

Responses to Comments

Introduction

This section presents responses to the comments received during the public review period for the draft Mitigated Negative Declaration (January 23, 2012 through February 21, 2012). A public meeting was held on Monday January 30, 2012 from 7:00 p.m. to 9:00 p.m. at the Carriage Inn (901 North China Lake Boulevard) in Ridgecrest. Newspaper notices, including information on the Draft MND/IS, the project website address, the review period start and end dates, and the date and time of the public meeting, were published in the San Bernardino County Sun and the Bakersfield Californian on January 23, 2012, and in The Daily Independent on January 25, 2012 (see Appendix 3 for a copy of the notice and proofs of publication). One person attended the meeting and no written comments were received during that time.

The CPUC received comments from various State and local agencies, as well as the Applicant (SCE) which were notified of the intent to adopt the Mitigated Negative Declaration. No comments from the public were received. Table D-1 lists the persons and agencies that submitted comments on the Draft MND and supporting Initial Study. Each comment letter has been given a letter designation (A through G). The individual comments are numbered; responses immediately follow the comment letter. If revisions were made to the MND and supporting Initial Study based on the comments, these revisions are indicated in the text of this Final MND and supporting Initial Study with ~~strikeout~~ for deletions, and in underline for new text.

Table D-1. Comments Received on the Draft Mitigated Negative Declaration

Commenter	Date of Comment	Comment Set
Dave Singleton, Program Analyst Native American Heritage Commission	January 24, 2012	A
Alvin J. De Salvio, Supervising Air Quality Engineer Mojave Desert Air Quality Management District	February 1, 2012	B
Gayle J. Rosander, IGR/CEQA Coordinator California Department of Transportation, District 9	February 10, 2012	C
Jeffery R. Single, PhD, Regional Manager California Department of Fish and Game, Central Region	February 15, 2012	D
Matthew Slowik, Senior Planner County of San Bernardino, Land Use Services Department , Planning Division	February 17, 2012	E
Milissa Marona Southern California Edison	February 21, 2012	F
Loren E. Culp, City Engineer City of Ridgecrest, Public Works	March 8, 2012 (late)	G

Comment Set A Native American Heritage Commission

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



January 24, 2012

Mr. Eric Chiang

California Public Utilities Commission

5020 Chesebro Road, Suite 200
Agoura Hills, CA 91301

Re: SCH#2012011044 CEQA Notice of Completion: proposed Mitigated Negative Declaration for the "Downs Substation Expansion Project, a 50-kV and 115-kV Substation, Switchrack and Transmission Line Project;" located in the City of Ridgecrest and the Communities of Inyokern, Argus and Trona in Kern and San Bernardino Counties, California

Dear Mr. Chiang:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. This area is known to the NAHC to be very culturally sensitive. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to

A-1

Comment Set A, cont. Native American Heritage Commission

protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

A-1,
cont.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

A-2

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

A-3

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

A-4

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254 (r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

A-5

Comment Set A, cont. Native American Heritage Commission

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

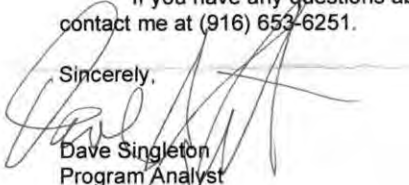
A-6

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

A-7

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Comment Set A, cont.
Native American Heritage Commission

California Native American Contacts
Kern and San Bernardino Counties
January 24, 2012

Lone Pine Paiute-Shoshone Reservation
Melvin R. Joseph, Chairperson
P.O. Box 747 Paiute
Lone Pine, CA 93545 Shoshone
admin@lppsr.org
(760) 876-1034
(760) 876-8302 Fax

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez, Chairperson
981 N. Virginia Yowlumne
Covina, CA 91722 Kitanemuk
deedominguez@juno.com
(626) 339-6785

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland, CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838 Fernandeno
Newhall, CA 91322 Tataviam
tsen2u@hotmail.com Serrano
(661) 753-9833 Office Vanyume
(760) 885-0955 Cell Kitanemuk
(760) 949-1604 Fax

Tule River Indian Tribe
Ryan Garfield, Chairperson
P.O. Box 589 Yokuts
Porterville, CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX

Tejon Indian Tribe
Katherine Montes- Morgan, Chairperson
2234 4th Street Yowlumne
Wasco, CA 93280 Kitanemuk
kmorgan@bak.rr.com Kawaiisu
661-758-2303

Ron Wermuth
P.O. Box 168
Kernville, CA 93238 Tubatulabal
warmoose@earthlink.net Kawaiisu
Koso
Yokuts
(760) 376-4240 - Home
(916) 717-1176 - Cell

Kawaiisu Tribe of Tejon Reservation
David Laughinghorse Robinson
PO Box 1547 Kawaiisu
Kernville, CA 93238
(661) 664-3098 - work
(661) 664-7747 - home
horse.robinson@gmail.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012011044; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Downs Substation Expansion Project; located in eastern Kern and San Bernardino counties, California.

Comment Set A, cont. Native American Heritage Commission

California Native American Contacts Kern and San Bernardino Counties January 24, 2012

Lone Pine Paiute-Shoshone Reservation
Kathy Bancroft, Cultural Representative
P.O. Box 747 Paiute
Lone Pine , CA 93545 Shoshone
kathybncrft@yahoo.com
(406) 570-5289
(760) 876-8302 fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.
gov
(909) 862-5152 Fax

Kern Valley Indian Council
Robert Robinson, Co-Chairperson
P.O. Box 401 Tubatulabal
Weldon , CA 93283 Kawaiisu
brobinson@iwvisp.com Koso
(760) 378-4575 (Home) Yokuts
(760) 549-2131 (Work)

Tubatulabals of Kern Valley
Dr. Donna Begay, Tribal Chairwoman
P.O. Box 226 Tubatulabal
Lake Isabella, CA 93240
drbegay@aol.com
(760) 379-4590
(760) 379-4592 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012011044; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Downs Substation Expansion Project; located in eastern Kern and San Bernardino counties, California.

Responses to Comment Set A Native American Heritage Commission

- A-1 The commenter notes that the NAHC Sacred Lands File (SLF) search resulted in no Native American cultural resources being identified within the project area. This is consistent with the early consultation conducted with the NAHC in May 2010, as described in Initial Study Section B.3.5.1 (page B.3-107). As discussed in the Initial Study, the NAHC responded, stating that no Native American cultural resources are present within a 0.5-mile radius of the private parcels within the Proposed Project ADI; the NAHC requested that Native American individuals and organizations be contacted to elicit information and/or concerns regarding cultural resource issues related to the Proposed Project. Correspondence was initiated by SCE on May 7, 2010 with the Tule River Indian Tribe, the Kawaiisu Tribe of Tejon Reservation, Mr. Ron Wermuth, Kitanemuk & Yolumne Tejon Indians, the Kern Valley Indian Council, the Tejon Indian Tribe, and the Tubatulabals of Kern Valley. The draft MND/Initial Study was also sent to the Tule River Indian Tribe (Ryan Garfield, Chairperson), Kitanemuk & Yolumne Tejon Indians (Delia Dominguez), Tejon Indian Tribe (Kathy Morgan, Chairperson), Kawaiisu Tribe of Tejon Reservation (David Laughinghorse Robinson), Kern Valley Indian Council (Julie Turner, Secretary; Robert Robinson, Historic Preservation Officer), and Tubatulabals of Kern Valley (Donna Begay, Tribal Chairwoman).
- A-2 The commenter recommends early consultation with Native American tribes in the project area to avoid unanticipated discoveries of cultural resources or burial sites. As described in response to Comment A-1, early consultation was completed on the proposed Downs Substation Expansion Project. Furthermore, Mitigation Measure C-1 provides for archaeological monitoring during ground disturbing activities related to the expansion of the Downs Substation to address any unanticipated subsurface deposits that may be associated with the site, Mitigation Measure C-2 provides for treatment of previously unidentified cultural resources, Mitigation Measure C-3 provides for construction monitoring and recovery and testing if fossils are encountered during construction, and Mitigation Measure C-4 provides for treatment of human remains if encountered during construction.
- A-3 The NAHC requests that Native American consulting parties be provided pertinent project information. Please see response to Comment A-1.
- A-4 The commenter states that if the project is under federal jurisdiction consultation shall be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA, as appropriate. One existing wood pole, which is located on BLM land, would be replaced as part of the Proposed Project. However, SCE currently possesses Right-of-Way (ROW) Grants that cover all access roads located on BLM lands. Therefore, the Project falls under the jurisdiction of the California Environmental Quality Act (CEQA) only, and as the CEQA lead agency, the California Public Utilities Commission (CPUC) is responsible for compliance with applicable State and local regulations. Because there is no federal involvement, the Project is not considered a “federal undertaking” and regulations and guidelines set forth in NEPA and Section 106 of the NHPA do not apply to the Project.
- A-5 The commenter states that “historic properties of religious and cultural significance” should also be considered as protected. Such properties have been considered as part of the analysis of cultural resources in the Initial Study, which is why the NAHC was contacted to conduct a

