

Comment Set A15  
U.S. Department of Agriculture, San Bernardino National Forest



United States  
Department of  
Agriculture

Forest  
Service

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File Code: 2720

Date: AUG 11 2006

CPUC/BLM  
c/o Aspen Environmental Group  
235 Montgomery Street, Suite 935  
San Francisco, CA 941044

Dear Project Managers :

**RE: Draft EIR/EIS Southern California Edison Company's Application for the Devers-Palo Verde No. 2 Transmission Line Project: SCH #2005110104/ EPA OEPC Control No. DES-06-20**

As a cooperating agency on the Devers-Palo Verde No. 2 Transmission Line Project, the USFS wishes to offer the following comments in response to the Draft Environmental Impact Statement/Report (DEIS/R, May 2006). We would also like to arrange a meeting with the APUC and BLM at their earliest convenience to discuss in depth our comments.

**Land Use**

Much of the mountainous terrain north and south of the San Gorgonio Pass Utility Corridor is located within the San Bernardino National Forest. Land ownership patterns in the Pass are such that any transmission line route must cross lands within the Forest or lands of the Morongo Band of Mission Indians. With that being the case, in 1984 the preferred route for the then proposed Devers-Valley No.1 500 kV transmission line easement was across Morongo tribal lands. Permission to cross was not granted so an alternate route was selected crossing 1.8 miles of National Forest System Lands within the then proposed San Jacinto Wilderness Addition. An easement was issued May 30, 1985 and the line constructed. The U.S.D.A. Forest Service (USFS) understands a similar routing situation exists for the construction of the Devers-Palo Verde No. 2.

The USFS issued the authorizing document for the Devers-Valley rights-of-way through the San Bernardino National Forest for a 30 year period beginning May 30, 1985. The Forest Service granted the easement under the Federal Land Policy and Management Act of 1976 "for a right-of-way for the construction, operation and maintenance of the Devers-Valley 500 kV transmission line." The area authorized is limited to 330 feet in width with the authorization ending December 31, 2015, but is renewable provided SCE will comply with the then-existing rules and regulations and is compatible with then-existing land use plans governing the occupancy and use of National Forest System lands.

The "Morongo Bypass" crossed portions of the San Bernardino National Forest that was designated San Jacinto Wilderness Addition in the California Wilderness Act. The California Wilderness Act provided that if the power line right-of-way crossed the Wilderness, the

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easement area would cease to be a part of the Wilderness. Notice to that affect was to be published in the Federal Register. Mitigation measures identified in the EIS were required as conditions of the right-of-way grant. These mitigations included helicopter access during construction and maintenance in lieu of road construction. Non-specular materials were to be installed, and tower sitting to be consistent with National Forest management objectives written at that time.

A15-1 cont.

The Devers-Valley No. 2 Alternative proposes to construct a new 500 kV transmission line north of existing lines and within the existing easement. The USFS intends to use the Devers-Palo Verde No. 2. Final Environmental Impact Statement (FEIS) to: 1) Approve the construction of the new Devers-Valley No. 2 transmission line with fiber optic attachments as disclosed in the FEIS, 2) Amend the existing Southern California Edison authorization (easement) for raptor, visual, and tower placement modifications, and, 3) Issue a new authorization (easement) to Southern California Edison covering all improvements within the existing easement, including 3<sup>rd</sup> party fiber optic attachments for a 50 year term, updated annually through an operation and maintenance plan.

**Visual Resources**

Currently, the existing Devers-Valley 500 kV line is a powerline that crosses approximately 1.8 miles of National Forest System land within an area designated as the San Jacinto Wilderness. Outside the wilderness boundary are apparently private lands but they are within the Santa Rosa & San Jacinto Mountains National Monument Lands. The comments on the Visual Quality are concerned with National Forest System Lands but the comments on the Pacific Crest Trail are both within the National Forest as well as the private lands outside the National Forest System boundary.

A15-2

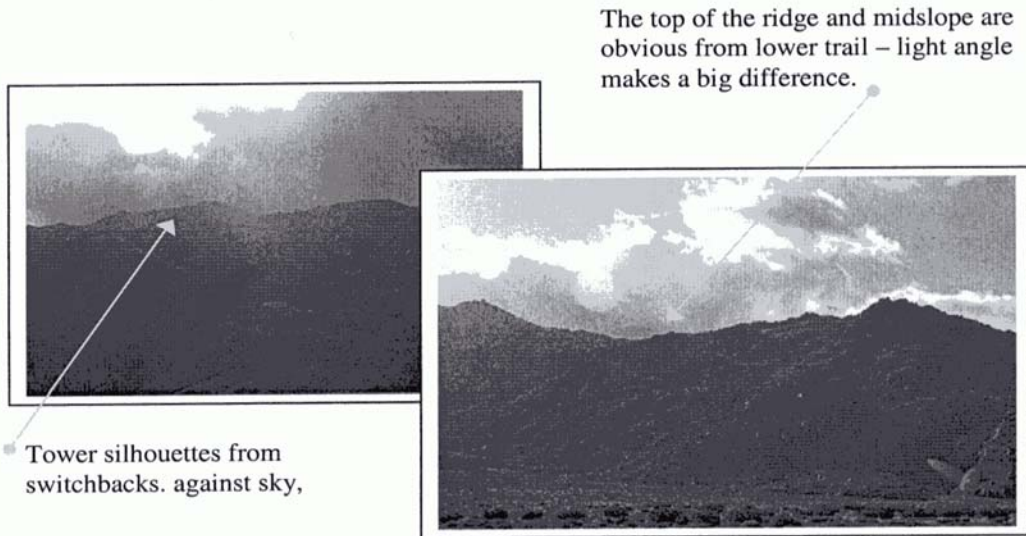
**Visibility of Existing Transmission line**

The current transmission line is seen from 4 important viewpoints of which the Forest Service Visual Management System Defines as Concern Level 1 and are listed in the order of importance of concern.

First, the silhouette of the towers is seen from the Pacific Crest Trail from within the National Forest in Sections 28 and 29. The towers are seen along side of the hill immediately east of Snow Creek and prominently as they cross the ridge. Since the movement of recreation hikers is slow, in both directions and the trail switches back and forth across a neighboring ridge, the views are often, obvious and direct.

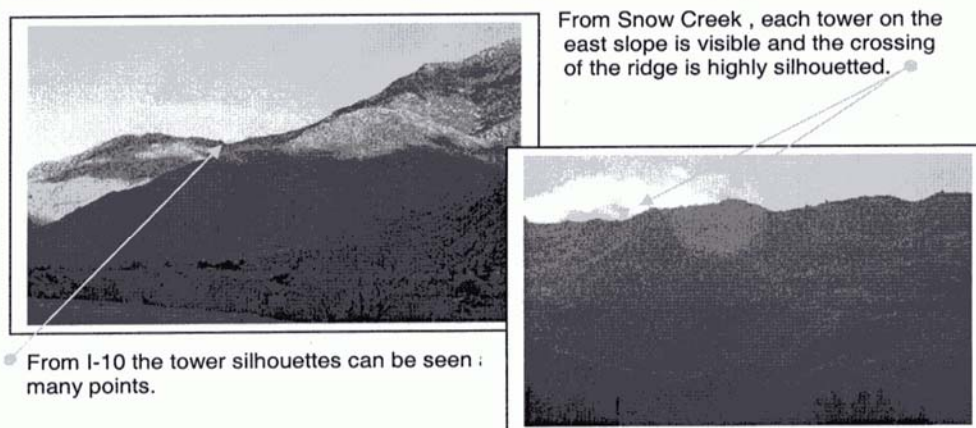
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A15-2 cont.



