounding transmission lines for the entire Project as an alternative and does not adequately eliminate such alternative. As noted in the Draft SEIR, undergrounding the entire project (Alternative 8) would avoid the Project's long-term significant aesthetic impacts by removing all of the overhead transmission lines. Moreover, by conceding that Alternative 1 (which would underground the section of the Project adjacent to the TF property) is the Environmentally Superior Alternative and that some of the Project can and should be undergrounded, the draft SEIR demonstrates that undergrounding is feasible. The CEQA Guidelines Section 15364 defines feasibility as "...capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Further, the CEQA Guidelines require consideration of alternatives that could eliminate or reduce significant environmental effects even if they "would be more costly." (CEQA Guidelines Section 15126.6(b)). Accordingly, undergrounding the entire Project should be further studied and selected, or at a minimum undergrounding a more significant portion of the Project (such as proposed under Alternatives 1 and 2), especially those sections of the Project adjacent to the TF site, should be selected. As noted above, all of the alternatives fully studied in the Draft SEIR are considered to be environmentally superior to the proposed Project. (Draft SEIR, page 6-2). Accordingly, the proposed Project should be eliminated from consideration.

B10-6

#### **V. THE PROJECT WOULD SIGNIFICANTLY IMPACT THE VALUE OF AND ABILITY TO DEVELOP THE TF PROPERTY.**

Although currently vacant, the TF site was entitled in 2012 for a master-planned business community (the "Thoroughbred Farm Specific Plan Project"). The Land Use section of the Draft SEIR fails to recognize or analyze the consistency with or impacts of the Project on the approved Thoroughbred Farm Specific Plan Project. Should the current iteration of the RTRP move forward and above ground lines be installed surrounding the TF property, it will dramatically reduce the ability to develop the site.

B10-7

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### 3 COMMENTS AND RESPONSES

Riverside Transmission Reliability Project Comment Letter  
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Based upon the above, as well as the comments in the Jurupa Valley Comment Letter, additional environmental analysis must be performed and an updated Draft SEIR must be recirculated for public review and comment. Accordingly, we request that no further action be taken on the Project until the necessary supplemental environmental review has been completed and reviewed by the public.

B10-8

Sincerely,



Lisa Kolieb  
Partner

cc: City of Jurupa Valley c/o Stephen D. Lee, Richards Watson & Gershon  
Lesso Mall Development (Jurupa Valley) Limited

### 3 COMMENTS AND RESPONSES

#### 3.3.10 Response to Letter B10: Kolieb, Lisa – Akerman

- B10-1 The support of City of Jurupa Valley's comment letter prepared by Richards Watson & Gershon is noted. Refer to the responses A15-1 through A15-24 for responses to the City's comments on the Subsequent EIR.
- B10-2 The Subsequent EIR was prepared pursuant Public Resources Code §§ 21000 et seq and Title 14 of the California Code of Regulations §§ 15000 et seq. Refer to response A15-11 for a more detailed response on how the document meets CEQA requirements.
- B10-3 The purpose of the Subsequent EIR is to analyze elements of the RTRP that were not analyzed in the certified 2013 RTRP. In the Subsequent EIR, the CPUC also analyzes those resources where baseline conditions have changed such that impacts would be different or greater than the impacts identified in the certified 2013 RTRP EIR. Baseline conditions at the Thoroughbred Farms property have not changed. The majority of the Proposed Project that affects the Thoroughbred Farms property remains consistent with the analysis in the certified 2013 RTRP EIR. The Subsequent EIR considers impacts from the LST at the corner of Landon Drive and Wineville Avenue, which occurs on the Thoroughbred Farms property. No other Revised Project elements are proposed on the Thoroughbred Farms property. No additional analysis of the Revised Project is required. Refer to MR-3 for a description of the Revised Project. Refer to MR-2 for information about how the certified 2013 RTRP EIR is adequate for project elements in Jurupa Valley that have not changed since 2013.
- B10-4 The analysis of the Subsequent EIR considers land uses that exist at the time the Notice of Preparation for the Subsequent EIR was published. The Thoroughbred Farms parcel is a vacant lot with no visual receptors to be considered. The CPUC does not consider private views when determining KOPs and visual impacts of a project. The KOPs that are included in the Subsequent EIR represent public views from recreational areas and roadways that are accessible to the public; therefore, a KOP from the privately owned and undeveloped Thoroughbred Farms parcel was not included. The effects of overhead transmission in the area were analyzed in the certified 2013 RTRP EIR.
- B10-5 Constructing the transmission underground substantially reduces aesthetic effects, except at riser pole locations where the line transitions between underground and overhead positions. The necessary riser poles may cause significant aesthetic impacts.
- Underground transmission requires alternative construction methods that would increase other environmental impacts; therefore, underground construction is considered a project alternative, rather than a mitigation measure. The underground alternatives do, however, mitigate aesthetic effects. The analyzed

### 3 COMMENTS AND RESPONSES

alternatives would reduce impacts of the Revised Project. The alternatives were not designed to avoid or reduce effects of components of the Proposed Project that were analyzed in the certified 2013 RTRP EIR (refer to MR-7).

B10-6 The Subsequent EIR analyzes two alternatives to the Revised Project, Alternatives 1 and 2, that would underground all transmission lines segments of the Revised Project (other than riser poles).

The certified 2013 RTRP EIR considered an all underground alternative; the underground alternative was rejected because it would have greater environmental effects than the Proposed Project.

The comment regarding adequately analyzing alternatives, including Alternative 8, is also raised in the comment letter submitted by the City of Jurupa Valley. Alternative 8 was rejected as it has a greater impact than the Revised Project. Refer to response A15-12 for a more detailed explanation. The preference for the Alternatives over the Proposed Project is noted.

B10-7 Economic aspects of the project are not covered under CEQA and thus not addressed in the Subsequent EIR. Refer to MR-10 for more information regarding how the CPUC addresses potential impacts to property values. Approval and construction of the overhead transmission line on the Thoroughbred Farms parcel would not substantially preclude the development of the Thoroughbred Farms property; however, development of the area would require consideration of a 100-foot ROW for the transmission line, and development restrictions within the ROW. Chapter 4: Cumulative Impacts, of the certified 2013 RTRP EIR includes an analysis of the potential effects on the Thoroughbred Farm Specific Plan No. 376. The certified 2013 RTRP EIR analysis of the Proposed Project considers the specific plan; therefore, the specific plan need not be analyzed again in the Subsequent EIR. There has been no change in baseline conditions at the Thoroughbred Farms property; therefore, the Subsequent EIR does not conduct an analysis of the effects on the property. Chapter 5: Cumulative Impacts of the Subsequent EIR considers the Lasso Mall Development as a cumulative project and analyzes cumulative impacts accordingly.

B10-8 Refer to response A15-11 for more information regarding how the Draft Subsequent EIR adequately achieves an environmental analysis of the Revised Project under CEQA.

### 3 COMMENTS AND RESPONSES



Comment Letter B11

May 17, 2018

VIA Email Only

Jensen Uchida (CPUC Project Manager)  
California Public Utilities Commission  
c/o Panorama Environmental, Inc.  
One Embarcadero Center, Suite 740  
San Francisco, CA 94111  
[riversidetrp@panoramaenv.com](mailto:riversidetrp@panoramaenv.com)

**RE: Comments on the Draft Subsequent EIR: Riverside Transmission Reliability Project (A.15-04-013)**

Dear Mr. Uchida:

We welcome the opportunity to contribute to and compliment to observations we have provided on the process surrounding the Draft Subsequent EIR (SEIR): for the Riverside Transmission Reliability Project (RTRP). The Center for Community Action and Environmental Justice (CCA EJ) is a community based Environmental Justice organization with over 40 years' experience working with and representing communities in Jurupa Valley, we would like to expand on the comments previously presented by residents of Jurupa Valley during the public comment period.

**Environmental Justice (EJ):**

The passage of Senate Bill 1000 (Leyva, 2016), Planning for Healthy Communities Act, was designed to improve local planning efforts to reduce negative disproportionate environmental, public health and public safety impacts on California's most vulnerable residents by ensuring that local governments include Environmental Justice Elements and/or policies in General Plans when they are updated. Jurupa Valley has an Environmental Justice Element in its General Plan with specific environmental justice policies and guidelines to ensure the most vulnerable residents of Jurupa Valley are included in vital Land Use decisions that will impacts residents' health and prosperity. We are concerned that the SEIR does not adequately asses the consistency and impacts of the RTRP on the Qty's most vulnerable residents. The SEIR should evaluate all impacts of the RTRP on Environmental Justice communities.

B11-1

B11-2



### 3 COMMENTS AND RESPONSES

#### Alternatives:

Residents impacted by the RTRP have expressed their concerns with the proposed alternatives. The “No Project” alternative is the most concerning to Environmental Justice Communities and residents of Jurupa Valley, the “No Project” alternative will foster sustained reliance on Natural Gas Generated power. Environmental Justice Communities have consistently expressed growing concern for increased reliance on fossil fuels and the detrimental health impacts of natural gas on community health. “Project Alternative #1” is the preferred project alternative identified by residents of Jurupa Valley. The SEIR should consider alternatives undergrounding the transmission and distribution lines along the entire Project route and the SEIR should prioritize community concerns in the analysis.

B11-3

B11-4

B11-5

We look forward to working with you to ensure the RTRP provides the most benefits to the residents of Jurupa Valley. If you have any questions, you may reach us at Graciela.l@ccaej.org or at 951-360-8451.