- SLF search. As described in response to Comment A-1, a search of the NAHC SLF noted that Native American cultural resources were not identified within the project area.
- A-6 The commenter references Public Resources Code Section 5097.98, California Government Code Section 27491, and Health and Safety Code Section 7050.5 for provisions for accidentally discovered archaeological resources and human remains. As described in Initial Study Section B.3.5, Mitigation Measure C-1 provides for archaeological monitoring during ground disturbing activities related to the expansion of the Downs Substation to address any unanticipated subsurface deposits that may be associated with the site, Mitigation Measure C-2 provides for treatment of previously unidentified cultural resources, and Mitigation Measure C-4 provides for treatment of human remains if discovered. Implementation of these mitigation measures would ensure compliance with the above referenced codes.
- A-7 The commenter recommends ongoing consultation between Native American tribes and the lead agency, project proponents, and contractors to be most effective. Please see response to Comment A-1 regarding ongoing tribal consultation.

Comment Set B
Mojave Desert Air Quality Management District



Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

February 1, 2012

Mr. Eric Chiang
California Public Utilities Commission
c/o Aspen Environmental Group
5020 Chesebro Road, Suite 200
Agoura Hills, CA 91301

Project: Downs Substation Expansion Project/Mitigated Negative Declaration

Dear Mr. Chiang:

The Mojave Desert Air Quality Management District (District) has received the notice of intent to adopt a Mitigated Negative Declaration for the proposed Downs Substation Expansion Project. Southern California Edison (SCE) proposes to upgrade and expand the existing Downs 33/12-kV Substation to a 115/12-kV substation containing a 115-kV switchrack; route an existing 115-kV subtransmission line into an out of the proposed substation; and install a fiber optic telecommunication system (including 58 miles of fiber optic telecommunication cable). SCE would need to replace approximately six existing Inyokern-McGen-Searles No. 1 115 kV subtransmission line wood poles to support the new fiber optic telecommunications facilities where the existing wood poles do not meet CPUC General Order 95 wind loading requirements and/or SCE design standards. These replacement poles are located near the community of Trona. Additionally, the stringing of fiber optic telecommunication cable would occur in the unincorporated community of Trona. Construction would start in August 2013 and last through May 2014.

The District has reviewed the Mitigated Negative Declaration and concurs with the determination of "Less than Significant" and "No Impact" for Air Quality issues. The District concurs that the proposed mitigation measure for Air Quality, AQ-1, represents feasible mitigation.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvio".

Alan J. De Salvio
Supervising Air Quality Engineer

AJD/tw

SCE Downs Substation.doc

B-1

Responses to Comment Set B Mojave Desert Air Quality Management District

- B-1 The commenter notes that the Mojave Desert Air Quality Management District has reviewed the Mitigated Negative Declaration and concurs with the determination of “Less than Significant” and “No Impact” for Air Quality issues, and that Mitigation Measure AQ-1 represents feasible mitigation. These conclusions are consistent with the MND/Initial Study; no changes to the document are required.

Comment Set C California Department of Transportation, District 9

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 9
500 SOUTH MAIN STREET
BISHOP, CA 93514
PHONE (760) 872-0785
FAX (760) 872-0754
TTY 711 (760) 872-0785
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

February 10, 2012

Eric Chiang, Project Manager
California Public Utilities Commission
c/o Aspen Environmental Group
5020 Chesebro Road, Suite 200
Agoura Hills, CA 92301

File: Ker-178, 395; Sbd-178
IS/MND
SCH #: 2012011044

Dear Mr. Chiang:

Downs Substation Expansion Project - Initial Study/Mitigated Negative Declaration (IS/MND)

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment on the IS/MND for the expansion of the Southern California Edison substation, rerouting transmission lines and installation of fiber optic telecommunication cable in northeastern Kern and northwestern San Bernardino Counties. We have the following comments:

- Some project maps and diagrams incorrectly depict State Route 178 (SR-178). See the enclosed quad map excerpt and photo for clarification. The roadway continuing north from the terminus of SR-178 becomes a county road; thus, San Bernardino County is responsible for issuing permits thereon.
- As noted, oversized vehicle permits may be required. Please contact the Transportation Permits Office for Oversize/Overweight Permits in Sacramento at (916) 322-1297. See also:

Permit Application:

http://www.dot.ca.gov/hq/traffops/permits/pdf_documents/appforms/TR0015.pdf

Permit Manual:

<http://www.dot.ca.gov/hq/traffops/permits/manual.htm>

- We concur with Mitigation Measure T-1, which requires a Construction Traffic Control Plan to ensure safety and minimize traffic disruption. In its preparation, please consult with the District 9 Permits contact listed below. A Caltrans encroachment permit will be required for traffic control within State right-of-way.

C-1

C-2

C-3

"Caltrans improves mobility across California"

Comment Set C, cont. California Department of Transportation, District 9

Mr. Eric Chiang
February 10, 2012
Page 2

- An encroachment permit is also required for new overhead lines on US 395 and SR-178. New lines should be 90-degrees to the highway (otherwise follow existing utility alignments). Section B.1 discusses some utility construction activities and permits (page B.1-46). For Caltrans' requirements see section 600 - Utilities Permits at:

http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter_6.pdf

New poles should be outside the clear zone (20 or 30-ft from edge-of-travel way). See:

<http://www.dot.ca.gov/hq/traffops/saferestr/Section7-02Clear-Zone-Concept.pdf>

- For further information on permitting, you may contact Kurt Weiermann at (760) 872-0781 or kurt.weiermann@dot.ca.gov of the District 9 Office. See also:

Encroachment Permit Application:

[http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/forms/Std._E.P._Application_\(TR-0100\).pdf](http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/forms/Std._E.P._Application_(TR-0100).pdf)

Encroachment Permit Instructions:

http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/forms/encrchpermt_instruc.pdf

Please continue to forward project information. We value a cooperative relationship with the California Public Utilities Commission regarding impacts to the State highway system. For any questions, feel free to contact me at (760) 872-0785.