Second, is the view from the Pacific Crest Trail north out side the National Forest System lands out but south of the crossing point of I-10. The towers are obvious during certain light conditions on the east slope of the ridge immediately west of Snow Creek village. The line descends the slope and crosses the Trail and at least 5 towers are very obvious west of the trail.

Third, the silhouette of the tower line as it crosses the top of the ridge as seen from both directions of I-10 most of the time and on the east slope of the ridge west of Snow Creek at certain light conditions. The lattice tower structures are seen from both directions of travel by driver and passengers who view the grandeur of the San Jacinto Mountains. This is an obvious view in the driver's cone of vision at some limited points but is not an obvious direct view at all times. The primary seen periods would be by passengers viewing the San Jacinto Mountain – a long term view potentially viewed by many people but not a large prominent view.



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Forth, is the view from the development of Snow Creek. The towers on the west slope of the ridge inside the wilderness are visible from some viewpoints in about 1/3 of the houses. Outside the National Forest System lands along the west slope of the ridge east of the village the towers are obvious.

A15-2 cont.

Fifth, the view from the community of Cabazon on the east side to the ridge includes most of the towers at the top of the ridge, and in the right light, the line and towers descending the ridge can be seen by most of the community (e.g. the silhouetted towers and in the afternoon light, all towers descending the ridge).

Silhouetted tower from Cabazon close to ridge.



**Scenic Integrity Objectives**

Within the National Forest System lands, the transmission line corridor is within the wilderness area and is mapped on in the Forest Land Management Plan as “Very High”. This SIO (Scenic Integrity Objective) definition is “(Unaltered) ...refers to landscapes where the valued landscape characteristic is intact with only minute if any deviations.”

A15-3

However, the California Wilderness Act of 1984 provided that when the transmission line was constructed, the easement would be withdrawn from the wilderness. In a letter dated February 16, 1992 the San Bernardino Forest Supervisor noted the existence of a May 30, 1985 30 year easement granted to SCE for construction, operation and maintenance of a transmission line with an assumed width of 330 feet. A notice in the Federal Register in 1991 published this official withdrawal from the Wilderness System. However, when mapping the SIO’s for the new Forest Plan, this change of management status was not noted and should have been.

This easement with the power line does not meet the definition of “Very High” and there are no intentions to upgrade it or manage it to that guideline. Immediately east and contiguous to the section of land designated with the SIO of “High” the landscape character ‘appears slightly altered’. Noticeable deviations may be present but must repeat the form, line, color, texture and pattern common to the landscape character so completely and at such scale they are not evident.” It is reasonable to manage the easement to a high standard to allow the current activity but maintain high visual standards compatible with the contiguous lands.

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Until the proposed transmission line upgrade called attention to this parcel, the difference in land status was not known. Since the easement is not part of the wilderness, it is logical to upgrade the SIO map to conform with existing visual management standards where it would have been assigned. This should be a map correction to the SIO map.

A15-3 cont.

**Expected Visual Effects of Proposed Action**

Some visual disturbance or change from an existing natural view can be partially mitigated if the physical conditions of form, line, color and texture of the proposed action can match the existing form, line, color and texture of the backdrop. The relative ability of a landscape to accept human alterations without loss of scenic quality is called Visual Absorption Capability.

A15-4

The 3 areas of concern are:

**Desert flat:** Obvious and more noticeable than the existing single tower. There is almost no Visual Absorption Capability in this area since the towers are single large vertical elements in a predominately horizontal view plain. There are no desert flat areas affected in National Forest System lands so this is not an issue but it does affect the Pacific Crest Trail, Cabazon, and I-10.

**Mid-slope:** The extra line would increase the area of visual impact by double or more depending on the slope. However there is significant Visual Absorption Capability in the slope since the new towers would probably be viewed against the mid-slope. In some light the towers, with the right color, could blend into the backdrop of the highly patterned slope. However the lines would be noticeable since they do reflect/glint in most light and have an incompatible line for a long distance. There are mid-slope areas in National Forest lands that can be seen from the Pacific Crest Trail. Off the National Forest, communities in Snow Creek, Cabazon and the Pacific Crest Trail outside the National Forest would have strong potential to have the visual quality of the view shed negatively impacted.

**Ridge Crossing:** The towers silhouetted against the open sky are highly visible with no Visual Absorption Capability except darkness and fog. The proliferation of tower structures will increase their visibility as seen from all previously discussed points of view. The best opportunity for limiting the towers visibility is to reduce the silhouetted to more closely hug the mountain ridge.

**Proposed Mitigation to Reduce Visual Impact on NFS Lands**

The definition of Visual Impact is a change from the existing form, line, color and texture of an existing natural condition. The magnitude of the impact is based on the time of viewing, angle or view relative to the viewer, and extent of change. The goal of the Forest Service Scenery Management System is to assign values of existing and proposed scenery character according to a priority of existing character, intended uses and values of the expected audience.

A15-5

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The LMP mapped SIO's assign the relative change that should be allowed for proposed uses of the natural forest which create changes. The SIO of High expects that the intended action, as well as the existing condition, "appear unaltered." This means that if you look at the landscape on a casual basis the introduced feature would not leap out as immediately noticeable. Given time to study, the feature could be discerned from the natural landscape; this would be the goal of the mitigation proposed.

A15-5 cont.

The existing condition of the towers fit the Moderate, or lower, SIO definition in that the landscape with the tower silhouettes and color is usually obvious to the casual view although the land base is not drastically changed. It also follows that to achieve the SIO of high for the new transmission line, the existing lines need also to be altered to help moderate the total impact for the new line to attempt to reach the goal of High SIO.

The following mitigation measures are suggested to conform to the expected impacts to 2 areas of concern on National Forest System Lands.

**Common treatment of all areas:**

- All transmission lines should have a permanent coloring of dark gray.
- All towers not back-dropped on mid-slope should have permanent coloring of cool mid gray (battleship gray).

**Mid-slope:**

- All towers and concrete bases on slopes which could serve as backdrops (mid-slope) should be painted olive drab.
- Tower pads should be left uneven without leveling.
- No construction roads should be built.
- Towers should be constructed by air support.