Respectfully,

Graciela Larios  
Center for Community Action and Environmental Justice

### 3 COMMENTS AND RESPONSES

#### 3.3.11 Response to Letter B11: Larios, Graciela – Center for Community Action and Environmental Justice

- B11-1 Comment noted. The CPUC is not involved in preparing the General Plan, which is subject to Senate Bill 1000. CEQA requirements work in parallel with Senate Bill 1000, Planning for Healthy Communities Act and the Environmental Justice Element of the Jurupa Valley General Plan (Leyva & Medina, 2016; Jurupa Valley, 2017). Consistent with Jurupa Valley's General Plan, this Subsequent EIR identifies and discloses environmental impacts of the Revised Project. Mitigation measures and alternatives are proposed to minimize detrimental effects to nature and communities that are in the Project impact area.
- B11-2 The concern regarding the Environmental Justice Element is noted. Part of the CEQA process involves disseminating the findings to the affected communities. Informational material was delivered to residents within the Revised Project Area during scoping for the Revised Project. The full Subsequent EIR was provided at local repositories. Additionally, public workshops were held on April 24 and 25, 2018 in the Revised Project area. The CPUC notices, scoping meeting, and workshops gave local residents an opportunity to be involved in the land use planning process, have their questions answered, submit comments on record, and learn how they can become engaged in the public decision-making process of the CPUC. For more information on the CPUC decision-making process refer to MR-4.
- The Subsequent EIR assesses the impacts of the entire affected community, including the vulnerable populations that would be affected by the Revised Project. The consistency with Jurupa Valley plans and policies is addressed in response to Jurupa Valley comment A15-7. Environmental Justice analysis is addressed in response A15-22.
- B11-3 The concern for the potential health effects from natural gas electricity generation that could occur if the No Project alternative is selected is noted. Under CEQA, the Subsequent EIR is required to analyze the No Project alternative. Although the CPUC has the option to select any of the alternatives, it should be noted that the No Project Alternative does not meet the Proposed Project objectives and Alternative 1 has been identified as the environmentally superior alternative.
- B11-4 The preference for Alternative 1 is noted. The comment will be included in the administrative record and considered by the California Public Utilities Commission during project deliberation.
- B11-5 Only the Revised Project elements are evaluated in this Subsequent EIR because they were not analyzed in the certified 2013 RTRP EIR. Thus, this EIR does not address undergrounding the transmission and distribution lines along the entire Proposed Project route. Refer to MR-3 for a description of the Revised Project

### 3 COMMENTS AND RESPONSES

elements and MR-2 for information about the adequacy of the certified 2013 RTRP EIR, and analysis of impacts within the Hidden Valley Wildlife Preserve.



### 3 COMMENTS AND RESPONSES

#### Comment Letter B12



*Greg Newton, Chairperson  
Robert Stockton, Vice  
Chairperson  
Tom Haughey, Secretary  
Betty Anderson, Director  
Terry Catlin, Director  
Jim W. Bowman, Director  
Jasmin Hall, Director  
J. Arnold Rodriguez, Director*

2151 S. Haven Avenue, Suite 202 • Ontario, CA 91761 • (909) 218-3230 *Curtis D. Paxton, General Manager/CEO*

May 17, 2018

Riverside Transmission Reliability Project  
717 Market Street, Suite 650  
San Francisco, CA 94103

RE: Comments to the Subsequent Environmental Impact Report dated April 2018 for the Southern California Edison's Riverside Transmission Reliability Project

Dear Sir/Madam:

The purpose of this letter is to provide comments to the Draft Subsequent Environmental Impact Report (SEIR) dated April 2018 prepared by the California Public Utilities Commission (CPUC) for the Southern California Edison's Riverside Transmission Reliability Project. The Chino Basin Desalter Authority (CDA) intends to construct a pipeline, portions of which are within similar alignment corridors as the Riverside Transmission Reliability Project within the City of Jurupa Valley. Given the proximity and similar construction schedules of our respective projects, the CDA requests mutual cooperative engagement with Southern California Edison, the City of Riverside, and the CPUC as both projects proceed through design and construction, for our agencies mutual benefit.

B12-1

The CDA is a Joint Exercise of Powers Agency, formed between eight public agencies including Jurupa Community Services District, the Santa Ana River Water Company, the Cities of Chino, Chino Hills, Norco and Ontario, Western Municipal Water District, and the Inland Empire Utilities Agency. The CDA purifies groundwater extracted from the lower Chino Basin and distributes the drinking water to its member agencies.

B12-2

One of CDA's major facilities is its Chino II Desalter located in the City of Jurupa Valley. This treatment plant produces drinking water that is delivered to several of its members agencies, including Jurupa Community Services District who, in turn, delivers the water to its customers in the Cities of Eastvale and Jurupa Valley. CDA can produce up to 20.5 million gallons per day (MGD) from the Chino II Desalter, approximately half of its total supply capability. As a local water supply source, continued safe operation of the Chino II Desalter is vital to the local community's drinking water supply reliability.

CDA has begun final design of a groundwater cleanup project called the South Archibald Plume (SAP) project which, when completed, will deliver groundwater with elevated trichloroethylene (TCE) levels to

B12-3

### 3 COMMENTS AND RESPONSES

May 17, 2018

the Chino II Desalter for treatment. The project is being implemented under a Stipulated Settlement and Cleanup and Abatement Order No. R8-2016-0016, issued by the California Regional Water Quality Control Board, Santa Ana Region, on September 23, 2016. The project includes construction of a well and approximately 15,000 lineal feet of 24-inch pipeline and 1,000 feet of 12-inch pipeline. The attached exhibit shows the proposed pipeline alignment in blue. CDA's pipeline design is expected to be completed October 2018, with construction beginning January 2019 and completed October 2019.

B12-3

From review of the CPUC's SEIR, it appears several of CDA's proposed pipeline segments are within alignment corridors that parallel or are in proximity to the SCE Riverside Transmission Reliability Project. Most notably, CDA's pipe segments located within Wineville Avenue, between Bellegrave Avenue and Cantu Galleano Ranch Road, and Bellegrave Avenue, from the I-15 Freeway to Wineville Avenue. CDA proposes to construct a 24-inch pressure pipeline within these street rights-of-way.

B12-4

CDA appreciates the opportunity to comment on the SEIR and looks forward to close cooperation between our respective projects. Please do not hesitate to contact me at (949) 557-8550 or [cmiller@hazenandsawyer.com](mailto:cmiller@hazenandsawyer.com).

Sincerely,



Cindy L. Miller, P.E.  
Program Manager, South Archibald Plume Project  
Chino Basin Desalter Authority

Enclosure: Pipeline Alignment Exhibit

Cc: Curtis D. Paxton, General Manager/CEO, CDA  
Shaun Stone, Inland Empire Utilities Agency  
Jesse Pompa, Inland Empire Utilities Agency  
Steve Loriso, City of Jurupa Valley



### 3 COMMENTS AND RESPONSES

May 17, 2018



### 3 COMMENTS AND RESPONSES

#### 3.3.12 Response to Letter B12: Miller, Cindy – Chino Basin Desalter Authority

B12-1 The CPUC recognizes Chino Basin Desalter Authority's (CDA) intent to construct a pipeline within similar alignment corridors as the RTRP transmission line well as the request for cooperation with SCE, the City of Riverside, and the CPUC is noted. The map attached to the comment letter indicates the pipeline would be constructed in Harrell Street, Wineville Avenue, and Bellegrave Avenue. The pipeline would be constructed in streets that would be used for the Revised Project Alternatives 1, 2, or 4. CPUC has consulted with the Jurupa Community Services District (JCSD) regarding existing and planned pipelines in the Revised Project area, including this project, and determined there is sufficient space in the roadway to construct an underground double-circuit transmission line and CDA's proposed pipeline (Williams, 2018).

B12-2 Comment noted.

B12-3 The South Archibald Plume project has been added to Chapter 5: Cumulative Impacts. Refer to response A12-2.

B12-4 CDA's proposal to build a pipeline with segments overlapping with the RTRP project area is noted. Refer to response B12-1 regarding the CPUC's communication with JCSD and adequate space for both projects.



### 3 COMMENTS AND RESPONSES

Comment Letter B13

#### CPUC Fire-Threat Maps and Fire-Safety Regulations Proceedings

From: Rick Bondar <[rickbondar@aol.com](mailto:rickbondar@aol.com)>  
Date: Mon, Jun 11, 2018 at 6:04 PM  
Subject: CPUC Fire-Threat Maps and Fire-Safety Regulations Proceedings  
To: [rita.wilke@panoramaenv.com](mailto:rita.wilke@panoramaenv.com)

Thanks Rita for overlaying the proposed RTRP alignment over the new CPUC Fire Hazard Map including the Hidden Valley Wildlife Area. Since the CPUC updated the Fire Hazard Map on Jan 18, 2018 we wonder if SCE did update the potential fire hazards in the 2013 RTRP EIR Hazards section of that document.

Do you know or could you please find out if they did? Since Panorama's DSEIR starts west of this potential fire hazard impact, where would we find any updates that SCE was supposed to make to the 2013 EIR that is east of your starting point. We only have the 2013 version and not the update that is supposed to address the new Jan 2018 Fire Hazard Map.

B13-1

We get 50-90 mph Santa Ana winds in that area traveling from the NE to the SW, in fact the River acts as a funnel concentrating the wind flow. So the power lines would be at the starting point of a major fire conflagration if the lines caused or exacerbated a fire at their proposed current location above ground.

B13-2

To be on the safe side I'd like to add this fire hazard/new CPUC Fire Hazard Map potential impact to be treated as a comment on the Draft Subsequent EIR if possible.

Thanks again.

Rick Bondar cell (951) 318-0600  
McCune & Associates, Inc.  
Mail: PO Box 1295, Corona, CA 92878  
Courier: 12080 Bellegrove Ave., Jurupa Valley-Mira Loma, CA 91752  
tel (951) 681-5100 fax (951) 681-5101

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### 3 COMMENTS AND RESPONSES



California Public Utilities Commission  
505 Van Ness Ave., San Francisco

**FOR IMMEDIATE RELEASE**

**PRESS RELEASE**

Media Contact: Terrie Prosper, 415.703.1366, [news@cpuc.ca.gov](mailto:news@cpuc.ca.gov)

#### **CPUC APPROVES STATEWIDE FIRE-THREAT MAP**

SAN FRANCISCO, Jan. 19, 2018 - The California Public Utilities Commission (CPUC) today approved a statewide Fire-Threat Map that will help with implementation of new fire prevention rules adopted last month and continue the CPUC's work in protecting public safety.

The map, approved by the CPUC's Safety and Enforcement Division following a public process, delineates areas in the state where there is an elevated risk and an extreme risk (including likelihood and potential impacts on people and property) from utility associated wildfires. The Fire-Threat Map helps prioritize fire hazard areas to allow for implementation of [new fire-safety regulations](#) adopted by the CPUC in December 2017.

Primary responsibility for the development of the Fire-Threat Map was delegated to a group of utility mapping experts, with oversight from a team of independent experts known as the Independent Review Team. The members of the Independent Review Team were selected by the California Department of Forestry and Fire Protection (CAL FIRE) and the work of the Independent Review Team was overseen by CAL FIRE. The development of the Fire-Threat Map includes input from many stakeholders, including investor-owned and publicly owned electric utilities, communications infrastructure providers, and local public safety agencies.