Sincerely,



GAYLE J. ROSANDER
IGR/CEQA Coordinator

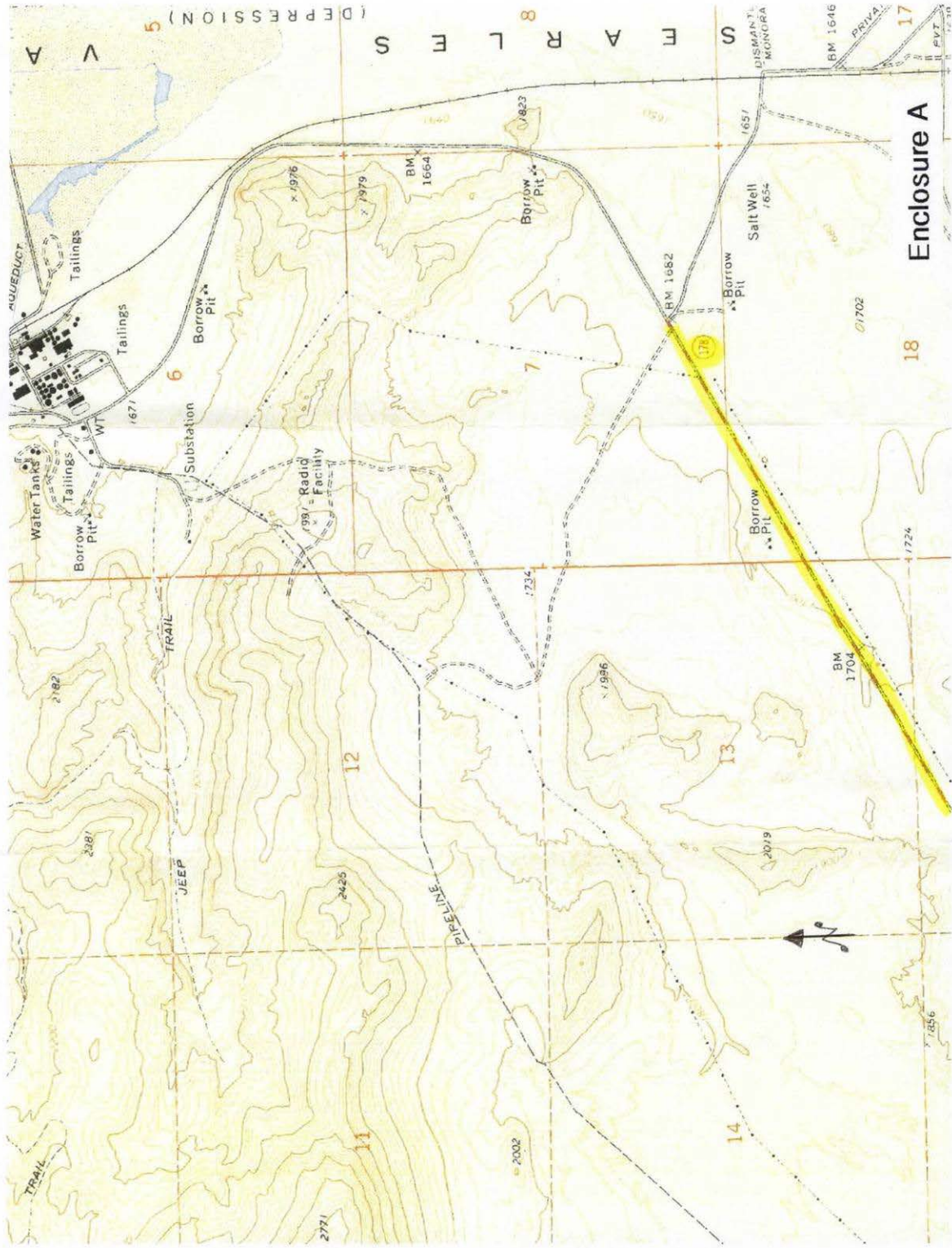
Enclosures

c: State Clearinghouse
Mark Reistetter, Caltrans

C-3,
cont.

"Caltrans improves mobility across California"

Comment Set C, cont.
California Department of Transportation, District 9



Comment Set C, cont.
California Department of Transportation, District 9

Roadview Explorer 2.0 Print Page

Enclosure B



Field	Value
District:	8
Cntyabbrev:	SBD
Rteno:	178
Sign:	+
Cycle:	2009
Pm_prefix:	none
Direction:	E
Photodate:	10/13/2009
Latitude:	35.682
Longitude:	-117.3905
Altitude:	485
Mileage:	14.73
Frame:	1477
Session_name:	8_SBD_178_E

<http://onramp.dot.ca.gov/photolog/roadview/roadview.php>

2/6/2012

Responses to Comment Set C California Department of Transportation, District 9

- C-1 The commenter notes that some project maps and diagrams incorrectly depict State Route 178 (SR-178), and that the roadway continuing north from the terminus of SR-178 is a county road under the jurisdiction of San Bernardino County. The exact project maps and diagrams in question are not specifically noted. As such a review of all the Initial Study figures was conducted. Overall route maps provided in Figures B.1-8 and B.1-9 correctly show the highway in gold color and the county road in grey. In reviewing the road labels on other maps, Figures B.1-13 and B.1-15, and the inset maps of Figures B.3.4-2 through B.3.4-9 have been updated in the Final MND/Initial Study to correct labeling of the roadway north of the terminus of SR-178 to Trona Road and/or eliminate labeling of SR-178 north of Trona (as originally shown on the inset maps of Figures B.3.4-2 through B.3.4-9).
- C-2 The commenter notes that oversized vehicle permits may be required. This is consistent with the discussion of “Permits and Approvals Necessary” in Initial Study Section B.3.16.1. SCE will apply for and obtain Caltrans Transportation Permits for movement of vehicles that may qualify as an oversized or excessive load or for transportation of oversized or excessive loads. The provided contact information will be provided to SCE. No revisions to the MND/Initial Study are required.
- C-3 Caltrans concurs with Mitigation Measure T-1, which requires a Construction Traffic Control Plan, and requests that SCE consult with the District 9 permits contact provided. It is also noted that a Caltrans encroachment permit will be required for traffic control within State right-of-way. As stated in the Initial Study, per Mitigation Measure T-1, SCE will consult with Caltrans and prepare and submit for approval a Construction Traffic Control Plan. Contact information provided will be shared with SCE. Encroachment permits will be obtained as necessary, as discussed in Initial Study Section B.3.16, Transportation/Traffic. No revisions to the MND/Initial Study are required.

Comment Set D California Department of Fish and Game, Central Region



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.dfg.ca.gov

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



February 15, 2012

Eric Chiang
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94404

**Subject: Draft Mitigated Negative Declaration and Supporting Initial Study
Southern California Edison's Downs Substation Expansion Project
SCH No. 2012011044**

Dear Mr. Chiang:

The California Department of Fish and Game (Department) has reviewed the Draft Mitigated Negative Declaration (DMND) and Supporting Initial Study (IS) for the above Project. Approval of the Project would allow for Southern California Edison (SCE) to upgrade and expand the existing Downs 33/12-kilovolt (kV) substation to a 115/12-kV substation; route an existing 115-kV subtransmission line into and out of the Downs Substation; and install 58 miles of fiber optic telecommunication system. As part of the installation of the fiber optic telecommunication system, SCE would need to replace approximately six existing 115-kV subtransmission line poles along the Inyokern-McGen-Searles No. 1 115 kV subtransmission line near the community of Trona in San Bernardino County. The Downs substation is located at the southwest corner of the intersection of Ridgecrest Boulevard and Downs Street in the City of Ridgecrest in Kern County. In addition, the subtransmission line route would be located in the City of Ridgecrest and in the unincorporated communities of Inyokern, Argus, and Trona.

D-1

On February 10, 2012, Department Environmental Scientists Eric Weiss of Region 6 and Reagen O'Leary of Region 4 had a telephone conference with you and the consulting staff, Lisa Blewitt and Chris Huntley of Aspen Environmental Group. The purpose of this meeting was to discuss the Department's concerns regarding the Project description as well as biological resources addressed in the IS/DMND.

In addition to the concerns raised regarding the Project description, the Department also has concerns regarding the potential for the Project to impact special status species such as the State and federally threatened desert tortoise (*Gopherus agassizii*), the State threatened Mohave ground squirrel (*Xerospermophilus mohavensis*), the State Species of Special Concern burrowing owl (*Athene cunicularia*), California horned lark (*Eremophila alpestris*), loggerhead shrike (*Lanius ludovicianus*), Le Conte's thrasher

D-2

Conserving California's Wildlife Since 1870

Comment Set D, cont.
California Department of Fish and Game, Central Region

Eric Chiang
February 15, 2012
Page 2

(*Toxostoma lecontei*), and American badger (*Taxidea taxus*), the State protected furbearing mammal desert kit fox (*Vulpes macrotis* ssp. *macrotis*), and the California Rare Plant Rank 2.3 listed Ripley's aliciella (*Aliciella ripleyi*). All these species are known to occur on the subject site or in close proximity to the subject site.

D-2,
cont.

The Department has recommendations for the final Mitigated Negative Declaration (MND) Project description and for mitigation measures to reduce potential Project-related impacts to sensitive biological resources. Our recommendations on measures to avoid, minimize, and mitigate project related impacts to special status biological resources should be included as enforceable mitigation measures as appropriate for all Project-related impacts. Our comments follow.

D-3

Department Jurisdiction

Trustee Agency Authority: The Department is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 [commencing with Section 21000] of the Public Resources Code).