**Ridge Crossing and Mid-slope:**

- Towers should be constructed of lower profile to closer "hug" the top of the ridge to avoid tower silhouetting.
- Graphic studies from dominate view sites should be used to best place towers where they would be best back dropped from expected viewing points.
- All towers and concrete bases on slopes which could serve as backdrops (mid-slope) should be painted olive drab.
- Tower pads should be left uneven without leveling.
- No construction roads should be built.
- Towers should be constructed by air support.

**Pacific Crest Trail outside NFS Lands:**

According to 1971 and 1972 Memorandums of Agreement between Forest Service, National Park Service and Bureau of Land Management, the Forest Service is responsible for management and development of those trail segments outside National Parks and not within the designated BLM administered areas. The Forest Service asserts that the trail between the Forest and I-10, and inside the Monument Boundary, is managed by the Forest Service.

A15-6

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The Forest direction in the Land Management Plan (Part II- page 100) reads:  
*SBNFS7 – Pacific Crest National Scenic Trail – Protect scenic value in accordance with adopted scenic integrity values. Protect foreground view from the footpath, as well as the designated viewpoints. Where practicable, avoid establishing unconforming land uses with the view shed of the trail.*

A15-6 cont.

The trail is crossed by the existing transmission line in the Desert Flats zone. The crossing has the hiss of the corona and the towers on both sides are visible. The additional line will increase the sound and duration of corona as well as add to the negative visual impact of the area. This trail is not in wilderness at this point but it is in a natural setting. Views and sounds from I-10 are part of the setting. The towers are a negative impact but the direction of the Pacific Crest Trail guide points out: “The existence of the trail in general will not dictate the management of lands it traverses. Rather, the management of the trail will reflect the management of the adjoining lands.” Direction is also to manage the trail as a Sensitivity Level 1 and with the Visual Quality Objective of Retention (comparable to the SIO of High).

Proposed visual mitigation for the Pacific Crest Trail is:

- Where towers could be practically back dropped, utilize mitigation suggested for Mid-slope and Ridge Crossing on National Forest System Lands.
- Do not cross the PCT with construction roads – remove any existing.
- Locate towers so the PCT is in the middle of the span (if this does not involve placement of extra or taller span towers to accomplish such action).

**Wilderness and Recreation**

There has been some concern that lands adjacent to Wilderness are only suitable for compatible uses. However, according to Congress they did “not intend for the designation of Wilderness Areas to lead to the creation of protective perimeters or buffer zones around any Wilderness area. The fact that non-Wilderness activities or uses can be seen or heard from areas within a Wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the Wilderness area.”

A15-7

**Santa Rosa and San Jacinto Mountains National Monument: within the San Jacinto Wilderness**

According to the National Monument Management Plan no utility corridors were identified within the National Forest System lands of the Monument. However, the Devers- Valley line had been approved and constructed in 1985. Pertinent text in the Plan addresses activity of this nature as follows: “Impacts to the resources that the National Monument was established to protect are analyzed according to NEPA upon receipt of an application for a right-of-way”. Impacts to visual resources are included in such an analysis as addressed in a previous section of these comments. The Plan further states, “No adverse impacts to utilities or public services would result from any of the Monument Plan alternatives.” The routing shift of Devers-Valley No. 2 to the Devers-Valley power line rights-of-way displayed in Alternative 2 is consistent with

A15-8

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the current National Monument Management Plan which states, "Existing special uses are expected to continue (Non-Recreation Special-Uses)." The Devers-Valley rights-of-way was in place prior to creation of the Monument. No dimensional changes nor type of use are proposed to the easement in the DEIS.

A15-8 cont.

**Cultural and Paleontological Resources**

We find that if implemented, the protection measures described in Table D.7-34 (pp. D.7-125 through D.7-134) are adequate and sufficient to identify and protect sensitive cultural resources. With regard to proposed Mitigation Measure C-1e (p. D.7-128), copies of monthly reports sent to BLM which document monitoring efforts, should be sent to the San Bernardino National Forest (SBNF) if the effected lands are on SBNF property.

A15-9

As noted on page D.7-112, approximately 50% of the Area of Potential Effect (APE) of the Devers-Valley No. 2 Alternative located on the SBNF has not been surveyed for cultural resources. For the purposes of this project, the entire APE should be surveyed. The permittee proposes to survey the un-surveyed portion of the APE. We agree with this approach. However, we suggest that any portions of the APE that have been surveyed in the past be resurveyed if the report covering those portions is over 15 years old.

As it pertains to SBNF land, all newly discovered sites should be recorded, and all known sites relocated and updated. Regarding sites located on Forest Service land, the San Bernardino National Forest should receive copies of site records for all newly discovered sites and for all known sites for which the records are updated. Copies of all cultural resource reports dealing with land belonging to the San Bernardino National Forest should be sent to the Forest Archaeologist and the District Archaeologist. Cultural resource specialists should obtain a permit from the Forest Archaeologist before conducting inventories on the San Bernardino National Forest.

**Hydrology and Water Resources**

Since the DEIS/R was not developed with the Devers-Valley route as the focus i.e. crossing NFS Lands there was little to comment on. However, if the work to be done and a rewrite is done to the same thoroughness as for the Devers-PaloVerde 2 across the Pass floor (Morongo) it will adequately address our issues of implementation of Best Management and Plans Practeces.

A15-10

**Biological Resources**

Analyze and disclose the effects of powerlines and the increased maintenance of the additional power line as an impact to wildlife species, paying particular attention to Management Indicator Species (MIS). Potential mitigation to consider for these effects:

- Post-construction surveys for threatened, endangered and sensitive (TES) species may be required and if required will be reported to the Forest Service to enter into the California Natural Diversity Database.
- Consult with the Forest Service regarding mitigating any adverse effects to species. Additionally, if new TES species are found post construction or during the lifetime of the

A15-11



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500 KV line, consult immediately with Fish and Wildlife Service and appropriate land owners prior to additional maintenance.

A15-11 cont.

Include provisions for raptor safety when issuing permits for new power lines and communication sites. Also implement these guidelines for existing authorizations within one year in identified high-use flyways of the California condor and within five years in other high-use raptor flyways. Coordinate with the California Department of Fish and Game, U.S. Fish & Wildlife Service, and power agencies to identify the high-use flyways.

- Insure the latest raptor protection measures are included as a condition of construction and ongoing operation/maintenance of the powerlines.
- Retrofit the existing line to improve raptor safety.

The following changes to Table D.2-14 are recommended

A15-12

B-9b.

- Add “ Forest Service shall be notified of all sensitive species found on Forest Service land”.
- Add Region 5 sensitive and forest watchlist animals to those species to be monitored or moved and report any sightings to Forest Service.

B-9c.

- Add Forest Service to all reviews and updates on Worker Environmental Awareness Program.
- Add Forest Service training element for contractors especially if work is on FS lands. Regulations and data collection needs may be different between BLM, PUC, and FS.
- Add Forest Service R5 and forest sensitive and MIS wildlife species to list of wildlife species contractors are trained to identify. Provide opportunities for Forest Service staff to comment and assist on training.