Going forward, each electric investor-owned utility must file an annual report, beginning October 31, 2018, that contains a fire-prevention plan containing specified information for its overhead electric facilities in the High Fire-Threat District. Also, increased vegetation management and new fire regulations apply starting no later than September 1, 2018, in Tier 3 and starting no later than June 30, 2019, in Zone 1 and Tier 2 of the High Fire-Threat District.



### 3 COMMENTS AND RESPONSES

The CPUC will hold a Fire Safety and Utility Infrastructure En Banc on January 31, 2018, to discuss fire threat in California and additional steps that can be taken to mitigate fire hazards to utility infrastructure. For more information, please visit [www.cpuc.ca.gov/2018FireEnBanc](http://www.cpuc.ca.gov/2018FireEnBanc).

For information on the CPUC's Fire Safety Rulemaking and Fire Maps, please visit <http://cpuc.ca.gov/general.aspx?id=6442454972>.

The CPUC regulates services and utilities, safeguards the environment, and assures Californians' access to safe and reliable utility infrastructure and services. For more information on the CPUC, please visit [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

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### 3 COMMENTS AND RESPONSES

#### 3.3.13

#### **Response to Letter B13: Bondar, Rick – McCune & Associates, Inc.**

B13-1

MR-6 provides information about fire hazards related to the RTRP, including a discussion of the CPUC's fire regulations. The certified 2013 RTRP EIR adequately analyzed fire impacts for the entire Proposed Project and mapping from CAL FIRE has not changed in the area since certification. There have been no changes in baseline conditions or engineering design of the transmission line; therefore, the Subsequent EIR does not include an analysis of fire impacts.

B13-2

The commenter's concern for potential fire hazards is noted. Fire prevention and management was discussed in the certified 2013 RTRP EIR. Fire hazard mitigation measure, MM HAZ-03: Fire Prevention and Management Plan, is described in Section 3.2.7: Hazards and Hazardous Materials of the certified 2013 RTRP EIR as follows:

"To further reduce the likelihood of fire incidences in the proposed RTRP area, RPU and SCE would implement MM HAZ-03, which would require development and enforcement of a Proposed Project-specific Fire Management Plan. Fire Safety standards established in the RTRP FIRE Management Plan would be followed relative to Proposed Project construction, and construction personnel would be trained to use proper fire prevention and management techniques. As a standard precautionary measure, power would be automatically removed from the line if conductor failure were to occur. Lightning protection would also be provided by overhead groundwires along the line. Prior to construction, SCE would also coordinate with the Riverside County Fire Department to ensure that construction activities and associated lane closures would not hinder firefighting response pathways or delay response time."

When developing the Proposed Project-specific Fire Management Plan, SCE would consider and implement all applicable fire safety regulations. The impact would remain less than significant with mitigation required by the certified 2013 RTRP EIR. Refer to MR-6 for a discussion of the CPUC's enhanced fire safety requirements.



### 3 COMMENTS AND RESPONSES

Comment Letter B14

#### Fwd: CPUC ADOPTS NEW FIRE-SAFETY REGULATIONS Dec 14, 2017 press release with links to supporting docs

From: **Rick Bondar** <rickbondar@aol.com>  
Date: Sun, Jun 24, 2018 at 11:43 AM  
Subject: CPUC ADOPTS NEW FIRE-SAFETY REGULATIONS Dec 14, 2017 press release with links to supporting docs  
To: rita.wilke@panoramaenv.com  
Cc: jensen.uchida@cpuc.ca.gov

Rita, We believe that as of Dec 14, 2017 the CPUC required SCE to: (press release with links attached)

- Prioritize correction of safety hazards based, in part, on whether the safety hazard is located in the High Fire-Threat District.
- Correct non-immediate fire risks in Tier 2 of the High Fire-Threat District within 12 months, and in Tier 3 within 6 months.
- Maintain increased clearances between vegetation and power lines throughout the High Fire-Threat District.
- Maintain more stringent wire-to-wire clearances for new and reconstructed facilities in Tier 3.
- Conduct annual patrol inspections of their overhead distribution facilities in rural areas of Tier 2 and Tier 3.
- Prepare a fire-prevention plan annually if they have overhead facilities in the High Fire-Threat District.

B14-1

SCE has addressed none of these new applicable CPUC Fire-Threat regulations in the updated 2013 RTRP EIR.

In addition we believe that SCE should provide ground level simulations of what the proposed RTRP Utility Corridor and Access Roads will look like, particularly through the Hidden Valley Wildlife Area. Will there will be a clear cut Corridor of X' in the 100' ROW?

B14-2

Thank you as always for your consideration.

Rick Bondar cell (951) 318-0600  
McCune & Associates, Inc.  
Mail: PO Box 1295, Corona, CA 92878  
Courier: 12080 Bellegrave Ave., Jurupa Valley-Mira Loma, CA 91752  
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CPUC Adopts New Fire Safety Regulations 121417.pdf

### 3 COMMENTS AND RESPONSES



California Public Utilities Commission  
505 Van Ness Ave., San Francisco

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**FOR IMMEDIATE RELEASE**

Media Contact: Terrie Prosper, 415.703.1366, [news@cpuc.ca.gov](mailto:news@cpuc.ca.gov)

**PRESS RELEASE**

Docket #: R.15-05-006

### **CPUC ADOPTS NEW FIRE-SAFETY REGULATIONS**

SAN FRANCISCO, Dec. 14, 2017 - The California Public Utilities Commission (CPUC) today continued its work protecting public safety by adopting new fire-safety regulations. Today's decision adopts a High Fire-Threat District that consists of three areas:

- Tier 1 High Hazard Zones on the U.S. Forest Service-California Department of Forestry and Fire Protection (CAL FIRE) joint map of Tree Mortality High Hazard Zones
- Tier 2 of the CPUC Fire-Threat Map where there is an elevated risk for utility-associated wildfires
- Tier 3 of the CPUC Fire-Threat Map where there is an extreme risk for utility associated wildfires

A final draft of the CPUC Fire-Threat Map was reviewed by a team of independent experts led by CAL FIRE and is scheduled to come before the CPUC for approval in early 2018.

"This new policy includes significant new fire prevention rules for utility poles and wires, including major new rules for vegetation management," said CPUC President Michael Picker, the Commissioner assigned to the proceeding. "The map includes a broader definition of fire threat and also shows how dramatically climate impacts are increasing fire risks - land that is covered in the elevated, high and tree mortality fire hazard areas has grown from 31,000 square miles to 70,000 square miles. That's 44 percent of California's total land area."

The fire-safety regulations adopted today require electric utilities to:

- Prioritize correction of safety hazards based, in part, on whether the safety hazard is located in the High Fire-Threat District.
- Correct non-immediate fire risks in Tier 2 of the High Fire-Threat District within 12 months, and in Tier 3 within 6 months.
- Maintain increased clearances between vegetation and power lines throughout the



### 3 COMMENTS AND RESPONSES

High Fire-Threat District.

- Maintain more stringent wire-to-wire clearances for new and reconstructed facilities in Tier 3.
- Conduct annual patrol inspections of their overhead distribution facilities in rural areas of Tier 2 and Tier 3.
- Prepare a fire-prevention plan annually if they have overhead facilities in the High Fire-Threat District.

Further, electric utilities may disconnect service to customers who refuse to provide access to their property for the removal of trees that pose an immediate threat for contacting a power line.

“The ever growing threat of climate change and the wildfires in Northern and Southern California underscore how extremely vigilant we need to be combating the threat of wildfire,” said Commissioner Clifford Rechtschaffen. “These regulations are a very important step, but we also need to continually evaluate whether our wildfire safety practices are enough.”

The fire-safety regulations adopted today also require communications infrastructure providers to conduct patrol and detailed inspections of their overhead facilities at specified minimum frequencies in Tier 2 and Tier 3.

Finally, the CPUC’s Safety and Enforcement Division is instructed to confer with CAL FIRE regarding development of a statewide fire-wind map for the purpose of establishing fire-wind-load regulations for utility infrastructure.

The proposal voted on is available at

<http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M200/K638/200638039.PDF>.

The CPUC regulates services and utilities, safeguards the environment, and assures Californians’ access to safe and reliable utility infrastructure and services. For more information on the CPUC, please visit [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

####



### 3 COMMENTS AND RESPONSES

#### 3.3.14

#### **Response to Letter B14: Bondar, Rick – McCune & Associates, Inc.**

B14-1

The comment regarding the CPUC Fire-Threat regulations is noted. The CPUC prepared the Initial Study Checklist to identify changes in baseline conditions to define the scope of the Subsequent EIR. The Initial Study Checklist identified that the fire impacts of the Revised Project would not be greater than the impact determined in the certified 2013 RTRP EIR; therefore, these issues are not addressed in the Subsequent EIR. SCE would be required to comply with the new Fire-Threat Regulations. Compliance with these new Fire-Threat regulations would not result in any new potentially significant impacts in the Hidden Valley Wildlife Preserve. In addition, the certified 2013 RTRP EIR MM HAZ-3 requires that a fire plan be prepared and implemented during construction; refer to response B13-2. The fire plan is required to include all applicable fire regulations and laws. The new CPUC Fire-Threat regulations would be included in the fire plan. Refer to MR-6 for further information regarding fire hazards.

B14-2

The comment requests ground-level simulations of the Proposed Project transmission line alignment through the Hidden Valley Wildlife Preserve. The CPUC analyzed components of the Proposed Project that have changed since the certification of the 2013 RTRP EIR. SCE has not proposed changes to the transmission line south of the Santa Ana River and there have been no changes in baseline conditions along the transmission line route. Refer to Section 3.2.1: Aesthetics of the certified 2013 RTRP EIR for photo simulations south of the Santa Ana River. Access roads would be maintained for access throughout the life of the project. Refer to Section 2.6: Operation and Maintenance for a description of access roads following construction. SCE would implement vegetation management practices within the right-of-way to comply with fire safety regulations as identified in Section 2.6.1: Fire Protection of the certified 2013 RTRP EIR. Refer to MR-3 for further information of the scope of the Subsequent EIR.



### 3 COMMENTS AND RESPONSES

#### Riverside County Parks request for comments attached - RTRP Utility Corridor Conversion creating permanent damage to Hidden Valley Wildlife Area, Hole Lake & Limonite Meadows...

Rick Bondar <rickbondar@aol.com>  
To: jensen.uchida@cpuc.ca.gov  
Cc: rita.wilke@panoramaenv.com

Thu, Aug 30, 2018 at 4:52 PM

Jensen, Attached is River County Parks (RivCoParks) March 23, 2018 request for comments letter regarding a land conversion for the RTRP. The request letter directs responses to Power Engineers, a consultant that works for SCE/RPU who did the original 2012-13 RTRP EIR for RPU. We are only aware of one response from RivCoParks to the City of Jurupa Valley's attorneys, both letters attached. Neither we, nor the Endangered Habitats League (letter attached) or others that we know of, have received a response in the 6 months since the request for comments and responses occurred.