D-4

The Project description is unclear; it appears that the Project description within the DMND is a general summary of the proposed work and may not capture fully the scope of the proposed Project specifically discussed in the IS. In addition, the Department noted some inconsistencies between the text of the DMND and the IS such as the discussion regarding the need to construct new spur roads in one section which is not included elsewhere in the documents. This makes understanding the full potential for Project-related impacts on biological resources quite difficult. The Department recommends that the Project description within the final MND include all components of the Project such that it covers the whole of the proposed action in a clear, consistent, and concise manner.

D-5

Responsible Agency Authority: The Department has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), the Department may need to issue an Incidental Take

D-6

Comment Set D, cont. California Department of Fish and Game, Central Region

Eric Chiang
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Page 3

Permit (ITP) for the Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (sections 21001(c), 21083, Guidelines sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports a Statement of Overriding Consideration (SOC). The CEQA Lead Agency's SOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080. The Project has the potential to reduce the number or restrict the range of endangered, rare, or threatened species (as defined in Section 15380 of CEQA).

D-6,
cont.

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15380), it should be fully considered in the environmental analysis for the Project. Burrowing owl, California horned lark, loggerhead shrike, Le Conte's thrasher, Ripley's aliciella, American badger, and desert kit fox could occur in the Project area. The Project proposed avoidance and minimization measures included in the DMND for these species are consistent with Department recommendations so long as these measures apply for all Project-related impact areas. The Department recognizes that Ripley's aliciella would be protected under the proposed mitigation measures for special-status plants so long as these measures apply for all Project-related impact areas.

D-7

Bird Protection: The Department has jurisdiction over actions which may result in the disturbance or destruction of active nest sites or the unauthorized "take" of birds. Fish and Game Code sections that protect birds, their eggs, and nests include sections 3503 (regarding unlawful "take," possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the "take," possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful "take" of any migratory nongame bird). The Project proposed avoidance and minimization measures included in the DMND for nesting and breeding birds are consistent with Department recommendations so long as these measures apply for all Project-related impact areas.

D-8

Stream Alteration Agreement (SAA): The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource, pursuant to Fish and Game Code sections 1600 et seq. The IS for the Project identifies ephemeral washes within the Project study area, although it is unclear whether the proposed Project would impact any of these features. Should Project activities impact any ephemeral washes the Project proponent should consult with the Department before ground-breaking activities or submit a Stream Alteration

D-9

Comment Set D, cont.
California Department of Fish and Game, Central Region

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Notification to determine if the features are within the Department's jurisdiction. The Department is required to comply with CEQA in the issuance or the renewal of an SAA. For additional information on notification requirements, please contact our staff in the Stream Alteration Program at (559) 243-4593.

D-9,
cont.

Potential Project Impacts and Recommendations

Mohave Ground Squirrel (MGS): There are known occurrence records of MGS within the Project site. Focused observational surveys for MGS were conducted in April 2010 which resulted in detection of one individual along the western portion of the existing subtransmission line corridor (Aspen Environmental Group, 2012). Protocol trapping surveys were conducted during the 2011 survey season with negative results at the Downs substation site and at the six-line poles. The negative results of protocol surveys are considered valid for up to one (1) year. It is important to note that a single negative survey does not indicate absence; MGS populations are known to fluctuate from year to year and they are difficult to detect even when present. In order to implement full avoidance for MGS, the Department recommends a 50-foot no-disturbance buffer be employed around all burrows that could be used by MGS. If this is not feasible, then a qualified permitted biologist should conduct additional protocol surveys for MGS at all Project-related impact areas during the appropriate survey season prior to Project implementation.

D-10

In addition, the Department recommends that future preconstruction surveys also follow the methods described in the "Mohave Ground Squirrel Survey Guidelines" (DFG 2003). The results of MGS surveys should be submitted to the Department, and consultation with the Department would be warranted to develop avoidance, minimization, and mitigation measures. If "take" could occur as a result of Project implementation, acquisition of a State ITP may be warranted prior to initiating ground-disturbing activities. Mitigation measures for MGS should be fully addressed in the CEQA document prepared for the Project. Alternatively, the applicant has the option of assuming presence for this species and securing a State ITP which would authorize incidental take of State-listed species during Project implementation.

Desert Tortoise: There are known occurrence records of desert tortoise within the Project site. Focused desert tortoise surveys were conducted in April 2010 and 2011 within the Downs substation site and in April, May, and June 2011 along the existing subtransmission line. Desert tortoise sign was detected during surveys; detections included a juvenile carapace found underneath an active raven nest along the subtransmission line south of Ridgecrest (Aspen Environmental Group, 2012) and one desert tortoise scat found in a desert woodrat (*Neotoma lepida*) midden approximately 300 feet from a pole (Bruno, 2011) in an unspecified location. The proposed avoidance

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and minimization measures included in the DMND are consistent with Department recommendations so long as protocol preconstruction surveys are conducted before the installation of tortoise fencing at the Downs substation site. The Department recommends that future preconstruction surveys also follow the protocol contained in "Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassizii*)" (USFWS 2010) and be conducted during the appropriate survey period. Survey results should be submitted to both the Department and the United States Fish and Wildlife Service (USFWS). If surveys indicate the presence or potential presence of desert tortoise, consultation with the Department and the USFWS to develop avoidance, minimization, and mitigation measures should occur. If "take" could occur as a result of Project implementation, acquisition of a State ITP may be warranted prior to initiating ground-disturbing activities.

D-11

It should be noted that "take" under the Federal Endangered Species Act (FESA) is more stringently defined than CESA; "take" under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or resting. The Department recommends early consultation with the USFWS regarding federally listed species.

D-12

If you have any questions on these issues, please contact Reagen O'Leary, Region 4 Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 243-4014, extension 244, or by electronic mail at roleary@dfg.ca.gov. You may also contact Eric Weiss, Region 6 Environmental Scientist, by telephone at (909) 980-8607 or by electronic mail at eweiss@dfg.ca.gov.

Sincerely,



for

Jeffrey R. Single, Ph.D.
Regional Manager

cc: See Page Six

Comment Set D, cont.
California Department of Fish and Game, Central Region

Eric Chiang
February 15, 2012
Page 6

cc: Ray Bransfield
United States Fish and
Wildlife Service
2493 Portola Road, Suite B
Ventura, California 93003

Lisa Blewitt
Aspen Environmental Group
5020 Chesebro Road, Suite 200
Agoura Hills, California 91301

Comment Set D, cont.
California Department of Fish and Game, Central Region

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Literature Cited

Aspen Environmental Group, 2012. Draft Mitigated Negative Declaration and Supporting Initial Study for Southern California Edison's Downs Substation Expansion Project. January 2012.

Bruno, A. 2011. Memo: Downs Substation Proposed Project 115kV Route Scoping Survey. Southern California Edison. February 1, 2011.

DFG, 2003. Mohave Ground Squirrel Survey Guidelines. California Department of Fish and Game, January 2003.

USFWS, 2010. Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassizii*).

Responses to Comment Set D California Department of Fish and Game, Central Region

- D-1 The commenter summarizes the Proposed Project and notes that a discussion with the CPUC and Aspen Environmental Group occurred on February 10, 2012 to discuss concerns related to the Project Description and biological resources. The Final MND/IS, specifically Section A (Final Mitigated Negative Declaration) and Section B (Project Description), has been revised in response to the various concerns expressed by the CDFG based on available information. In addition, Section B.3.4 (Biological Resources) has been revised in response to concerns brought up during the discussion on February 10, 2012 and in response to the additional comments provided in the CDFG comment letter dated February 15, 2012 (see responses below).
- D-2 The commenter summarizes many of the sensitive species that were presented in the Draft MND/IS for the Proposed Project. Each of the species identified by the commenter was evaluated in the context of the Draft MND/IS and mitigation was presented, where applicable, to reduce impacts to these species to a less than significant level.
- D-3 The commenter has identified that the CDFG will provide recommendations to reduce impacts to sensitive species in the body of the comment letter. Please see responses to Comments D-4 through D12, below.
- D-4 The CPUC acknowledges the responsibility of the CDFG under CEQA and will continue to coordinate with the CDFG to address comments or concerns identified by the CDFG.
- D-5 As discussed in response to Comment D-1, the Final MND/IS, specifically Section A (Final Mitigated Negative Declaration) and Section B (Project Description), have been revised to provide clarification regarding the Project and to eliminate any inconsistencies. For example, the description of the Project provided in Section A.2 (Project Description) is clearly noted as being limited to the major components of the Proposed Project and has been revised to include a more complete listing of the major components with additional information for clarification; and additional language has been added to direct the reader to Section B (Project Description) for a complete, detailed description of the Proposed Project, including construction activities.
- D-6 The CPUC acknowledges the responsibility of the CDFG under CESA. As described in Section B.3.4 (Biological Resources) impacts to species covered by CESA have been disclosed and mitigation to reduce these impacts has been presented in the Draft MND/IS. Currently, all impacts to listed species from the implementation of the Proposed Project have been reduced to less than significant levels under CEQA. In compliance with State law, the CPUC understands that SCE may be required to complete further permitting in compliance with Fish and Game Code Section 2080 guidelines.
- D-7 Impacts to unlisted species identified by the commenter have been disclosed and mitigated in accordance with CEQA requirements. The application of mitigation measures would be required for any areas subject to Project disturbance or affected by the Proposed Project.
- D-8 Impacts to nesting birds have been disclosed and mitigated in accordance with CEQA and Fish and Game Code requirements. The application of mitigation measures for nesting birds

would be required for any areas subject to Project disturbance or affected by the Proposed Project.