B-9f.

- Add survey for peninsular bighorn sheep on Forest Service land prior to construction and maintenance of powerlines. Consult with Bighorn Institute and FWS and Forest Service if sheep are found in the area.
- Add peninsular bighorn sheep to list of species that have potential to occur on Forest Service lands.

B-9g.

- Add “relocate after consultation with Forest Service”

B-9a-i.

- Report the results of all surveys and monitoring efforts to the Forest Service in addition to the other agencies (PUC and BLM)

B-13a-b

- Comply with Coachella Valley MSHCP in all lands that fall within its jurisdiction.

Appendix 10

- Update detail maps to include alternative routes such as the Devers route across National Forest System lands.

A15-13

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**Vegetation**

Since there are no service roads to the existing towers or new roads proposed for construction of the new line and ingress and egress is by helicopter impacts to vegetation will be minimal. Aerial equipment used should have the capacity to put out any fires that might start from construction activities. The direction provided in the Memorandum Of Understanding (June 1, 2006) between the Edison Electric Institute, the Forest Service, the Bureau of Land Management, the Fish & Wildlife Service, the National Park Service and the U,S, Environmental Protection Agency regards vegetation management along rights-of-way for electric transmission and distribution facilities on Federal lands should be incorporated into the FEIS and made part of the project guidelines. The direction provided in the Forest Service publication "Guide to Noxious Weed Prevention Practices" should be incorporated into the FEIS and for the disclosure of the effects associated with the proposed construction.

A15-14

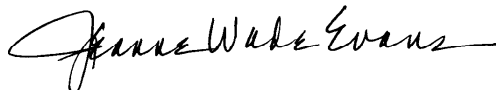
**Geology, Minerals and Soils**

The document on the whole contains adequate information concerning the effects of the proposed action on the soil resources. The defined impacts of the project on the soil resources are actually detailed better in the hydrology and water resources section of the document rather than in the section related to geology, mineral resources and soils. This can be somewhat confusing. The information detailed about impacts to the soils from the project is covered and with the proper best management practices used the majority of these should be minimized. The potential for increased erosion, debris slides from the project is covered. Although, in Chapter 4 of the document titled Environmental Consequences (page 4-24) the impacts to the soil resources are not stated.

A15-15

Thank you providing us the opportunity to comment on the Devers-Palo Verde No.2 proposal. We are looking forward to our further participation with this project. Please contact George Kenline, 909-382-2690, if you have questions regarding this response.

Sincerely,



JEANNE WADE EVANS  
Forest Supervisor

## Responses to Comment Set A15 U.S. Department of Agriculture, San Bernardino National Forest

A15-1 The information provided by the Forest regarding the establishment of the existing Devers-Valley ROW through the San Bernardino National Forest is consistent with the description of the transmission line in the EIR/EIS. The underlined text below was added to Section D.5.9.1:

- **San Bernardino National Forest.** The SBNF was established in September 1925 by President Calvin Coolidge and is managed by the USDA Forest Service (USDA Forest Service, 2005a). The SBNF is located both north and south of I-10; the alternative would parallel the existing Devers-Valley No. 1 500 kV transmission line across 1.8 miles of the southern portion of the SBNF. Recreational activities at the SBNF include hiking, camping, off-highway vehicle use, skiing, fishing, and horseback riding (USDA Forest Service, 2006a).

In 1984, the preferred route for the proposed Devers-Valley No. 1 route was across tribal lands owned by the Morongo Band of Mission Indians, for which permission to cross was not granted. As such, an alternate easement for the Devers-Valley No. 1 route was issued on May 30, 1985 by the USDA Forest Service under the Federal Land Policy and Management Act of 1976 (USDA Forest Service, 2006b). The authorization for the 330-foot-wide easement across the SBNF is set to expire on December 31, 2015, but is renewable provided that SCE will comply with then-existing rules and regulations and is compatible with then-existing land use plans governing the occupancy and use of National Forest System lands (USDA Forest Service, 2006b).

A15-2 The high visibility of the Devers-Valley No. 2 Alternative route from the viewpoints described in the comment is acknowledged, and is consistent with the conclusions of the visual analysis presented in Section D.3.9.1. The comment describes views of the route from a different viewpoint than that considered in the EIR/EIS.

A15-3 The Forest's description of the required change in designated Scenic Integrity Objectives is acknowledged. See also Response E5-23.

A15-4 The expected visual effects described in this comment are acknowledged and are generally consistent with the findings presented in the EIR/EIS. The comment describes views of the route from a different viewpoint than that considered in the EIR/EIS.

A15-5 The proposed visual mitigation measures put forth in this comment are acknowledged and considered appropriate for that portion of the alternative route crossing National Forest System lands. Mitigation Measures V-40b has been added to Section D.3.9.1 to incorporate these requirements. The following text has been added, followed by the new mitigation measure.

In addition, Mitigation Measure V-40b is added in compliance with requirements of the San Bernardino National Forest (SBNF). This measure applies to towers on SBNF land.

The Devers-Valley No. 2 Alternative would cross the Pacific Crest National Scenic Trail south of the I-10 in the Desert Flats zone. Views and sounds of I-10 are part of the setting in this area. The SBNF Land Management Plan (Part II, page 100) reads:

SBNFFS7 – Pacific Crest National Scenic Trail – Protect scenic value in accordance with adopted scenic integrity values. Protect foreground view from the footpath, as well as the designated viewpoints. Where practicable, avoid establishing unconforming land uses with the viewshed of the trail.

The SBNF states that direction is to manage the trail as a Sensitivity Level 1 and with the Visual Quality Objective of Retention (comparable to the SIO of High). As a result, Mitigation Measure V-40c is also added in compliance with SBNF requirements; it applies to the area near the Pacific Crest National Scenic Trail south of the I-10 (Towers numbered DV-38 to DV-46 on Figure Ap.1-8b).

**V-40b** Reduce visual contrast of towers and conductors on San Bernardino National Forest land. The following design measures shall be applied to all new structures and conductors on SBNF land based on SCE’s consultation with SBNF staff prior to completion of final design. The details of these measures shall be developed:

In all areas:

- Transmission lines should have a permanent coloring of dark gray.
- All towers not back-dropped on mid-slope should have permanent coloring of cool mid-gray (battleship gray).

In mid-slope areas (as defined by SBNF):

- All towers and concrete bases on slopes which could serve as backdrops (mid-slope) should be painted olive drab.
- Tower pads should be left uneven without leveling.
- No construction roads shall be built.
- Towers shall be constructed by air support.

At ridge crossing and mid-slope (as defined by SBNF):

- Towers should be constructed of lower profile to closer “hug” the top of the ridge to avoid tower silhouetting.
- Graphic studies from dominant view sites should be used to best place towers where they would be best back-dropped from expected viewing points.
- All towers and concrete bases on slopes which could serve as backdrops (mid-slope) should be painted olive drab.
- Tower pads should be left uneven without leveling.
- No construction roads shall be built.
- Towers should be constructed by air support.