The attached RivCoParks letter to Jurupa Valley's attorney gives us the impression that they believe that the "Eastern" portion of the RTRP EIR was certified in 2013 and is final and irreversible. B15-1

However, We've seen the Administrative Law Judge (ALJ) for the CPUC remove and replace Riverside as the lead agency for the **entire** EIR, and require the current Subsequent EIR that is being reviewed. Is this thinking correct? B15-2

We believe that if it's determined that any actions taken by RivCoParks did not have Riverside County Board of Supervisor's or the National Park Service approval, and they require additional review, and/or the ALJ/CPUC finds that the Eastern portion of the EIR was not properly updated to address the new 2018 CPUC Fire-Threat Map and regulations as required, that the ALJ has the authority to require revisiting significant portions of the Eastern EIR. Is this thinking correct? B15-3

**"The 230kv transmission line would degrade the scenic quality of the Santa Ana River corridor; this impact would result in a permanent effect to the users' experience of the Santa Ana River Regional Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park..."** (excerpt from 2012-13 RTRP EIR Executive Summary attached) B15-4

We believe that SCE's and RPU's failure to address the new 2018 CPUC Fire-Threat Map and regulations in the updated SDEIR will cause the CPUC to require a new review. There is NOTHING mentioned in the EIR or SDEIR, and Panorama Environmental has told us that it's SCE's and RPU's responsibility to address the Fire Threat shown in the new CPUC map. Cal Fire says that they were not contacted for input, and we've found none from Riverside City Fire. Miles of the RTRP in Hidden Valley and Norco are in a **Tier 2 Elevated Fire Zone** (bottom of page). The CPUC requires a **Fire & Vegetation Management plan that will cause a significant Utility Corridor and Access Roads to be CLEAR CUT and maintained through the Hidden Valley Wildlife Area and Norco**. Detailed maps and photo simulations, which Riverside County Parks says that they NEVER RECEIVED, will be required. WHAT exactly is the RTRP proposing in the Hidden Valley Wildlife Area? What will it look like? **What will the National Park Service, Cal Dept of Parks and Recreation, (CADPR-OGALS), Environmental Groups, and the public's reaction be if the Utility Corridor below is being agreed to by RivCoParks without input and review?** B15-5

### 3 COMMENTS AND RESPONSES



Thank you as always for your consideration.

Rick Bondar cell (951) 318-0600  
McCune & Associates, Inc.  
Mail: PO Box 1295, Corona, CA 92878  
Courier: 12080 Bellegrave Ave., Jurupa Valley-Mira Loma, CA 91752  
tel (951) 681-5100 fax (951) 681-5101

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**7 attachments**

### 3 COMMENTS AND RESPONSES



#### Riverside County Regional Park and Open-Space District

Scott Bangle, Parks Director/General Manager | Kyle Brown, Assistant Director

March 23, 2018

##### REQUEST FOR PUBLIC COMMENT

##### REGARDING HIDDEN VALLEY WILDLIFE AREA BOUNDARY CHANGE

The Riverside Transmission Reliability Project (RTRP) is a high-voltage utility project jointly proposed by Southern California Edison (SCE) and Riverside Public Utilities (RPU) currently undergoing review by the California Public Utilities Commission (CPUC). The Project as proposed would consist of approximately eight (8) miles of overhead and approximately two (2) miles of underground 230 kV transmission line, as well as 69 kV subtransmission lines and other facility upgrades.

\* The RTRP would cross portions of the Hidden Valley Wildlife Area (HVWA), managed by the Riverside County Regional Park and Open Space District (County Parks), on the south side of the Santa Ana River in several locations. New access roads, steel lattice and pole structures, and a 100-foot right-of-way would be established within the HVWA. The affected HVWA lands were funded, in part, under the Land and Water Conservation Fund (LWCF), a federal program that provides funds to local and other agencies for the acquisition of public recreation land. Conversion of these lands to non-recreation uses (e.g. utility infrastructure) requires review and approval by the National Park Service (NPS), and the acquisition of "replacement" lands to offset Project impacts. Submittal of a Project Description-Environmental Screening Form by the sponsoring agency (County Parks) and appropriate National Environmental Policy Act (NEPA) environmental review is required by the NPS as part of this Conversion Area and Replacement proposal review process. \*

The RTRP would affect approximately 10.8 acres of HVWA LWCF funded lands in three (3) general locations (see Figure 1). These "Conversion Areas" would be permanently utilized for electrical transmission infrastructure. A similarly sized contiguous portion of a parcel (#153240030-6), owned by the City of Riverside and Riverside County and located near the park's entrance road north of Arlington Avenue, would be incorporated into the HVWA to compensate for the loss of recreational function within the park, expanding its area by approximately 10.6 acres. No zone change is proposed as a result of the Conversion Area and Replacement proposal.

During project siting and as detailed in the project's (Draft and Final) Environmental Impact Report (EIR) developed in accordance with the California Environmental Quality

4600 Crestmore Road • Jurupa Valley, CA • 92509 • (951) 955-4310 • FAX (951) 955-4305

Book your next reservation at: [www.RivCoParks.org](http://www.RivCoParks.org)



March 23, 2018

Act (CEQA), impacts on LWCF lands and other resources were avoided to the extent possible, and an extensive public involvement process was included as part of project planning. The NEPA environmental review conducted by the NPS for Conversion Area and Replacement proposal will be available for public review when it is completed. More details regarding project planning and previous public involvement activities are available on the CPUC's website at: <http://www.cpuc.ca.gov/Environment/info/panoramaenw/RTRP/>

County Parks is encouraging interested and affected agencies and members of the public to provide input on the proposed conversion, replacement and expansion of the HVWA by April 23, 2018. Comments may be submitted by the following methods:

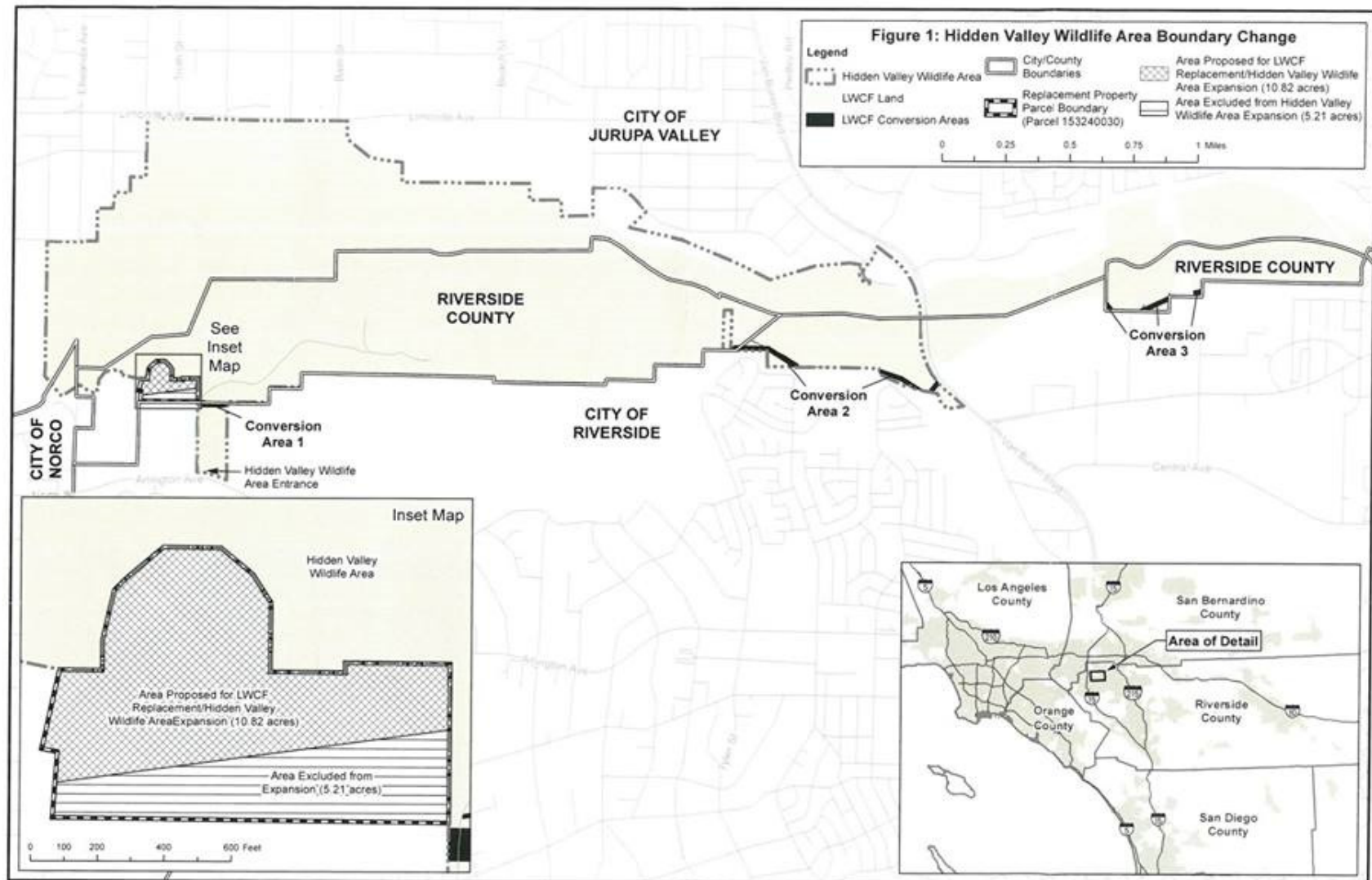


By email to: [RTRP-LWCF@powereng.com](mailto:RTRP-LWCF@powereng.com)

By mail to: Riverside County Regional Park and Open Space District - c/o Darrin Gilbert, POWER Engineers, 731 East Ball Road, Anaheim, CA 92805