- D-9 Section B.3.4 (Biological Resources) of the Initial Study acknowledges the responsibility and authority of the CDFG pursuant to Fish and Game Codes Section 1600 et seq. The Initial Study discloses that Project vehicles would cross a number of drainages in the Project area. Currently SCE has indicated these would not be considered as State jurisdictional water; however, concurrence from the CDFG has not been provided to the CPUC. Provided SCE does not alter the bed or banks and does not operate equipment in these areas during times when ponded or flowing water is present, impacts would be considered less than significant. However, as required by law, SCE would comply with the regulations regarding conducting Project activities in water bodies under the jurisdiction of the State and federal government. As such SCE would be required to either obtain required permits pursuant to Section 401 and 404 of the CWA and the State Porter-Cologne Act and CDFG Code 1602 or provide written concurrence from the US Army Corps of Engineers (USACE) and CDFG that these water bodies do not fall under the jurisdiction of the State or federal governments.
- D-10 The Draft and Final MND/IS disclose that portions of the Proposed Project cross important occupied habitat for the Mohave ground squirrel (MGS) and other listed species. In addition, the document discloses the importance of these areas for connectivity and movement for MGS. Mitigation Measure B-9 (Avoid habitat and conduct construction monitoring for Mohave ground squirrel.) requires SCE to limit all activities within occupied or potentially occupied habitat to existing access roads or cleared areas. In order to provide further clarification, the following language has been added to Mitigation Measure B-9 in the Final MND/IS. “If this is not possible, SCE shall avoid all potential MGS burrows by a minimum of 50 feet. This buffer may be adjusted with the approval of the CPUC and CDFG.”
- D-11 The Draft and Final MND/IS disclose that portions of the Proposed Project crosses habitat occupied by desert tortoise. In order to reduce potential impacts to desert tortoise the MND/IS has provided mitigation to reduce impacts to less than significant levels under CEQA. In addition, consistent with the recommendations identified by the CDFG, Mitigation Measure B-7 (Conduct presence or absence surveys for desert tortoise and implement avoidance measures) includes language requiring SCE to conduct focused clearance surveys for desert tortoise prior to ground disturbance or any Project activity in desert tortoise habitat.
- D-12 The CPUC acknowledges that the CDFG and USFWS interpret “take” differently according to the language presented by CESA and ESA. However, it is the responsibility of SCE to coordinate with the CDFG and USFWS to comply with the provisions of those regulations.

Comment Set E
County of San Bernardino, Land Use Services Department, Planning Division

LAND USE SERVICES DEPARTMENT

PLANNING DIVISION
385 North Arrowhead Avenue • San Bernardino, CA 92415-0181
(909) 387-8311 Fax (909) 387-3223
<http://www.sbcounty.gov/landuseservices>



COUNTY OF SAN BERNARDINO

CHRISTINE KELLY
Director

February 17, 2012

Eric Chiang
California Public Utilities Commission
c/o Aspen Environmental Group
5020 Chesebro Road, Suite 200
Agoura Hills, CA 91301

**RE: SAN BERNARDINO COUNTY RESPONSE TO THE NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE
PROPOSED DOWNS SUBSTATION EXPANSION PROJECT (A.10-12-016)
KERN COUNTY**

Dear Mr. Chiang:

Thank you for providing the County of San Bernardino a copy of the above-stated document for review and comment. We have reviewed the document and identify that the proposed project, upon implementation of all mitigation measures identified therein, will have no significant environmental impact. As such we have no comments regarding this Notice of Intent to Adopt a Mitigated Negative Declaration.

If you have any questions, please call me at (909) 387-4372, and/or email mslowik@ludsbcounty.gov. Thank you.

Sincerely,

MATTHEW SLOWIK, MURP, MPA
Senior Planner,
LUSD

MWS:ms

Slowik/Word/Letter to CPUC from Matt Slowik re Downs Substation Project in Kern_02-17-2012

GREGORY C. DEVEREAUX
County Executive Officer

Board of Supervisors
BRAD MITZELFELT.....First District NEIL DERRYThird District
JANICE RUTHERFORD.....Second District GARY C. OVITT.....Fourth District
JOSIE GONZALES.....Fifth District

E-1

Responses to Comment Set E County of San Bernardino, Land Use Services Department, Planning Division

- E-1 The commenter notes that with implementation of all mitigation measures identified in the MND/IS the Proposed Project will have no significant environmental impacts; and therefore, the commenter has no additional comments. The conclusions summarized are consistent with the MND/IS. All mitigation measures recommended in the MND/IS will be adopted as part of the approval process for the Project by the CPUC.

Comment Set F
Southern California Edison



February 21, 2012

By Electronic Mail

Eric Chiang
California Public Utilities Commission
c/o Aspen Environmental Group
5020 Chesebro Road, Suite 200
Agoura Hills, CA 91301
E-mail: downsexpansion@aspene.com

*Re: SCE's Comments on the Downs Substation Expansion Project Mitigated
Negative Declaration and Supporting Initial Study*

Dear Mr. Chiang:

Thank you for the opportunity to comment on the Draft Mitigated Negative Declaration and Supporting Initial Study for the Downs Substation Expansion Project. On behalf of Southern California Edison (SCE), our comments are attached in table format.

Sincerely,


Milissa Marona

Enclosure

cc. Lisa Blewitt, Aspen Environmental

Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON’S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Project Description	B.1-1	Please revise the text to include references to work that will be done at Inyokern, McGen and Searles substations.	"Southern California Edison (SCE) proposes to construct and operate the Downs Substation Expansion Project (Proposed Project), which includes upgrading and expanding the existing Downs 33/12-kilovolt (kV) Substation to a 115/12-kV substation containing a 115-kV switchrack; <u>upgrade protection relays inside the MEER at Inyokern, McGen and Searles substations</u> ; routing an existing 115-kV subtransmission line into and out of the proposed substation . . ."
Project Description	B.1-14	Please correct the number of 12 kV underground power circuits.	" Two <u>Three</u> 12-kV underground power circuits would connect the transformers to the existing 12-kV switchrack positions 5A and 11A via power cable trench."
Project Description	B.1-24	Please correctly identify the figure numbers referenced in the white boxes contained in Figure B.1-11.	

F-1

F-2

F-3

Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON'S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Project Description	B.1-28	<p>Figure B.1-15 does not identify a small section of fiber optic telecommunication cable that would run from Searles Substation to the fiber cables depicted on the lower part of the figure. Please revise the figure to account for the cable depicted by the orange lines on the figure at right.</p> <p>(Note: Please see Figure B.1-13, page B.1-26 for a representation of the other fiber optic telecommunication cable segments around Searles Substation. Figure B.1-15 should look similar to those, except showing the end of segment 3 and the start of segment 4.)</p>	
Project Description	B.1-33	Please revise the text to acknowledge that some construction work may occur on the weekend.	<p>"Construction activities would generally adhere to the noise ordinance of the local jurisdiction. In the event construction activities are necessary on days or hours outside of what is specified by ordinance (for example, if existing lines must be taken out of service for the work to be performed safely and the line outage must be taken at night or on a weekend for system reliability reasons), SCE would obtain variances as necessary from appropriate jurisdictions where the work would take place."</p>
Project Description	B.1-34	In Table B-1.1, survey work was estimated at 2 (two) days. Upon further evaluation, survey work is expected to cover 5 (five) days. Please note that this minimal change is not expected to substantially alter any air quality emissions estimates or any conclusions regarding significance.	