A15-6 The proposed visual mitigation measures put forth in this comment are acknowledged and considered appropriate for that portion of the alternative route crossing the desert flats south of I-10 in the vicinity of the Pacific Crest Trail, which is administered by the National Forest. Mitigation Measure V-40c (below) has been added to incorporate these requirements.

**V-40c Reduce visual contrast of towers and conductors near the Pacific Crest Trail. For towers located south of I-10 and outside of the SBNF, the following provisions apply:**

- Where towers could be practicably back-dropped, utilize mitigation suggested for mid-slope and Ridge Crossing on SBNF lands (as defined in Mitigation Measure V-40b).
- The PCT shall not be crossed with construction roads.
- Locate towers so that the PCT is in the middle of the span (if this does not involve placement of extra or taller span towers to accomplish such action).

Mitigation Measure WR-1b (Provide a temporary detour for Pacific Crest National Scenic Trail users) has been updated to reflect that SCE shall coordinate with the USDA Forest Service regarding construction activities across the Pacific Crest National Scenic Trail (PCT). In addition to Mitigation Measures WR-1b, APM L-9 was identified by SCE to avoid permanent impacts to the PCT. As described in Table D.5-1 (Section D.5.5.2), APM L-9 would require the placement of utility structures parallel to existing structures in order to span and avoid displacement of the PCT. See Section D.5.7.1 (Impact WR-3) for a discussion of APM L-9. Mitigation Measure WR-1b has been modified as follows:

**WR-1b Provide a temporary detour for Pacific Crest National Scenic Trail users.** No less than 40 days prior to construction, SCE shall coordinate with the USDA Forest Service authorized officer of the Pacific Crest National Scenic Trail to establish a temporary detour of the trail to avoid hazardous construction areas. SCE shall prepare a public notice of the temporary trail closure and information on the trail detour consistent with Mitigation Measure L-1a (Prepare Construction Notification Plan). SCE shall document its coordination efforts with the USDA Forest Service and submit this documentation to the CPUC and the BLM 30 days prior to construction.

As described in Section D.5.7.1, the Proposed Project would involve the removal of two existing 230 kV single-circuit transmission lines and the construction of a new double-circuit 230 kV transmission line across the PCT. The total number of transmission lines that would traverse the PCT would decrease as a result of the project, and consequently, corona would not significantly increase above existing conditions. However, Section D.5.9.1 describes the impacts to the PCT that would result from the Devers-Valley No. 2 Alternative, which would be greater than the Proposed Project. The Devers-Valley No. 2 Alternative would site a new 500 kV transmission line across the San Jacinto Mountains National Monument and the PCT, which would introduce a new industrial land use and increase the sound and duration of corona across these recreational resources. As summarized in Section D.5.9.1, impacts to the character of recreational resources such as the PCT resulting from the Devers-Valley No. 2 Alternative would be significant and unmitigable. Text changes are presented in Response A15-8 below.

A15-7 Section D.5.9.1 (Wilderness and Recreation) does not make the assumption that the construction of the Devers-Valley No. 2 Alternative adjacent to a wilderness area would, in and of itself, preclude activities within the wilderness area. However, direct and indirect impacts to recreational resources outside of the corridor (within the wilderness area) may occur as a result of construction activities and the siting of transmission structures. See Section D.5.9.1,

Impacts WR-1 and WR-3, for a discussion of these impacts. Mitigation Measures WR-1a (Coordinate construction schedule and activities with the authorized officer for the recreation area), WR-1b (Provide a temporary detour for Pacific Crest National Scenic Trail users), and WR-3a (Coordinate tower and road locations with the authorized officer for the recreation area) have been proposed to minimize impacts from construction and operation of the Devers-Valley No. 2 Alternative.

- A15-8 The Impact WR-2 discussion for Section D.5.9.1 has been updated to incorporate the information that the commenter have provided regarding the Santa Rosa and San Jacinto Mountains National Monument Proposed Management Plan. The revised text is presented below.

***Impact WR-2: Operation would change the character of a recreation or wilderness area, diminishing its recreational value (Class I)***

The Devers-Valley No. 2 Alternative would create a new 500 kV transmission line across the boundaries of the Santa Rosa and San Jacinto Mountains National Monument, the PCT, the SBNF, the San Jacinto WA, and the Potrero ACEC. This alternative would be located adjacent to an existing utility line, and would not likely require an expansion of the current easement. However, the alternative would intensify the industrial nature of the ROW through the construction and operation of new towers and spur roads across these recreational resources.

The new 500 kV transmission towers would be approximately 150 feet in height. Given the substantial size of these structures and their industrial appearance, the new transmission towers would contrast with the natural landscape of the national monument, PCT, SBNF, WA, and the ACEC. New towers would be constructed across or adjacent to these resources, and as such, the alternative would significantly increase the total amount of industrial development within or adjacent to recreational areas, further degrading their landscape and character (see Section D.3.9.1, Visual Resources).

In addition, existing resource management plans include goals and policies that address the need to preserve and protect the Santa Rosa and San Jacinto Mountains National Monument. Section 5(e) of the National Monument Act states, “Nothing in this act shall have the effect of terminating any valid existing right of way within the Monument. The management plan prepared for the National Monument shall address the need for and, as necessary, establish plans for the installation, construction, and maintenance of public utility rights-of-way within the National Monument outside of designated wilderness areas,” (BLM, 2000b). As stated, the act permits the continued use of existing ROWs within the monument. ~~While However,~~ the act does not discuss the future development of existing utility corridors, ~~it but~~ defers to the management plan for utility issues. In a reference to the future use of existing utilities within the Monument, the management plan states, “Existing special uses are expected to continue (Non-Recreation Special-Uses).” ~~However, according Aeeording~~ to the Santa Rosa and San Jacinto Mountains National Monument Final Management Plan, the purpose and need of the national monument is to preserve the monument’s national significant resources (biological, cultural, recreational, and others) and to secure the monument for future generations to have the opportunity to experience and enjoy the magnificent vistas and wildlife (BLM and USDA Forest Service, 2004). As such, the purpose and need set forth in the management plan for the national monument supports the preservation of WAs and the protection of natural resources, including recreation.

The 2005 Land Management Plan: Part 2 San Bernardino National Forest Strategy also restricts utility development in WAs. However, the Devers-Valley No. 2 Alternative would traverse the San Jacinto WA in an existing utility corridor that ceased to be designated as wilderness. As such, there would be no conflicts with the wilderness or recreational policies of the USDA Forest Service Land Management Plan that would require a plan amendment. For further discussion of plan amendments that may be required from impacts to other issue areas, see Section C.4.3, Alternatives, and D.3.9, Visual Resources.