### 3 COMMENTS AND RESPONSES





### 3 COMMENTS AND RESPONSES

Significant Impact	Description of Mitigation Measure
The 230 kV transmission line would degrade the scenic quality of the Santa Ana River corridor, and this impact would result in a permanent effect to the users' experience of the Santa Ana River National Recreation Trail, portions of the Santa Ana River Regional Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park. This would also impact sensitive viewers traveling Van Buren Boulevard (a City-designated Parkway and Gateway), Santa Ana River Trail users, and residences in the Bradford Street, Julian Drive, Auld Street, Viceroy Avenue, and 68 <sup>th</sup> Street neighborhoods.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Agricultural and Forestry Resources</b> Farmland designated as Prime Farmland (0.7 acre), Unique Farmland (0.7 acre), and Farmland of Statewide Importance (0.1 acre) would be permanently converted to non-agricultural uses as a result of permanent 230 kV structure placement.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Air Quality and Greenhouse Gas Emissions</b> <u>Air Quality:</u> The combined effect of construction emissions from the Proposed Project and other projects' construction and/or operating emissions would be cumulatively considerable at various times during construction. <u>Greenhouse Gas Emissions:</u> no significant unavoidable impact.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b><del>Hazards</del>Hydrology and <del>Hazardous Materials</del>Water Quality</b> The 60 kV subtransmission line structures as currently designed within the vicinity of the airport would likely exceed the allowable heights in Zones A, B4, B2, and C. These structures would be an incompatible land use if the heights of the structures were to pose a hazard to air navigation near the airport. As such, the Proposed Project would not be consistent with the adopted RCALUC. This inconsistency would therefore result in a significant impact. The impacts to water resources resulting from construction and operation of the Proposed Project, while less than significant, contribute to a cumulatively significant effect on the watershed in which they occur when added to the impacts of past and contemporary projects.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Land Use and Planning</b> The 60 kV subtransmission line structures as currently designed within the vicinity of the airport would likely exceed the allowable heights in Zones A, B4, B2, and C. These structures would be an incompatible land use if the heights of the structures were to pose a hazard to air navigation near the airport. As such, the Proposed Project would not be consistent with the adopted RCALUC. This inconsistency would therefore result in a significant impact.	Unavoidable Impact – No mitigation measure <del>proposed</del>

#### ES-7.4ES.8.1 CUMULATIVE IMPACTS

A review of the Proposed Project relative to other past, current, and reasonably foreseeable projects was conducted to evaluate the potential for cumulatively considerable impacts. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past, current, and probable future projects. The combined effect of construction emissions from the Proposed Project and other projects' construction and/or operating emissions is likely to result in cumulatively considerable agricultural, air quality, and hydrology and water quality impacts at various times as a result of construction and operation of the Proposed Project.

### 3 COMMENTS AND RESPONSES



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April 23, 2018

VIA ELECTRONIC MAIL & U. S. CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Riverside County Regional Park and Open-Space District  
C/O Darrin Gilbert  
POWER Engineers  
731 East Ball Road  
Anaheim, California 92805  
[RTRP-LWCF@powereng.com](mailto:RTRP-LWCF@powereng.com)

Riverside County Regional Park and Open-Space District  
Attn: Scott Bangles, Park Director/General Manager  
4600 Crestmore Road  
Jurupa Valley, California 92509

Re: ***The City of Jurupa Valley's Comments in Response to Riverside County Regional Park and Open-Space District's March 23, 2018 Request for Public Comment re: Hidden Valley Wildlife Boundary Change***

Dear Mr. Gilbert and Mr. Bangles:

The City of Jurupa Valley (the "City") has reviewed and submits the below comments in response to the Riverside County Regional Park and Open-Space District's ("District") March 23, 2018 Request for Public Comment on the proposed conversion, replacement, and boundary changes to the Hidden Valley Wildlife Area ("HVWA") in conjunction with the Riverside Transmission Reliability Project ("RTRP").<sup>1</sup>

The RTRP would affect approximately 10.8 acres of HVWA land funded by the Land and Water Conservation Fund ("LWCF"). The LWCF was established by Congress with the specific goal of safeguarding natural areas, water resources, cultural heritage, and recreational opportunities. The RTRP, however, seeks to construct massive 230 kV transmission lines and

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<sup>1</sup> The District's proposal to alter the boundaries of and convert lands within the HVWA is referred to as the "Project."

### 3 COMMENTS AND RESPONSES

Riverside County Regional Park and Open-  
Space District  
April 23, 2018

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facilities, including steel lattice and pole structures up to 170-feet in height, that will traverse the HVWA.

Consequently, the RTRP and the Project seek to place massive, above-ground electric utility structures on land that has been specifically acquired and designated for open space and recreational uses. For the reasons demonstrated below, the District should fully and independently analyze the impacts of and alternatives to the Project to address the Project's numerous deficiencies and the public's significant concerns:

- The District must independently analyze undergrounding the RTRP in the HVWA and cannot rely on the obsolete 2011 Draft Environmental Impact Report ("EIR") and 2013 Final EIR because those documents incorrectly presume that undergrounding is infeasible when, in fact, the California Public Utilities Commission and the RTRP applicant have conceded undergrounding is both feasible and the environmentally superior alternative for the RTRP.
- The District must fully and independently analyze the contemplated replacement of LWCF lands prior to making a decision on the Project to ensure that the lost LWCF land is adequately compensated by and replaced with land that is comparable in use, value, and location.
- The LWCF Program specifically authorizes and provides funding for undergrounding options that the District must explore and analyze.
- The District has not demonstrated that it has complied with the requirements of the LWCF Act, specifically the requirements under 36 CFR § 59.3, for approval of the Project.
- The Project is inconsistent with state and federal land use policies.
- The District must comply with the scoping requirements for the Project's Environmental Screening Form by meaningfully engaging the public and local government, in the scoping process.
- The District cannot abdicate the District's independent review and decision-making obligations to the RTRP applicant through its consultant, POWER Engineers.

**I. The District Cannot Ignore Its Legally-Required Duties of Fully Analyzing the Project By Relying on the Outdated 2011 Draft EIR and 2013 Final EIR.**

The District cannot rely on the 2011 Draft EIR and 2013 Final EIR for an analysis of the Project's impacts on LWCF lands because those environmental reports are obsolete and do not

RICHARDS WATSON GERSHON



### 3 COMMENTS AND RESPONSES

Riverside County Regional Park and Open-  
Space District  
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analyze impacts of the Project and the RTRP, including feasible alternatives, according to the drastically-altered baseline conditions and presumptions that are now presented.

**A. The District Must Independently Analyze the Feasibility, Impacts, and Alternatives of Undergrounding All or a Portion of the RTRP in the HVWA.**

Because the analysis of and conclusions on the viability of undergrounding in the 2011 and 2013 EIRs have been contradicted by and superseded in the 2018 Subsequent Draft EIR, the District must independently analyze the feasibility, impacts, and alternatives of undergrounding for the HVWA. Indeed, the RTRP applicant and the Subsequent Draft EIR now both concede, contrary to the 2011 and 2013 EIRs, that undergrounding significant portions of the RTRP is not only feasible but also the preferred and environmentally superior option among all other alternatives for the RTRP. This constitutes a major change in the baseline presumptions and conditions for the RTRP and the Project. Thus, the District cannot now rely on the outdated analysis and conclusions of the 2011 and 2013 EIRs and must independently review the impacts, feasibility, and alternatives of undergrounding the RTRP alignment that traverses through the HVWA.

The California Environmental Quality Act ("CEQA") requires subsequent environmental review, including a subsequent EIR, when new information shows that mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant impacts:

"New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete . . . shows any of the following: . . . (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project."

(Cal. Code Regs., tit. 14, § 15162(3).) Likewise, a public agency cannot use an EIR from an earlier project for a later project if the EIR would not adequately describe alternatives and mitigation measures related to each significant effect. (CEQA Guidelines § 15153.)

Here, new information of substantial importance -- the feasibility of, official preference for, and environmental superiority of undergrounding portions of the RTRP line -- has been presented, requiring that the District analyze undergrounding for the HVWA. Specifically, the 2018 Subsequent Draft EIR confirms that undergrounding portions of the 230 kV transmission line is both feasible and the preferred alternative because undergrounding "would avoid significant aesthetic impacts from riser poles and overhead transmission lines between Cantu Galleano Ranch Road and Limonite Avenue." (Draft Subsequent EIR ES-12, ES-13, ES-20.) This new information starkly contrasts with the outdated conclusions and analysis in the 2011 and

RICHARDS WATSON GERSHON



### 3 COMMENTS AND RESPONSES

Riverside County Regional Park and Open-  
Space District  
April 23, 2018

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2013 EIRs, which rejected undergrounding even limited portions of the RTRP line as infeasible: “In all, then, undergrounding even a limited portion of the Project as a means of potential mitigation is both infeasible and environmentally more damaging than the currently proposed Project’s overhead lines.” (Draft EIR 3-54; Final EIR 3-41 [Volume II Revised Draft EIR].) Indeed, the Final EIR specifically and incorrectly concluded that “undergrounding even limited sections of the Project’s 230 kV transmission line as a means of potential mitigation is infeasible.” (FEIR 3-322 [Volume II Revised Draft EIR].) Because the Subsequent Draft EIR confirms that undergrounding portions of the RTRP’s 230 kV transmission line is feasible and the environmentally superior alternative, new information has been presented regarding the viability of undergrounding that the District must now analyze for the HVWA. Indeed, because the 2011 and 2013 EIRs incorrectly rejected undergrounding even a portion of the RTRP as infeasible, the District cannot rely on the obsolete 2011 and 2013 EIRs in evaluating undergrounding for the HVWA.

The District must analyze undergrounding for the HVWA and the Project because undergrounding is now not only feasible and environmentally superior but also would reduce significant aesthetic impacts that would otherwise be inmitigable. The 2011 Draft EIR confirms that the visual impacts of massive overhead 230 kV transmission lines would be greatest in the HVWA and LWCF areas: “where visual impacts of the overhead line are greatest (the Santa Ana River corridor, including the Santa Ana River Trail and Hidden Valley Wildlife/LWCF areas).” (DEIR 6-30.) The Draft EIR concluded that the significant aesthetic impacts of overhead transmission lines in the HVWA would be inmitigable: “[the] Hidden Valley Wildlife area to the west . . . impacts on views from this area would be potentially significant and inmitigable, as they would degrade the visual character and quality of the interface of residential, recreational, and the Santa Ana River’s trails and open space uses.” (Draft EIR 3-54.) Likewise, the Final EIR confirms that “[s]ome visual impacts are significant, unavoidable and inmitigable” regarding the HVWA. (Final EIR 2-201.) Undergrounding, however, has been demonstrated to be a viable mitigation measure and would provide the greatest aesthetic benefit, reducing what were significant and previously thought-to-be inmitigable impacts, by removing overhead utility lines: “The aesthetic appeal to a vista without the interruption of utility lines is the most recurring benefit stated regarding underground transmission lines.” (DEIR 6-30 [emphasis added].) Because undergrounding portions of the RTRP in the HVWA would drastically reduce significant aesthetic impacts of the RTRP and the Project, the District must analyze the impacts, feasibility, and alternatives for undergrounding in the HVWA. To accurately depict the aesthetics analysis of undergrounding, the District also must include detailed view simulations regarding undergrounding and its alternatives in the HVWA.