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F-5

F-6

Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON'S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Project Description	B.1-44 and B.1-45	Subsequent engineering has determined that the use of guard structures is not likely to be required because there would not be any crossing of railroads or aqueducts.	<p>"Depending on the overall width of the conductors being installed, two to four guard poles <u>would may</u> be required on either side of a crossing. Temporary netting could also be installed to protect some types of under-built infrastructure. The guard structures are removed after the conductor is secured into place. In some cases, the wood poles may be</p> <p>[page break]</p> <p>substituted with the use of specifically equipped boom trucks staged to prevent the conductor from dropping. SCE estimates approximately six guard structures <u>would may be</u> needed to be constructed along the proposed route."</p>
Project Description	B.1-45	Please revise the discussion of timing regarding the removal of poles.	"The existing poles that are not topped would be completely removed, <u>during or</u> after the transfer of existing 115-kV subtransmission lines, distribution lines, and fiber optic telecommunication cable to the new structures."
Project Description	B.1-52	In the third row under "Jurisdiction," please correct the terminology for the Construction General Permit.	"National Pollution <u>Pollutant</u> Discharge Elimination System, General Construction <u>Construction General Permit</u> Storm Water Pollution Prevention Plan (SWPPP). . . ."
Project Description	B.1-52 (and any other location where APM BR-5 appears)	With respect to the contents of APM BR-5, the replacement of existing wood subtransmission poles is required (due to wind load rating issues) to support the fiber optic cable installation. Positioning of the auger truck and augering holes will not necessarily be accomplished from the existing access road. The crew would likely place the vehicle(s) closer to the pole and in any location surrounding the replacement pole location (drive-and-crush method).	"During the installation of fiber optic telecommunication cable and subtransmission poles, potential habitat for the desert tortoise and Mohave ground squirrel will be avoided to the extent feasible. This will be accomplished through restricting vehicles to previously established access roads, with the oversight of biological monitors, and accessing the poles via bucket truck or climbing of the poles. In addition, the <u>qualified</u> biological monitors, <u>who</u> will be responsible for avoiding impacts to nesting migratory birds (including burrowing owls) and drainages during construction through the use of appropriate mitigation measures, as determined by <u>the a qualified</u> monitoring biologist."

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F-8
F-9
F-10

Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON'S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Aesthetics	B.3-15 (as well as Introduction page A-3, MMRCP page C-3 and any other location where Mitigation Measure V-2 appears)	<p>The use of galvanized poles and structural steel does not present any significant impacts, and in fact would be sufficient to mitigate any glare impacts under CEQA. Further dulling would have no value to address any temporary impacts for light and glare, as standard surface galvanizing treatment of structural steel and poles/towers will dull and remove practically all semblance of surface shine due to natural oxidization within six (6) to twelve (12) months of normal atmospheric exposure to the elements.</p> <p>In addition, please note the following:</p> <ol style="list-style-type: none"> 1) Secondary treatment of steel following the galvanizing treatment process to dull the surface is not an industry adopted methodology. There are no industry standards that define a dulling process. Note: SCE has been dulling towers since 1975, and there is no widespread use throughout the utility industry. 2) Due to the non-standard, specialized nature of secondary galvanized steel treatment, or dulling, of the five (5) qualified steel component suppliers that SCE uses, only one (1) appears to be able to produce a possible acceptable dulled finish product, which still suffers from inconsistent color output. This dilutes the competitive marketplace for galvanized steel products, and may result in protracted lead-times for material and potentially higher costs as a result of not having a diverse portfolio of qualified suppliers to meet project needs. 	<p>"V-2 Surface Treatment Plan. SCE shall submit to the CPUC a Surface Treatment Plan describing the application of dulling treatments (galvanizing and/or painting) to substation <u>structural steel</u> components and steel poles necessary to reduce the potential for daytime structural glare. The Surface Treatment Plan shall be submitted to CPUC for approval at least 90 days prior to (a) ordering the first structures that are to be color treated during manufacture, or (b) construction of any of the substation components before the plan can be approved. SCE shall not implement the plan until the plan has been approved by the CPUC. If the CPUC notifies SCE that revisions of the plan are needed, within 30 days of receiving that notification, SCE shall prepare and submit for review and approval a revised plan."</p>

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Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON'S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Aesthetics	B.3-15 (as well as Introduction page A-4, MMRCP page C-4 and any other location where Mitigation Measure V-3 appears)	Please revise Mitigation Measure V-3 to clarify that visibility of substation lighting should be minimized at locations outside the substation.	"V-3 Downs Substation expansion area Nighttime Lighting Mitigation Plan. SCE shall design and install all permanent lighting in a manner that minimizes visibility of such that light bulbs and reflectors are not visible from public viewing areas outside of the substation boundary. . . ."
Air Quality	B.3-26	Please revise this sentence to clarify that for purposes of a CEQA analysis, national, state, and/or local air quality standards and criteria have only been established for certain pollutants, and therefore, only those pollutants are considered relevant to air quality impact considerations.	"Air Criteria pollutants are those pollutants for which acceptable levels of exposure can be determined and for which standards have been set."
GHG	B.3-136	Please clarify that the 422.82 CO2E MT estimate for construction emissions includes emissions associated with all activities for the entirety of the construction work.	" Construction Total project construction GHG emissions would be approximately 422.82 CO2E MT."
Hazardous Materials	B.3-143	Please revise this section to more generally describe the broader set of regulations that apply to hazardous materials.	"Hazardous substances are defined by federal and State regulations that aim to protect public health and the environment. Hazardous materials have certain chemical, physical, or infectious properties that cause them to be considered hazardous. Hazardous substances are defined in the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 101(14), and also in the California Code of Regulations (CCR), Title 22, Chapter 11, Article 2, Section 66264-66260 et seq., which provides the following definition: A hazardous material is a substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed."

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Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON'S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Hazardous Materials	B.3-144	Please revise the discussion regarding California regulations to clarify that both state and federal laws would apply regardless whether EPA has approved the California regulatory program.	"The California Hazardous Waste Control Law (HWCL) is administered by Cal/EPA to regulate hazardous wastes. While the HWCL is generally more stringent than RCRA, until the EPA approves the California program , both the State and federal laws apply in California."
Hazardous Materials	B.3-146	In addition to the discussion provided in the existing text, please add a specific response to the question posed under CEQA criterion d., which asks whether the project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.	" <i>LESS THAN SIGNIFICANT.</i> No component of the Proposed Project is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Please note that Most most of the Proposed Project crosses through undeveloped desert and no known contaminated sites exist within 0.25-miles of any of the Proposed Project components. However, portions of the Proposed Project, where ground disturbance would be required (trenching for the fiber optic telecommunications cable and excavations for the Downs Substation expansion and associated new 115-kV subtransmission segment), cross through commercial and industrial areas with gas stations and other facilities that use and store hazardous materials, including in the city of Ridgecrest and in the community of Trona near the McGen Substation. These areas could have previously unknown soil contamination in areas of anticipated ground disturbance. In the event that previously unknown contaminated soil is encountered during excavation activities, the SCE contractors would segregate the soil and sampling and testing would be done to determine appropriate treatment and disposal options. If the soil is classified as hazardous, it would be properly managed on-location and transported in accordance with U.S. Department of Transportation regulations utilizing a Uniform Hazardous Waste Manifest to a Class I Landfill or other appropriate soil treatment or recycling facility (SCE, 2010). The lack of known contaminated sites within 0.25-miles of any of the Proposed Project components and SCE's above plans related to encountering unknown soil contamination reduces the potential to less than significant for this impact."
Hydrology	B.3-154	Please revise the text to acknowledge that Downs Substation is currently served by an existing water supply source line that would continue to be used for construction and operation of the expanded Downs Substation, but no <i>new</i> water source would be required.	"Operation and maintenance of the Proposed Project would not require a <u>new</u> water source."
Hydrology	B.3-155	Although it is not likely that groundwater would be encountered, please clarify the text to explain that if groundwater is encountered, implementation of mitigation measure WR-1 would ensure that any adverse impacts would be less than significant.	"During this process, <u>it is expected that</u> no groundwater would come to the surface, and <u>therefore, it is not expected that</u> the dewatering of the hole would be necessary. However, if shallow or perched groundwater is unexpectedly encountered during construction, such as during installation of tubular steel poles, dewatering activities would be required and Mitigation Measure WR-1 (Construction site dewatering management) would be applied to ensure that adverse impacts to groundwater supplies or quality would not occur."