Overall, development and operation of the Devers-Valley No. 2 Alternative would change the character of recreational resources at the Santa Rosa and San Jacinto National Monument, the PCT, the SBNF, the San Jacinto WA, and the Potrero ACEC. ~~The siting and operation of a new 500 kV transmission line would be inconsistent with the purpose and need of the national monument.~~ The intensification of the existing ROW as a result of the alternative would also significantly diminish the character and recreational value of traversed and adjacent recreational resources. Impacts to the Santa Rosa and San Jacinto National Monument, the PCT, the SBNF, the San Jacinto WA, and the Potrero ACEC would be significant and unmitigable (Class I). No mitigation measures have been identified that would reduce the industrial development of the Devers-Valley No. 2 Alternative across these recreational resources.

- A15-9 Mitigation measures in the Cultural Resources section for the Devers-Valley No. 2 Alternative have been revised to add the USFS as a consulting party and permit grantor for cultural resources management activities and monitoring on San Bernardino National Forest land. Please see Response A12-5 where the modified measures are presented.
- A15-10 Section D.12.9.1 (Devers-Valley No. 2 Alternative) of the Draft EIR/EIS has been modified to add the following sections:

***Impact H-2: Degradation of water quality through spill of potentially harmful materials used in construction (Class II)***

Table B-6 in Section B (Project Description) lists the types of equipment that would be used during construction of the Proposed Project. Accidental spills or disposal of potentially harmful materials used during construction could occur during refueling or due to equipment damage. Spilled liquids could wash into and pollute surface waters or groundwater. Materials that could potentially contaminate the construction area due to spills or leaks include diesel fuel, gasoline, lubrication oil, hydraulic fluids, antifreeze, transmission fluid, lubricating grease, and other fluids.

APMs W-2 and W-3 (see Table D.12-3) were designed in part to reduce the potential for water quality degradation from spills and leaks during construction. However, even with the implementation of these APMs and the required SWPPP, construction-related water quality degradation could occur. This impact would be potentially significant (Class II), but with the implementation of Mitigation Measures P-1a (Develop Hazardous Substance Control and Emergency Response Plan), P-1b (Conduct environmental training and monitoring program), P-1c (Ensure proper disposal of construction waste), and P-1d (Maintain emergency spill supplies and equipment) it would be reduced to less than significant. This impact is similar to Public Health and Safety Impact P-1 (Soil contamination as a result of improper handling and/or storage of hazardous materials during construction activities), which is discussed in Section D.10.6.1.

*Mitigation Measures for Impact H-2: Degradation of water quality through spill of potentially harmful materials used in construction*

**P-1a** Develop Hazardous Substance Control and Emergency Response Plan.

**P-1b** Conduct environmental training and monitoring program.

**P-1c** Ensure proper disposal of construction waste.

**P-1d** Maintain emergency spill supplies and equipment.

**Operational Impacts**

~~Impact H-3 would occur on every route segment, and is addressed in Section D.12.6.1 above.~~

*Impact H-3: Increased runoff from new impervious areas resulting in flooding or increased erosion downstream (Class III)*

Construction of tower foundations and access or spur roads could result in additional runoff through creation of impervious areas and compaction of soils. Impervious areas and compacted soils generally are less able to absorb rainfall, so increased flood peaks are a common occurrence in developed areas. Project construction may result in small local increases in runoff, but the total area affected by construction would be very small in comparison to the total watershed. Further, the area of this segment of the proposed route is very sparsely developed, and any small increase in runoff that could increase flooding is not likely to have an appreciable impact. Implementation of APM W 8 would ensure that the adverse affects associated with increased runoff from new impervious areas would be less than significant (Class III). No mitigation is required.

*Mitigation Measures for Impact H-4: Water quality degradation caused by accidental releases of oil from project facilities*

**P-4a** Prepare Spill Prevention, Countermeasure, and Control Plans

*Mitigation Measures for Impact H-6: Encroachment into a floodplain or water-course by permanent aboveground project features resulting in flooding, flood diversions, or erosion*

**H-6a** Design diversion dikes or other site remediations to avoid damage to adjacent property

A15-11 Section D.2.8.1 of the Draft EIR/EIS has been modified by adding the following section, and Mitigation Measure B-18a to address the effects of the Devers-Valley No. 2 Alternative on Management Indicator Species.

**San Bernardino National Forest Management Indicator Species**

The National Forest Management Act of 1982 requires that the USDA Forest Service address Management Indicator Species (MIS) during the development of forest plans (USDA 2005). These species are selected because their population or habitat trends are believed to indicate the effects of management activities on NFS lands (36 CFR



219.19(a) (1) [1982]; 36 CFR 219.14 [2005]), and as a focus for monitoring (36 CFR 219.19(a) (6) [1982]). On the San Bernardino National Forest (SBNF) the following habitat types and management issues have been assigned an indicator species as a measure of management success. These include:

Healthy Diverse Habitats (Mule deer)

Fragmentation (Mountain lion)

Montane Conifer Forest (California spotted owl, California Black oak, and White fir)

Riparian Habitat (Song sparrow)

Aquatic Habitat (Arroyo toad)

Oak Regeneration (Blue oak, Engleman oak, and Valley oak)

Bigcone Douglas-fir Forest (Bigcone Douglas-fir)

Coulter Pine Forest (Coulter pine)

**Healthy Diverse Habitats (mule deer).** Mule deer are common on the SBNF and much of the Devers-Valley No. 2 Alternative ROW that is on NFS Lands supports habitat that could be utilized by this species. These animals occupy a wide range of habitats but prefer to forage and shelter near riparian areas, seeps, and oak woodlands. While these species occupy most habitats late successional chaparral typically is not preferred for foraging. Mule deer on NFS lands typically use dense vegetation for cover and forage mainly in the open sagebrush and edge habitats that occur along the route. These species are able to move along an elevational gradient to maximize use of climatic conditions and forage availability during different seasons. Movement usually occurs in the fall and spring and roughly the same routes are used by the same herds year after year. Mule deer have been chosen as an indicator of the effectiveness of forest management strategies on landscape patterns in chaparral age class diversity (USDA 2005).

**Fragmentation (mountain lion).** The mountain lion (*Puma concolor*) is selected as an MIS to monitor the effects of forest activities and uses on a landscape-level scale to determine effects of habitat fragmentation and habitat linkages (USDA 2005). The general health of this species largely depends on current deer populations and this solitary animal prefers large areas of undisturbed habitat that supports a stable prey base. Populations of this species on NFS lands are low primarily because this species requires large home ranges and has limited social interaction (USDA 2005). The greatest concern to this species is loss of habitat and connectivity between home ranges. Suitable range for this species occurs in the Devers-Valley No. 2 Alternative ROW and this species is expected to be present in the area.

**Montane Conifer Forest (California spotted owl, California black oak, and white fir).** The California spotted owl is an uncommon permanent resident of heavily forested areas along the coastal ranges in southern California. The California spotted owl occurs in all major mountain ranges of Southern California, including the San Bernardino, San Gabriel, Tehachapi, Santa Lucia, Santa Ana, Cuyamaca/Laguna, Liebre/Sawmill Mountain, Mount San Jacinto, Palomar Mountain and the Los Padres Ranges (Noon and McKelvey 1992). Spotted owls would not be expected to heavily utilize the portion of the ROW on NFS lands because the ROW does not support montane conifer forest. Rather, the portion of the ROW occurring on NFS lands is vegetated with scrub and chaparral communities. The California spotted owl is an ideal indicator of the health of montane conifer forests, as this species requires the presence of “mature, large diameter, high canopy stands with densely shaded understory” for successful population growth.