In addition to the requirements for complying with CEQA, the District also must analyze the impacts and feasibility of undergrounding pursuant to the District’s National Environmental Policy Act (“NEPA”) obligations. Specifically, in order to obtain Project approval from the National Park Service (“NPS”), the District must submit a Project Description-Environmental

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### 3 COMMENTS AND RESPONSES

Screening Form and appropriate NEPA review as required by the NPS as part of the Conversion Area and Replacement proposal review process. Indeed, under 42 U.S.C.A § 4332, NEPA requires that the District must provide a detailed statement the environmental impact of the proposed action; any adverse environmental effects which cannot be avoided should the proposal be implemented; alternatives to the proposed action; and any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. To fully analyze the Project's impacts, unavoidable adverse environmental effects, and alternatives under the District's NEPA obligations, the District must include an analysis of the impacts, feasibility, and alternatives for undergrounding in the HVWA.

**B. The District Must Fully and Independently Analyze the Contemplated Replacement of LWCF Lands Prior to Making a Decision on the Project.**

Because neither the 2011 Draft EIR nor the 2013 Final EIR analyzes the contemplated replacement of LWCF lands, the District must analyze the impacts of and alternatives for any loss and replacement of LWCF lands. Specifically, the District proposes to substitute a "similarly sized contiguous portion of a parcel (#153240030-6) . . . to compensate for the loss of recreational function within the park." (District's Request for Public Comment.) The 2011 Draft EIR and 2013 Final EIR, however, do not present any analysis of this proposed land exchange. Neither environmental document analyzes the specific characteristics, use, or value of the LWCF land that will be lost with the specific characteristics, use, and value of the contemplated parcel with which the LWCF land will be replaced. Without such an analysis and comparison, including detailed view simulations and use comparisons, the District cannot demonstrate and the public cannot be assured that the loss of any LWCF land will be adequately compensated with the land from parcel #153240030-6. Indeed, merely accepting the District's proposal at this stage threatens to exchange beautiful open space and recreation land for pennies on the dollar. Furthermore, the District has not analyzed any of the alternatives to replacing LWCF lands with parcel #153240030-6. Without such an analysis, the District cannot demonstrate and the public cannot be assured that other parcels of land are more viable alternatives than parcel #153240030-6 for replacing LWCF land.

**II. The LWCF Program Specifically Authorizes Undergrounding Options that the District Must Explore and Analyze.**

The LWCF State Assistance Program Manual specifically supports and facilitates the undergrounding of utilities in LWCF lands. Specifically, "[t]he State may allow underground utility easements within a Section 6(f)(3) area as long as the easement site is restored to its pre-existing condition to ensure the continuation of public outdoor recreational use of the easement area." (LWCF State Assistance Program Manual 8-12; see also DEIR 3-309, 3-310; FEIR 3-322 [Volume II].) Significantly, LWCF financial assistance is available for the specific purpose of undergrounding transmission lines: "



### 3 COMMENTS AND RESPONSES

"LWCF financial assistance may be available for most types of facilities needed for the use and enjoyment of outdoor recreation areas. . . . The beautification of an outdoor recreation area is eligible provided it is not part of a regular maintenance program and the site's condition is not due to inadequate maintenance. This includes: landscaping to provide a more attractive environment; the clearing or restoration of areas that have been damaged by natural disasters; the screening, removal, relocation or burial of overhead power lines; and the dredging and restoration of publicly owned recreation lakes or boat basins and measures necessary to mitigate negative environmental impacts."

(LWCF State Assistance Program Manual 3-7 through 3-14 [emphasis added].) Because the LWCF program specifically authorizes and sets aside financial assistance for undergrounding utility lines, the District must fully and independently analyze undergrounding, including its impacts and alternatives, in the HVWA.

**III. The District Has Not Demonstrated That It Has Satisfied the Requirements of the LWCF Act for Approval of the Project.**

Under the LWCF Act, the Project must comply with the requirements of 36 CFR § 59.3, which specifies several "Prerequisites for Conversion Approval." Based on the current record, however, the District has not demonstrated and cannot begin to demonstrate such compliance without first undertaking further, independent review of the Project.

The LWCF Act states that the NPS will consider conversion requests only if the following nine prerequisites have been met:

- "(1) All practical alternatives to the proposed conversion have been evaluated.
- (2) The fair market value of the property to be converted has been established and the property proposed for substitution is of at least equal fair market value as established by an approved appraisal . . .
- (3) The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted. . . .
- (4) The property proposed for substitution meets the eligibility requirements for LWCF assisted acquisition. The replacement property must constitute or be part of a viable recreation area. . . .
- (5) In the case of assisted sites which are partially rather than wholly converted, the impact of the converted portion on the remainder shall be considered. If

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### 3 COMMENTS AND RESPONSES

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such a conversion is approved, the unconverted area must remain recreationally viable or be replaced as well.

(6) All necessary coordination with other Federal agencies has been satisfactorily accomplished including, for example, compliance with section 4(f) of the Department of Transportation Act of 1966.

(7) The guidelines for environmental evaluation have been satisfactorily completed and considered by NPS during its review of the proposed 6(f)(3) action. . . .

(8) State intergovernmental clearinghouse review procedures have been adhered to if the proposed conversion and substitution constitute significant changes to the original Land and Water Conservation Fund project.

(9) The proposed conversion and substitution are in accord with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or equivalent recreation plans.”

(36 C.F.R. § 59.3(b)(1)-(9).)

Here, the District has not demonstrated compliance with the foregoing requirements of the LWCF Act. Contrary to the requirements of subsection (b)(1) and as also demonstrated above, the District has not evaluated all practical alternatives. The District has not analyzed the impacts, viability, and alternatives for undergrounding all or a portion of the RTRP that will run through the HVWA in light of the new information confirming the viability and environmental superiority of undergrounding. Likewise, the District has not analyzed alternatives to replacing existing LWCF lands, such as a change in the RTRP’s route that would avoid the HVWA altogether or substantially reduce the RTRP’s intrusion into the HVWA. Finally, the District has not evaluated alternatives to replacing LWCF land with parcel #153240030-6 as opposed to using any other parcels to replace the LWCF land. Accordingly, the District has not demonstrated that the proposed land conversion is equitable and the most preferred route in terms of the replacement and lost land’s value, use, aesthetics, location, and other characteristics.

Second, contrary to the requirements of subsection (b)(2), the District has not evaluated the fair market value of the LWCF land it proposes to convert and has not evaluated the fair market value of parcel #153240030-6. The District has not set forth any appraisals or studies regarding the fair market value of these lands. Accordingly, the District cannot demonstrate the conversion satisfies the fair market value requirements of the LWCF Act.

Third, the District has not demonstrated that the proposed replacement property is of reasonably equivalent usefulness and location as the LWCF land that is being converted. The

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District has not demonstrated that parcel #153240030-6 has a reasonably equivalent usefulness and location as the proposed LWCF land to be converted. Indeed, such an equivalence demonstration may be difficult, if not impossible, because the LWCF land that the District proposes to convert spans seven portions of the HVWA, and the loss of this large tract of the HVWA, its usefulness, and its particular location cannot be adequately offset by the land in parcel #153240030-6 or any other land. Indeed, the City doubts that the loss of open space and recreation land in the HVWA can be adequately offset by the replacement land. The HVWA provides trails and scenic vistas as part of its primary recreational function: “[the] Hidden Valley Wildlife Area...has access to 25 miles of hiking and equestrian trails. Visitors can get away from the noise and lights of the city and enjoy the beautiful views of the river or the bluff overlooking the Santa Ana River bottom.” Replacing a massive tract of the HVWA’s recreational functions with a parcel that is located in a small portion of the southwestern portion of the overall Hidden Valley Wildlife Area does not replace the value of land lost for the use of trails offering views of scenic vistas (primarily the Santa Ana River that is a linear scenic feature). The District has failed to make any showing that the proposed Project meets the equivalent usefulness and location criteria, and in fact, the District cannot.

Fourth, there is no indication that the District has met the eligibility requirements for converting parcel #153240030-6. Because the District proposes to acquire parcel #153240030-6 -- land that is currently in public ownership -- from the City of Riverside and Riverside County, the District must demonstrate that: (1) the land was not acquired by the sponsor or selling agency for recreation; (2) the land has not been dedicated or managed for recreational purposes while in public ownership; (3) no federal assistance was provided in the original acquisition; and (4) required payments for the land have been made. The District has not made any of the foregoing findings and cannot proceed with the Project absent such a showing.

Fifth, the LWCF Act requires that the District consider the impact of the converted portion of LWCF land on the remaining areas of the HVWA; the District has not made and cannot make such findings because the impacts from placing massive overhead transmission lines and facilities will be significant and irreparable to the entire HVWA. The RTRP and the Project seek to place massive overhead utility lines and structures -- up to 170-feet in height -- throughout areas in the HVWA that have been specifically designated for open space and recreation use. These massive structures will not only prevent the specific areas they are located in from being used for open space or recreation but also will negatively impact the open space and recreational uses of the entire HVWA as these facilities will be incredibly obtrusive and visually jarring from throughout the HVWA. The District must fully evaluate the Project’s and the RTRP’s impacts on the rest of the HVWA and do so by using visual impact analyses, visual simulations of the proposed height and location of transmission facilities in the HVWA, and visual simulations of the viewpoints from the rest of the HVWA according to how they would be altered by the proposed Project and RTRP.

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Finally, the District has not demonstrated that the Project satisfies all necessary coordination requirements with other federal agencies, such as compliance with section 4(f) of the Department of Transportation Act of 1966; that the guidelines for environmental evaluation have been satisfactorily completed and considered; that state intergovernmental clearinghouse review procedures have been adhered to; and that the proposed conversion and substitution are in accord with the Statewide Comprehensive Outdoor Recreation Plan and/or equivalent recreation plans.

#### IV. The Proposed Project Is Inconsistent with State and Federal Land Use Policies.

The Project does not comply with state and federal land use policies because it eliminates designated open space and recreational land uses, while imposing severe and widespread aesthetic impacts that impair the public's scenic and recreational resources.