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F-17

F-18

F-19

Comment Set F, cont.
Southern California Edison

**SOUTHERN CALIFORNIA EDISON’S COMMENTS AND SUGGESTED REVISIONS REGARDING THE
DOWNS SUBSTATION EXPANSION PROJECT DRAFT MITIGATED NEGATIVE DECLARATION AND SUPPORTING INITIAL STUDY**

Section	Page	Comment	Suggested Revision
Land Use	B.3-157	Please correct the text to include the accurate land use and zoning designations for properties surrounding the project site.	“The surrounding land uses include Commercial and Office (C) to the north, west, and east; Parks and Schools (PS) to the south; and Low Residential Estate Residential Density (LDED) to the southwest (City of Ridgecrest, 2008). The surrounding zoning includes Service Commercial (CS) to the north and east; Recreational, School, Public Use (RSP) to the south; multi-family residential Multi-Family Residential (R-2) to the southwest; and CG to the west (City of Ridgecrest, 2008).”
Noise	B.3-165, B.3-167, B.3-170, and B.3-173	Noise levels specified on the text on Page B.3-165, B.3-170, and B.3-173 do not match with Table B.3.12-1 on Page B.3-167. In particular, nighttime noise levels were measured at values below those listed on the text, and daytime noise levels were measured at values above those listed on the text.	“Please conform the dBA Leq readings in the text to those identified in Table B.3.12-1.”
Noise	B.3-174 (as well as Introduction page A-25, MMRCP page C-27 and any other location where Mitigation Measure N-2 appears)	Please adjust the title of Mitigation Measure N-2 to avoid any uncertainty as to what constitutes “unnecessary” construction noise.	“N-2 Avoid unnecessary Reduce impacts of construction noise . During construction SCE shall implement the following appropriate noise controls during construction”

F-20
F-21
F-22

Responses to Comment Set F Southern California Edison

- F-1 The requested changes have been incorporated in the Final MND/IS.
- F-2 The requested changes have been incorporated in the Final MND/IS.
- F-3 The requested changes have been made to Figure B.1-11 in the Final MND/IS.
- F-4 The requested changes have been made to Figure B.1-15 in the Final MND/IS. In addition, Figure B.1-13 has been updated per revisions provided by SCE on March 19, 2012.
- F-5 The requested changes have been incorporated in the Final MND/IS.
- F-6 Table B.1-1 in the Final MND/IS has been updated to reflect the increase in time related to survey work.
- F-7 The requested changes have been incorporated in the Final MND/IS.
- F-8 The requested changes have been incorporated in the Final MND/IS.
- F-9 The requested changes have been incorporated in the Final MND/IS.
- F-10 The requested changes have been incorporated in the Final MND/IS.
- F-11 The requested change to Mitigation Measure V-2 to clarify that dulling treatments would apply to the substation structural steel components has been incorporated in the Final MND/IS; however painting has been retained as a possible means for reducing glare. Painting provides another mitigation approach to achieve the necessary outcome. If SCE is unable to provide structures that are appropriately dulled, non-reflective, and not light/bright in color, by treating them (in order to prevent visual contrast), then those structures will need to be painted and a painting maintenance program will need to be developed and approved.
- F-12 The purpose of Mitigation Measure V-3 is not to minimize the visibility of bulbs and reflectors beyond the substation but to prevent visibility of the bulbs and reflectors from beyond the substation boundary, by utilizing appropriate lamp shields and light orientation. Therefore, the requested changes to Mitigation Measure V-3 have not been incorporated into the Final MND/IS.
- F-13 The requested change has been incorporated in the Final MND/IS.
- F-14 The requested changes have been incorporated in the Final MND/IS.
- F-15 The requested changes have been incorporated in the Final MND/IS.
- F-16 The requested changes have been incorporated in the Final MND/IS.
- F-17 The requested changes have been incorporated in the Final MND/IS.
- F-18 The requested change has been incorporated in the Final MND/IS.

- F-19 The requested changes have been incorporated in the Final MND/IS.
- F-20 The requested changes have been incorporated in the Final MND/IS.
- F-21 The noise levels specified have been revised in the Final MND/IS to reference those provided in Table B.3.12-1 to maintain consistency, as requested.
- F-22 The requested changes have been incorporated in the Final MND/IS.

Comment Set G
City of Ridgecrest



City of Ridgecrest

www.ci.ridgecrest.ca.us

Public Works
(760) 499 5083

March 8, 2012

Eric Chiang, CPUC
C/O Aspen Environmental Group
5020 Chesebro Road
Suite 200
Agora Hills, CA 91301

Subject: Downs Substation Expansion Project Environmental Review Comments

Mr. Chaing,

Please accept the following comments regarding the Downs Substation Expansion Project:

1. The project is located in City of Ridgecrest General Commercial zone designation. Precluding any state or federal legislation regarding permitting alterations or additions to facilities within said land use; SCE shall make application to the City for a conditional use permit with site plan review for conditioning and approval by staff and the Planning Commission. (RMC 20-16.3, 20-21, 20-22)
2. Visual impacts to surrounding land uses must be mitigated. The General Commercial zone requires buffering around the perimeter of the project area.
3. Additional street dedication on Ridgecrest Blvd. and / or Downs Street may be required to be in compliance to the City General Plan.
4. Curb, gutter and 5.5 foot wide sidewalk will be required to be designed and constructed along the Downs Street and Ridgecrest Blvd. frontage to City Standards. RMC 14-2.32
5. Match up base and AC paving will be required to be designed and constructed along the Downs Street and Ridgecrest Blvd. frontage to City Standards.
6. The site has a natural drainage course tributary to the site and ponding occurs on the site. The site is located in Flood Zone X as identified in the 2008 FEMA maps. Drainage must be accepted and disposed of by approved design and construction of facilities per the City of Ridgecrest Drainage Design Manual.
7. The City of Ridgecrest Master Drainage Plan calls for storm drain improvements along the frontage of this project to serve the site and area storm runoff needs. SCE shall enter into a deferred lein agreement to participate in their fair share of cost for the future improvements.
8. The existing transmission poles and any pole replacement proposed has a negative visual impact upon the area neighborhoods and the city. Undergrounding the transmission poles shall be considered as an alternative to relocation or reconstruction of poles and presented to staff and Planning Commission as an element of the site plan review.
 - a. If the power transmission poles are the approved for relocation, they must be relocated behind the City sidewalk.

G-1

G-2

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G-6

G-7

G-8

If you should have any questions, please do not hesitate to call.

Sincerely,

Handwritten signature of Loren E. Culp in black ink.

Loren E. Culp

City Engineer

CC: Dennis Speer, Public Works Director, Jim McRae, Public Services Director

100 West California Avenue
Ridgecrest, California 93555

Responses to Comment Set G City of Ridgecrest

G-1 The commenter states that the project is located in City of Ridgecrest General Commercial zone and shall make application to the City for a conditional use permit with site plan review for conditioning and approval by staff and the Planning Commission (Ridgecrest Municipal Code [RMC] 20-16.3, 20-21, 20-22). As described in Section B.1.7 (General Plan Designation) of the Draft and Final MND/IS, the CPUC has preemptive jurisdiction over the construction, operation, and maintenance of public utility facilities within the State and, as such, discretionary approvals (e.g., use permits) from local agencies are not required. While such projects are exempt from local land-use and zoning regulations and permitting, CPUC General Order 131-D Section 1X.B states that “Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission’s jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters”. SCE has considered local and State land use plans as part of the environmental review process and agreed to prepare and submit a grading and drainage plan to the City for review prior to construction. Furthermore, SCE would still be required to obtain necessary ministerial building and encroachment permits from local jurisdictions per the CPUC’s General Order 131-D, which requires SCE to comply with local building, design, and safety standards to the greatest degree feasible to minimize Project conflicts with local conditions. Table B.1-5 of the Final MND/IS identifies that ministerial approval would be required from the City of Ridgecrest for construction of the new facilities.