White fir and California black oak are components of Montane conifer forests which are habitats dominated by varying combinations of ponderosa pine (*Pinus ponderosa*), Jeffrey pine (*P. jeffreyi*), white fir (*Abiesconcolor* var. *lowiana*), black oak (*Quercus kelloggii*), canyon live oak (*Q. chrysolepis*), sugar pine (*P. lambertiana*), incense cedar (*Calocedrus decurrens*), and western juniper (*Juniperus occidentalis* var. *occidentalis*) (USDA, 2005). These MIS species was selected to assist the SBNF is determining whether current management activities are changing the composition of montane coniferous forests to pre-fire suppression conditions (USDA, 2005). As the white fir is a shade-tolerant species it is an indicator of forest stand densification and a return to historic conditions. The black oak is a gap-phase species that requires occasional openings in the forest canopy and the increased presence of saplings would indicate the presence of opportunities for light-requiring species (USDA 2005).

**Riparian Habitat (song sparrow).** The song sparrow is selected as an MIS because its relative abundance is expected to be responsive to disturbance or management activities. The primary threat to the song sparrow and other riparian birds is the destruction of habitat, loss of water in riparian areas, and human disturbance (USDA 2005). Long term monitoring of song sparrow populations will provide a measure of forest management success in increasing the quality of riparian areas.

**Aquatic Habitat (arroyo toad).** The proposed Project is not located within the designated critical habitat for this species (USFWS 2005b). The arroyo toad occurs in semi-arid regions including valley-foothill, desert riparian, and desert wash habitat. This species breeds in shallow, gravelly streams, and rivers with sandy banks that typically contain willows, cottonwoods, and sycamores, and it has been known to utilize upland habitat within 2000 meters (6,562 feet) of breeding habitat for foraging and wintering (USFWS 2005b). The arroyo toad was chosen as an indicator of the health of aquatic habitat on the SBNF. This species is not expected to occur in the Devers-Valley No. 2 Alternative ROW on NFS lands.

**Oak Regeneration (blue oak, Engleman oak, and valley oak).** Blue oak is a deciduous tree that occurs in the interior coast ranges in monotypic stands or with coast live oak or valley oak (USDA 2005). Some blue oak woodlands can also occur on serpentine soils (Stephenson and Calcarone 1999). Valley oak is the largest deciduous tree in the western United States and typically occupies valley floors and lower foothill communities with a grass-dominated understory on deep soils with a shallow depth to perennially available soil moisture (USDA 2005). This species can form the dominant vegetation layer along semi moist drainages and form oak riparian woodlands. Engelmann oak, a deciduous species, has a small natural range and is the only species of subtropical white oaks in California (USDA 2005). This species most commonly occurs in savannas with grassland understory on valley floors, foothill slopes and raised stream terraces within riparian corridors in the northwestern Peninsula Range in San Diego and Orange Counties (Sawyer and Keeler-Wolf 1995). These MIS have been chosen as indicators of oak regeneration within the San Bernardino National Forest. Monitoring of these species, in particular saplings, will measure the success of the forest management strategies (USDA 2005).

**Bigcone Douglas-fir Forest (bigcone Douglas-fir).** This MIS is often observed in association with canyon live oak and typically occurs on mesic sites such as shaded canyons

and draws and steep north- and east-facing aspects (USDA 2005). This MIS provides habitat for the California spotted owl and a variety of other wildlife and was selected as an obvious indicator of forest health due to its susceptibility to increased fire frequency and severity (USDA, 2005).

**Coulter Pine Forest (Coulter pine).** Coulter pine is a major component of lower montane forests and range from 3,950 to 5,900 feet in elevation (1,200 to 1,800 meters) (USDA, 2005). This plant community is typically associated with canyon live oaks and often intergrades with chaparral at lower elevations and with ponderosa pine and black oak at higher elevations in the Transverse and Peninsular ranges. The Coulter pine was selected as an MIS because of its broad habitat distribution and susceptibility to mortality from fire, drought, and bark beetle infestations. Coulter pine is not expected to occur in the designated utility corridor for the proposed Project.

***Impact B-18: The Project would result in disturbance to Management Indicator Species (Class II and Class III)***

**Management Indicator Species**

Management Indicator Species (MIS) are likely to be subject to various levels of disturbance from implementation of the Devers-Valley No. 2 Alternative on NFS lands. Although discussed below, many of the SBNF MIS are State or federally listed species and have been previously addressed in detail in this EIS/EIR. MIS are listed according to the habitat type or management issue for which they are assigned.

**Healthy Diverse Habitats (mule deer).** Impacts to mule deer could be caused by construction activities, which could cause individuals near the construction area to temporarily abandon their territories due to disturbance from noise and increased human activity (see Impact B-4). The noise from helicopters and other construction equipment may also reduce the day-time movement of mule deer along the ridge. Mule deer are most vulnerable to construction-related disturbances during their breeding seasons. Mule deer in the vicinity of the Devers-Valley No. 2 Alternative may be disturbed or scared off as a result of the construction noise, but these impacts would be temporary and limited to the construction phase of the project. To reduce potential impacts, construction vehicles would remain on established roads except for tower construction in order to avoid unnecessary disturbances to wildlife (see APM B-3), and vehicles would be required to drive at low speeds on NFS lands (see APM A-5). Although construction may result in temporary disturbance to this species, the impact would be considered adverse but not significant (Class III).

**Fragmentation (mountain lion).** The mountain lion is a far ranging species that has the potential to be present in the utility corridor and on non-NFS lands. Populations of this MIS in the immediate vicinity are expected to temporarily decline or disperse during the construction phase of the project but are expected to return to their pre-construction levels following the restoration of the laydown areas and tower erection sites. Also, as construction would be limited to relatively small areas, this MIS would likely return to the designated utility corridor as work crews move to new tower locations.

Noise, dust, visual disturbance from increased human activity, and exhaust emissions from heavy equipment during construction could result in native habitats adjacent to the construction zone being temporarily unattractive to wildlife, such as the mountain lion. Construction could impact this MIS in adjacent habitats by interfering with breeding or foraging activities, altering movement patterns, or causing animals to temporarily avoid areas adjacent to the construction zone. However, this species is rarely seen and would likely move to areas outside the construction corridor if human activities are present. In addition, this species is primarily nocturnal and often hunts during dawn and dusk periods when construction activities would be limited. Likewise, most construction within the Forest would occur along the ridge tops where limited foraging potential for mountain lions occurs.