California's Recreation Policy 4, (2005) requires that recreation areas be planned and managed to avoid damage to natural resources while providing recreational opportunities: "Recreation areas should be planned and carefully managed to provide optimum recreation opportunities without damaging significant natural or cultural resources. Management actions should strive to correct problems that have the potential to damage sensitive areas and degrade resources." Likewise, the LWCF program requires that LWCF lands serve a variety of public outdoor recreation activities, including walking and sightseeing: "Areas acquired may serve a wide variety of public outdoor recreation activities including but not limited to: walking and driving for pleasure, sightseeing, swimming and other water sports, fishing, picnicking, nature study, boating, hunting and shooting, camping, horseback riding, bicycling, snowmobiling, skiing, and other outdoor sports and activities." (LWCF Manual 3-4).

In contravention of these policies, the District's support of the RTRP and the proposed Project creates significant, negative visual impacts from the placement of massive, above-ground power transmission lines throughout the HVWA, irreparably damaging scenic resources and preventing significant portions of the HVWA from being used for their intended and designated recreational and open space purposes. This is contrary to the HVWA's stated mission of protecting such resources. Indeed, even the Draft EIR and Final EIR note that the placement of massive transmission lines in the HVWA conflicts with the LWCF program:

"The Proposed Project (230 kV transmission line) traverses lands . . . which have received federal funding through the LWCF program. These lands include the Hidden Valley Wildlife Area . . . . Placement of 230 kV transmission line components on these lands would constitute a conflict with the LWCF, according to the California State Parks, Office of Grants and Local Services, which is the Agency that oversees the LWCF program in California."

(DEIR 3-304, 3-305; FEIR 3-317 [Volume II].)



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**V. The District Must Comply With the Scoping Requirements for the Project's Environmental Screening Form ("ESF").**

Contrary to the requirements of the LWCF program, the District has not engaged the City and the rest of the affected public to scope the proposal for the Project. The LWCF State Assistance Program Manual requires that the District invite public agencies, like the City, to provide input early in the planning and scoping process to "yield information for use in defining the scope of the LWCF proposal and possible associated environmental impacts." (LWCF Manual 4-4 and 4-5). Indeed, the ESF "is designed for use as a tool during project scoping, planning, and proposal development to document environmental information and consider the LWCF proposal's possible environmental impacts." (LWCF Manual 4-5). Under step 6 of the ESF, a site inspection of the affected area must be conducted by individuals who are familiar with the type of affected resources, possess the ability to identify potential resource impacts, and to know when to seek additional data when needed. In contrast with these public and local government participation requirements, the District's Request for Public Comment fails to meet the requirements for meaningfully engaging the City and other stakeholders in the preparation of the Project proposal and the ESF. The City strongly urges that the District meet and confer with the City and interested stakeholders before preparing the ESF, especially in light of the District's premature development of the Project proposal without any public input.

**VI. The District Cannot Abdicate the District's Independent Review and Decision-Making Obligations to the RTRP Applicant.**

The District cannot abdicate its independent review and decision-making functions to the RTRP applicant -- POWER Engineers, Southern California Edison's and Riverside's consultant on the RTRP. Instead, the District must conduct an independent environmental review and objectively evaluate the Project and the RTRP. Delegating these functions to POWER Engineers, as the District has done in the Request for Public Comment, is a complete conflict of interest and violates well-established standards for environmental review.

Significantly, the Court of Appeal has noted that the interests of a lead agency conducting environmental review of a project are at odds with and divergent from the interests of the project applicant, here the RTRP: "**when environmental review is in progress, the interests of the lead agency and a project applicant are fundamentally divergent.** While the applicant seeks the agency's approval on the most favorable, least burdensome terms possible, the agency is dutybound to analyze the project's environmental impacts objectively." (*Citizens for Ceres v. Superior Court* (2013) 217 Cal.App.4th 889, 898 [emphasis added].) Indeed, "[t]he lead agency must independently participate, review, analyze and discuss the alternatives in good faith." (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336, 1352.)

Here, the District incorrectly relies upon POWER Engineers to receive and evaluate the public comments in response to the District's March 23, 2018 Request for Public Comment.

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Such an abdication of the District's independent environmental review obligations is anathema to the objective and fair environmental review and decision-making that the law requires of the District, especially as the RTRP applicant has divergent interests that are at odds with the District's environmental protection and open space preservation goals. The City requests that the District independently conduct its environmental review and analysis of the Project and that the District require that all public comments and correspondence for the Project be directed to the District rather than POWER Engineers.

#### VII. Conclusion

The District's mandate is to preserve open space and recreational lands within the HVWA. As demonstrated above, placing massive, overhead transmission lines in the HVWA is in direct conflict with the District's goals. While the District evaluates the Project, the City urges the District to comply with its legal duties of conducting a full and fair environmental review of the Project; finally, for the reasons stated above, the City strongly recommends that the District reject the current proposal for overhead transmission lines in the HVWA.

Very truly yours,



Stephen D. Lee

cc: Gregory P. Priamos, Esq.  
Riverside County Counsel  
3960 Orange Street, Suite 500  
Riverside, California 92501

George Johnson, Riverside County CEO  
4080 Lemon Street, 5th Floor  
Riverside, California 92501

Supervisor Kevin Jeffries  
4080 Lemon Street, 5th Floor  
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Supervisor John Tavaglione  
4080 Lemon Street, 5th Floor  
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Riverside County Regional Park and Open-  
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Supervisor Chuck Washington  
4080 Lemon Street, 5th Floor  
Riverside, California 92501

Supervisor V. Manuel Perez  
4080 Lemon Street, 5th Floor  
Riverside, California 92501

Supervisor Marion Ashley  
4080 Main Street, 5th Floor  
Riverside, California 92501

Center for Biological Diversity  
660 S. Figueroa St., Suite 1000  
Los Angeles, California 90017

Endangered Habitats League  
c/o Dan Silver, Executive Director  
8424 Santa Monica Blvd., Suite A 592  
Los Angeles, California 90069-4267

Sierra Club, San Geronimo Chapter  
PO Box 5425  
Riverside, California 92517

Center for Community Action and Environmental Justice  
7701 Mission Boulevard  
Jurupa Valley, California 92509

Interested Parties registered In the Matter of the Application of SOUTHERN CALIFORNIA  
EDISON COMPANY (U 338-E)  
for a Certificate of Public Convenience and Necessity for the  
RTRP Transmission Project, CPUC Case No. A.15-04-013

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### 3 COMMENTS AND RESPONSES



## Riverside County Regional Park and Open-Space District

Scott Bangle, Parks Director/General Manager | Kyla Brown, Assistant Director

June 7, 2018

City of Jurupa Valley  
c/o Steven D. Lee  
355 South Grand Avenue  
40<sup>th</sup> Floor  
Los Angeles, CA 90071-3101

**Re: The Hidden Valley Wildlife Area conversion of Land and Water Conservation Fund designated land as a result of the Riverside Transmission Reliability Project.**

Dear Mr. Lee;

The Riverside County Regional Park and Open-Space District (District) would like to thank the City of Jurupa Valley for sending the letter dated April 23, 2018 and for the meeting with City Manager Gary Thompson on May 30, 2018 regarding the Land and Water Conservation Fund (LCWF) designated land in the Hidden Valley Wildlife Area (HVWA) resulting from the construction of the Riverside Transmission Reliability Project (RTRP).

As discussed at the meeting and in the letter, please note the following:

1) ENVIRONMENTAL REVIEW of PROJECT:

The impacts of the segment of the RTRP in HVWA was reviewed and detailed in the 2013 RTRP Environmental Impact Report (EIR) and previously certified on February 5, 2013 by the Riverside City Council. Due to changes to other portions of the proposed RTRP project (outside of the HVWA), the California Public Utilities Commission, acting as the Lead Agency under the California Environmental Quality Act (CEQA), submitted a Subsequent EIR which was released for public review on April 2, 2018 with the comment period ending on May 17, 2018. Lastly, it is important to note that the District has only a limited role in this process as a Responsible Agency under CEQA.

2) LCWF LAND CONVERSION and HVWA:

Portions of the RTRP project along the Santa Ana River are currently designated LCWF, meaning acquired or funded in part by the Land and Water Conservation Fund (LCWF) Act of 1965 under

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**Book your next reservation at: [www.RivCoParks.org](http://www.RivCoParks.org)**





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City of Jurupa Valley  
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Section 6(f)(3). The District sought input as part of the process to convert the designation of several parcels of LCWF lands in the Santa Ana River to land in HVWA, thereby enlarging the boundary of HVWA that has the LCWF designation. The lands for conversion were identified by the RTRP project applicants, the District, the California Department of Fish and Wildlife, and the California Department of Parks and Recreation-Office of Grants and Lands (OGALS).

3) PROCESS and TIMELINE for APPROVAL of CONVERSION:

The LCWF conversion requires the approval of the Secretary of the Department of the Interior through the National Park Service (NPS). After OGALS accepts the application it will be forwarded to NPS, and NPS will review the application prepared by District staff to approve the conversion of the LCWF lands, provided all requirements are met. The timeline for the process of this approval is uncertain. Based upon similar experience and overall project timelines, it is expected to be no more than three years to obtain this approval.

In response to specific questions posed by Jurupa Valley City Manager Gary Thompson in the meeting on May 30, 2018, please note the following details:

Q1: If the NPS review takes too long will it hold up the project?

A1: Yes. The approval by NPS of the LCWF conversion is a required action that must occur prior to RTRP construction; therefore, depending on timing, such a required approval could delay final project implementation, particularly if the entire process takes 3 years.

Q2: Is the 1:1 ratio for the LCWF conversion adequate?

A2: Unknown. Because the parties and agencies involved have not processed approval of an LCWF conversion, the adequate ratio for replacement land is unknown at this time. However, the proposed land was chosen after extensive evaluation by multiple parties and does appear to meet the requirements of the LCWF conversion. This determination will ultimately rest with the NPS.

Q3: Can the project be expedited, keeping the overall RTRP timeline in place, in order to facilitate Jurupa Valley development along the I-15 corridor?

A3: Yes and unknown. The District has researched how to expedite the approval process. If the District finalizes the application with OGALS quickly, this could expedite OGALS approval before going to NPS. After the application moves from OGALS to NPS for approval, the timeline and application approval process is unknown as the District ultimately has no control over the NPS process as a federal agency.

Thank you again for your comments and for meeting with the District on the proposed conversion of

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City of Jurupa Valley  
June 7, 2018

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LCWF of the HVWA. We appreciate hearing from you and look forward to working with you on this project. If you have any further questions, please do not hesitate to reach out at the contact info below.