G-2 The commenter states that visual impacts to surrounding land uses must be mitigated and that the General Commercial zone requires buffering around the perimeter of the project area. As discussed in Initial Study Section B.3.1 (Aesthetics), visual impacts of the Proposed Project would be less than significant with implementation of mitigation measures. At the Downs Substation expansion site, Mitigation Measure V-1 requires that SCE provide and implement a Landscaping Plan that provides for vegetative screening of the substation site that effectively screens the majority of structural forms within five years of Project construction. SCE will submit the Landscaping Plan to the city of Ridgecrest for review and approval and include a detailed list of plants to be used and times to maturity given their size and age at planting. Light and glare-related impacts would be reduced through implementation of Mitigation Measure V-2 (Surface Treatment Plan) and V-3 (Downs Substation expansion area Nighttime Lighting Mitigation Plan). As such, visual impacts to surrounding land uses have been mitigated to a less-than-significant level per CEQA requirements.

While the Project is exempt from local land-use and zoning regulations and permitting, SCE has agreed to coordinate with the city of Ridgecrest regarding the buffer requirements of the General Commercial zone.

G-3 The commenter states that additional street dedication on Ridgecrest Boulevard and/or Downs Street may be required to be in compliance with the City General Plan. As discussed in response to Comment G-1, the City is preempted from regulating development of the Project under the City’s local land use authority (e.g., General Plan). Accordingly,

the City may not impose requirements such as street dedication pursuant to its local land use regulations on the Project, as the CPUC has preemptive jurisdiction over the construction, operation, and maintenance of public utility facilities within the State.

G-4 The commenter states that curb, gutter, and 5.5-foot wide sidewalks will be required along Ridgecrest Boulevard and Downs Street to meet City Standards (RMC 14-2.32). As discussed in response to Comment G-1, the City is preempted from regulating development of the Project under the City's local land use authority (e.g., Municipal Codes). While SCE is not required to obtain discretionary land use permits from the City, SCE would obtain ministerial grading, building, and encroachment permits from the City, as necessary, which may include a permit for the proposed driveway into the substation from Ridgecrest Boulevard. As discussed in Initial Study Section B.1.10.2, Substation Access, "SCE would secure all necessary permits required by the city of Ridgecrest for construction of the driveway."

G-5 The commenter states that match up base and AC paving will be required along Ridgecrest Boulevard and Downs Street to meet City Standards. As discussed in response to Comment G-4, while the CPUC has preemptive jurisdiction over the construction, operation, and maintenance of public utility facilities within the State Project, SCE would be required to obtain ministerial grading and building permits for development of the Project, as identified in Table B.1-5. Application of technical details regarding paving and other construction-related features and techniques, including features necessary to meet generally applicable safety requirements, likely would be part of the ministerial permitting process. SCE will consult with the City regarding such matters.

G-6 The commenter states that the site has a natural drainage course tributary to the site and ponding occurs on the site. The site is not located within the 100-year Flood Hazard Area, as designated by the Federal Emergency Management Agency (FEMA), or an area anticipated to be inundated as a result of the magnitude storm which has a one percent chance of occurring each year. The FEMA-prepared Flood Insurance Rate Map (FIRM) Number 06029C1577E, Panel 1577 of 4125, indicates that the site is located within Flood Zone X (FEMA, 2008), or an area of minimal flood hazard. Per the city of Ridgecrest Public Works Division, drainage on the project site should be accepted and disposed of per the City of Ridgecrest Drainage Design Manual (1989). As discussed in the MND/IS, there is an existing low point in the natural drainage of the southeast corner of the Proposed Project site; this area will be engineered and improved with the grading of the site. As described in Section B.1.10.3 (Substation Drainage), drainage would be designed to maintain or reduce discharge of stormwater runoff from the location through the use of an engineered detention basin to be located at the existing topographic low point in the southeast corner of the property, and would be in compliance with a construction Storm Water Pollution Prevention Plan (SWPPP).

SCE will consult with the city of Ridgecrest for all ministerial grading and building permits. Typically, drainage designs are included among the particulars of these permits, and likely would be issues on which SCE would consult with the City.

G-7 The commenter states that the City of Ridgecrest Master Drainage Plan calls for storm drain improvements along the frontage of the Downs Substation, and that SCE shall enter into a deferred lien agreement to participate in their fair share of cost for the future improvements.

As described in response to Comment G-6, the drainage design associated with the Proposed Project would occur in compliance with a SWPPP, and SCE will consult with the city of Ridgecrest for all non-discretionary local permits. Participation in future fair share cost allocations is typically a condition imposed in the context of a discretionary land use permit (such as a conditional use permit), or a requirement implemented as a mitigation measure to alleviate a significant environmental impact. The MND/IS did not identify any potentially significant hydrology or flooding impacts as a result of the Proposed Project that would require mitigation in the form of improvements to storm drains near the Project site. Furthermore, as discussed previously, the City has no jurisdiction to require such improvements/lien agreements as part of any discretionary permitting process.

G-8 The commenter states that the existing transmission poles and any pole replacement proposed have a negative visual impact upon the area neighborhoods and the City, and that undergrounding of the transmission line should be considered. As discussed in Initial Study Section B.1.10.8 (115-kV Subtransmission Line Description), SCE would be making some modifications to the existing above-ground 115-kV subtransmission lines/poles in the vicinity of the Downs Substation to allow for the existing subtransmission lines to connect to the Downs Substation. The modifications to the existing 115-kV subtransmission line include installing 2 wood stub poles, 1 light-weight steel (LWS) pole, and 1 tubular steel pole (TSP) along Downs Street, and removing an existing wood pole; installing 2 TSPs, reframing 1 wood pole, and topping and removing existing 115-kV conductor and related hardware from 2 wood poles along Ridgecrest Boulevard; and installing 1 LWS pole and 2 TSPs within the expanded Downs Substation property. These modifications would be occurring in the immediate vicinity of the Downs Substation and expansion area. As discussed in Initial Study Section B.3.1(c), the Proposed Project would result in less than significant impacts to the existing visual character and quality of the area. The discussion for KOP1 – Downs Street has been revised in the Final MND/IS to address the proposed pole changes and additions in the vicinity of the Downs Substation, as follows:

“In the context of the numerous existing vertical elements (transmission and utility poles) at and converging on the Downs Substation site, the proposed pole changes, while visible from both Downs Street and Ridgecrest Boulevard, would not appear inconsistent or out of character with the other numerous vertical features in the substation landscape. The resulting visual contrast associated with structural forms, lines, colors, and textures would be Low-to-Moderate and the expansion facilities and subtransmission structures would appear Co-dominant relative to the existing substation and subtransmission facilities. View blockage of the background Sierra Nevada Mountains and sky would be Moderate. The overall visual change would be Moderate when the three equally weighted factors of visual contrast, project dominance, and view blockage are combined. In the context of the existing landscape’s Moderate visual sensitivity, the resulting visual impact would be less than significant.”

Furthermore, an alternative should only be considered “environmentally superior” to a proposed project if it reduces impacts that would be caused by the proposed project. Without the Proposed Project, the 115-kV subtransmission lines/poles would continue to remain above ground along Ridgecrest Boulevard and Downs Street. In the California Supreme Court’s decision, *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (June 5, 2008) 43 Cal.4th 1143, the Supreme Court admonished

the Court of Appeal for “failing to sufficiently distinguish between the preexisting problems of the Bay-Delta, on the one hand, and adverse environmental effects of the proposed [Project].” The Supreme Court found that an alternative could not be determined “environmentally superior” just because it would more effectively address existing environmental problems than the proposed project. It is explained that “those problems would continue to exist even if there were no [project], and thus under CEQA they are part of the baseline conditions rather than program-generated environmental impacts that determine the required range of program alternatives.” In light of this, and with the understanding that existing conditions include overhead 115-kV subtransmission lines/poles along Ridgecrest Boulevard and Downs Street in the vicinity of the Downs Substation and expansion site, undergrounding of the 115-kV subtransmission lines that would be re-route into the Downs Substation as part of the Proposed Project would not be considered as an alternative to the Proposed Project.

With respect to the relocation of subtransmission poles (#8 Part (a)), placement of these poles would occur per the franchise agreement between the city of Ridgecrest and SCE.