Sincerely,



Erin Gettis  
Chief – Planning and Development  
951-955-4558  
egettis@rivco.org

Cc:

Supervisor John Tavaglione  
George Johnson, County Executive Officer  
Karen Christensen, Chief of Staff to Supervisor John Tavaglione  
Scott Bangle, Parks Director / General Manager  
Gregory P. Priamos, ESQ., County Counsel

### 3 COMMENTS AND RESPONSES

## ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



May 7, 2018

*VIA ELECTRONIC MAIL*

Regional Parks and Open Space District  
c/o Darrin Gilbert  
POWER Engineers  
731 East Ball Rd  
Anaheim CA 92805  
RTRP-LWCF@powereng.com

Regional Parks and Open Space District  
ATTN: Scott Bangle  
4600 Crestmore Rd  
Jurupa Valley CA 92509

**RE: Hidden Valley Wildlife Area Boundary Change**

Dear Mr Gilbert:

Endangered Habitats League (EHL) is a long-term stakeholder in County parks and open space. We worked with the District on projects like the Santa Rosa Plateau and the Multiple Species Habitat Conservation Plan (MSHCP). Until such time as our concerns are addressed, we are in opposition to this boundary change.

- The feasible alternative of undergrounding the utility lines has not been adequately considered under CEQA.
- The project conflicts with General Plan Policy 20.2 for designated conservation areas.
- Given the use of federal Land and Water Conservation Fund dollars, proper documentation under NEPA has not been done.

We urge undergrounding of transmission lines as the best solution. Thank you for considering our views.

Yours truly,

Dan Silver  
Executive Director



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Significant Impact	Description of Mitigation Measure
The 230 kV transmission line would degrade the scenic quality of the Santa Ana River corridor, and this impact would result in a permanent effect to the users' experience of the Santa Ana River National Recreation Trail, portions of the Santa Ana River Regional Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park. This would also impact sensitive viewers traveling Van Buren Boulevard (a City-designated Parkway and Gateway), Santa Ana River Trail users, and residences in the Bradford Street, Julian Drive, Auld Street, Viceroy Avenue, and 68 <sup>th</sup> Street neighborhoods.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Agricultural and Forestry Resources</b>	
Farmland designated as Prime Farmland (0.7 acre), Unique Farmland (0.7 acre), and Farmland of Statewide Importance (0.1 acre) would be permanently converted to non-agricultural uses as a result of permanent 230 kV structure placement.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Air Quality and Greenhouse Gas Emissions</b>	
<b>Air Quality:</b> The combined effect of construction emissions from the Proposed Project and other projects' construction and/or operating emissions would be cumulatively considerable at various times during construction. <b>Greenhouse Gas Emissions:</b> no significant unavoidable impact.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Hazards/Hydrology and Hazardous Materials/Water Quality</b>	
The 60 kV subtransmission line structures as currently designed within the vicinity of the airport would likely exceed the allowable heights in Zones A, B1, B2, and C. These structures would be an incompatible land use if the heights of the structures were to pose a hazard to air navigation near the airport. As such, the Proposed Project would not be consistent with the adopted RCALUC. This inconsistency would therefore result in a significant impact. The impacts to water resources resulting from construction and operation of the Proposed Project, while less than significant, contribute to a cumulatively significant effect on the watershed in which they occur when added to the impacts of past and contemporary projects.	Unavoidable Significant Impact – No mitigation measure <del>proposed</del> <u>feasible</u>
<b>Land Use and Planning</b>	
The 60 kV subtransmission line structures as currently designed within the vicinity of the airport would likely exceed the allowable heights in Zones A, B1, B2, and C. These structures would be an incompatible land use if the heights of the structures were to pose a hazard to air navigation near the airport. As such, the Proposed Project would not be consistent with the adopted RCALUC. This inconsistency would therefore result in a significant impact.	Unavoidable Impact – No mitigation measure <del>proposed</del>

#### ES.7.4ES.8.1 CUMULATIVE IMPACTS

A review of the Proposed Project relative to other past, current, and reasonably foreseeable projects was conducted to evaluate the potential for cumulatively considerable impacts. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past, current, and probable future projects. The combined effect of construction emissions from the Proposed Project and other projects' construction and/or operating emissions is likely to result in cumulatively considerable agricultural, air quality, and hydrology and water quality impacts at various times as a result of construction and operation of the Proposed Project.

### 3 COMMENTS AND RESPONSES

#### 3.3.15

#### **Response to Letter B15: Bondar, Rick – McCune & Associates, Inc.**

B15-1

The 2013 RTRP EIR has been litigated in the Superior Court of California and the court has found that the analysis in the EIR adequately addressed all impacts of the RTRP. The decision was later upheld by the Court of Appeals.

The CPUC must consider the environmental effects of the Proposed Project, including the Revised Project elements, and issue a decision on whether to approve or deny SCE's application for a CPCN. CPUC will consider the environmental reviews in both the certified 2013 EIR and the Subsequent EIR. The CPUC reviewed the 2013 EIR and prepared an Initial Study. The CPUC determined the 2013 EIR adequately addressed the Proposed Project and determined that a Subsequent EIR was necessary to analyze the Revised Project elements, AB 52 tribal issues, and new air quality regulations. The CPUC's decision whether to issue the CPCN is decided through two processes, including the environmental review and the general proceeding. The Draft Subsequent EIR (Chapter 1: Introduction) describes the CPUC decision-making process in regard to CEQA. Master Response #4 provides information on the CPUC Administrative Law Judge proceeding.

B15-2

The RTRP would be constructed, owned, and operated by RPU and SCE. The project requires approvals from both the City of Riverside and the CPUC. The City of Riverside acted first on the project, assumed the role of the lead agency, and prepared the 2013 RTRP EIR. The CPUC was a responsible agency for the 2013 RTRP EIR. The City of Riverside approved the RPU components of the RTRP in February 2013.

The CPUC could not act on the project until SCE submitted an application to the CPUC for a CPCN. SCE submitted the application in April 2015. The CPUC has a regulatory responsibility over the SCE-owned elements of the RTRP, which is separate from the City of Riverside's approval of the RPU-owned project elements. The CPUC is responsible for ensuring compliance with CEQA prior to issuing a decision on the CPCN application.

CPUC Administrative Law Judge (ALJ) Yacknin issued Ruling 6-10-15 that describes the CPUC's role in the environmental review of the RTRP and the subsequent review that is required due to changes in the project and baseline conditions. The ALJ's ruling can be found here:

<http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=ALL&DocID=152482987>

B15-3

The certified 2013 RTRP EIR determined the overhead transmission line would present a land use conflict within areas designated as Land and Water Conservation Fund (LWCF) lands. The LWCF Act identifies land use conflicts as conversions of LWCF land. Converted land must be replaced by the project proponent (LWCF Act Section 6(f)). The land conversion requires approval by

### 3 COMMENTS AND RESPONSES

the National Parks Service (NPS). NPS is responsible for conducting environmental review under the National Environmental Policy Act. The CPUC has no jurisdiction over the NPS decision. The City of Jurupa Valley raised a similar comment related to the conversion of LWCF land. Refer to Response A15-8 for more information about the environmental review of the land conversion.

The CPUC has the authority to require the inclusion of additional information and/or analysis in the Subsequent EIR if the Commission determines that the existing analysis is inadequate for the purpose of the CPUC's review of the project under CEQA or the wider CPCN process.

B15-4 CPUC is aware of the excerpt from the certified 2013 RTRP EIR, which acknowledges that the visual impact within the Hidden Valley Wildlife Preserve would be permanent. CPUC also acknowledges that the certified 2013 RTRP EIR determined the visual impact south of the Santa Ana River to be significant and unavoidable.

B15-5 The analysis of fire hazards is included in Chapter 3 of the certified 2013 RTRP EIR, which determined that the hazard of wildfire would be reduced to a less than significant level through conformance with CPUC General Order 95, Public Resources Code Section 4293, project Environmental Protection Elements, and mitigation. Mitigation Measure HAZ-03 requires the preparation and implementation of a project-specific Fire Prevention and Management Plan, which will incorporate all applicable fire regulations. Vegetation conditions along the south side of the Santa Ana River have not substantially changed since the 2013 RTRP EIR was certified.

The new CPUC fire regulations are incorporated into General Order 95, General Order 165, and General Order 166. As an investor-owned utility regulated by the CPUC, SCE is required to comply with these General Orders. The new fire regulations do not present new or increased impacts of the project and would strengthen fire safety within the area.

The CPUC prepared the Initial Study Checklist to determine potentially new or increased impacts that would be addressed in the Subsequent EIR. The CPUC determined that no new or increased fire hazards would result from the Revised Project, nor had baseline conditions changed in the area such that fire hazards had increased. No additional analysis of fire hazards is required in the Subsequent EIR.

CPUC did not consult with local fire agencies because the 2013 RTRP EIR adequately addressed the project impacts on wildfire. CPUC consulted with Jason Neuman, CAL FIRE Assistant Chief Land Use Planning & Pre - Fire Management of the Southern Region on July 11, 2018. Mr. Neuman stated that CAL FIRE would not submit comments on the Draft Subsequent EIR.



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Clear cutting would not be required for the 230-kV transmission line. The 2013 RTRP EIR evaluated the impacts associated with vegetation clearances required for the 230-kV transmission line and determined that the only potential location where vegetation clearing would be required is within riparian habitat, such as the river crossing. The riparian areas are not located within the Tier 2 Elevated Fire District and would not be affected by the CPUC's new fire regulations. Vegetation communities within the transmission corridor were mapped in the 2013 RTRP EIR. The majority of vegetation within the transmission corridor through the Tier 2 Elevated Fire District is non-native grassland. Vegetation clearances within grassland areas would not change under the implementation of the new CPUC fire regulations because the majority of vegetation does not grow tall enough in these areas to present a conflict with the conductor. The 2013 RTRP EIR analysis adequately addresses the impacts of vegetation clearance.

Appendix A of the Subsequent EIR includes a detailed mapbook of all SCE-owned RTRP components. The mapbook indicates the location of proposed transmission infrastructure and access roads. The 2013 RTRP EIR includes photo simulations (Viewpoint 2, Viewpoint 3, Viewpoint 4, and Viewpoint 13) of the proposed transmission lines along the south side of the Santa Ana River.

The certified 2013 RTRP EIR and Subsequent EIR provide a complete environmental review of the RTRP components. As stated previously, NPS will conduct a NEPA review of the proposed land conversion contemplated by Riverside County Parks and Open-Space District.