The SBNF has indicated the greatest concern to the mountain lion is loss of habitat and connectivity between home ranges (USDA, 2005). Construction of the Devers-Valley No. 2 Alternative would result in some loss of habitat as a result of tower footings, access roads, and construction staging areas. However, much of this would be temporary and only a small percentage of regional habitat would be permanently removed at each tower location. In addition, the Devers-Valley No. 2 Alternative would not create a physical barrier to dispersal or limit the connectivity between core habitat areas. Although construction may result in temporary impacts to mountain lions, impacts would be considered adverse but not significant (Class III).

**Montane Conifer Forest (California spotted owl, California black oak, and white fir).** Spotted owls may include portions of the corridor within their home ranges as foraging habitat but are not expected to nest in areas subject to project disturbance. Currently the SBNF identifies the greatest threat to this MIS to be the loss of habitat from large stand replacement wildfires (USDA, 2005). Conifer stand and oak woodlands utilized by this species would not be impacted by the Devers-Valley No. 2 Alternative. White fir and black oak are not present in the corridor for the Devers-Valley No. 2 Alternative. Impacts to these MIS would not occur.

**Riparian Habitat (song sparrow).** The primary threat to song sparrows and other riparian birds is the destruction of riparian habitat and loss of water (USDA, 2005). Numerous small intermittent drainages on the SBNF may support riparian habitat, and construction in riparian areas could result in potentially significant impacts to song sparrows and other riparian birds during construction and operation (Class II). Impacts to these species would be reduced to less than significant levels with implementation of Mitigation Measures B-5a (presented above) and B-18a (below). Mitigation Measure B-5a would require that the Devers-Valley No. 2 Alternative span drainages, avoid impacts to riparian vegetation and riparian conservation areas, and travel would be restricted to existing roads in these sensitive areas. In addition, impacts to song sparrow and other listed riparian bird species (Impact B-5) would be reduced to a less-than-significant level (Class II) with the implementation of Mitigation Measure B-5a (Conduct Pre-construction Surveys and Monitoring for Breeding Birds). To comply with the National Forest Land Management Plan (Forest Plan) no construction would occur in Riparian Conservation Areas (RCA's). On NFS lands Mitigation Measure B-18a (No Activities in Riparian Conservation Areas) would be implemented to comply with the Forest Plan. This mitigation measure is required in addition to APMs and mitigation measures described above.

*Mitigation Measure for Impact B-18: The Project would result in disturbance to Management Indicator Species*

**B-5a Conduct Pre-construction Surveys and Monitoring for Breeding Birds**

**B-18a No Activities in Riparian Conservation Areas.** The final project design will include protective measures that prohibit construction activities on NFS lands in Riparian Conservation Areas in compliance with the Forest Plan. Examples of activities that will NOT be allowed include ground disturbance, adding potable water to these areas while implementing erosion control measures, and removing water from the waterways.

**Aquatic Habitat (arroyo toad).** The arroyo toad is not expected to occur on the designated utility corridor on NFS lands. This species may be present at Whitewater Canyon which is on non-NFS lands. This species is not expected to be affected by the Devers-Valley No. 2 Alternative. Impacts to this MIS would not occur.

**Oak Regeneration (blue oak, Engleman oak, and Valley oak).** Blue oak, valley oak, and Engleman oaks were not identified in the proposed utility corridor and would not be impacted by project construction. Impacts to these MIS would not occur.

**Bigcone Douglas-fir Forest (bigcone Douglas-fir).** This MIS is not present in the designated utility corridor for the Devers-Valley No. 2 Alternative. Impacts to this MIS would not occur.

**Coulter Pine Forest (Coulter pine).** Coulter pine is a major component of lower montane forests which are not present in the designated utility corridor for the Devers-Valley No. 2 Alternative. Impacts to this MIS would not occur.

A15-12 Section D.2.10 (Table D.2-14 on pages D.2-271 through D.2-280, Mitigation Measures B-9b, B9-c, B9-f, B-9g, B-9a-i, in the Draft EIR/EIS has been modified as shown in Table D.2-14 (below). The table has also been modified to reflect the comments of the SBNF.

Table D.2-14. Mitigation Monitoring Program – Biological Resources

|                    |  |
|--------------------|--|
| IMPACT B-9         | Construction activities would result in indirect or direct loss of individuals, or a direct loss of habitat for sensitive wildlife   |
| MITIGATION MEASURE | B-9b: Conduct biological monitoring. SCE shall conduct biological monitoring of the project area including the laydown, staging, access roads, and any area subject to project disturbance. The biological monitor shall look for sensitive wildlife <u>species (including forest watchlist animals and Forest Service Region 5 sensitive species)</u> that may be located within or immediately adjacent to the construction areas. If sensitive species are found, the biological monitor shall move them out of harm's way (listed species require take authorization) to avoid direct impacts to these species. In the event that the wildlife species may cause harm to the biologist, the biologist shall notify the construction crews and monitor the species until it moves out of harms way. The results of all monitoring shall be recorded in daily monitoring notes that shall be included as part of the required monitoring reports for the project. The SCE shall notify the CPUC/BLM if any sensitive species are located during construction of the project. <u>The SCE shall notify the Forest Service of all sensitive species found on Forest Service land.</u> |
| Location           | Entire project area.   |

Table D.2-14. Mitigation Monitoring Program – Biological Resources

|                               |   |
|-------------------------------|---|
| Monitoring / Reporting Action | <u>Biological monitor shall oversee monitoring activities and report findings to BLM and CPUC and when necessary ensure compliance with mitigation measures. The Forest Service shall be notified of any reported sightings of Region 5 and forest watchlist animals on Forest Service Lands.</u>   |
| Effectiveness Criteria        | Successful avoidance of impacts to all sensitive wildlife.  |
| Responsible Agency            | BLM and CPUC.   |
| Timing                        | During construction.  |
| MITIGATION MEASURE            | <b>B-9c: Implement a Worker Environmental Awareness Program.</b> A Worker Environmental Awareness Program (WEAP) shall be implemented for construction crews by a qualified biologist(s) provided by SCE and approved by the CPUC/BLM prior to the commencement of construction activities. Training materials and briefings shall include but not be limited to, discussion of the Federal and State Endangered Species Acts, the consequences of noncompliance with these acts, identification and values of sensitive plant and wildlife species and significant natural plant community habitats, fire protection measures, <u>sensitivities of working on forest service lands and identification of Forest Service sensitive species and MIS wildlife species</u> , hazardous substance spill prevention and containment measures, and review of mitigation requirements. Training materials and a course outline shall be provided to the CPUC and BLM for review and approval at least 30 days prior to the start of construction. <u>Training materials and updates of training materials shall also be provided to the Forest Service for review and comment.</u> SCE shall provide to the CPUC and BLM a list of construction personnel who have completed training, and this list shall be updated by SCE as required when new personnel start work. No construction worker may work in the field for more than 5 days without receiving the WEAP.  |
| Location                      | Entire project area.  |
| Monitoring / Reporting Action | A qualified biological shall oversee implementation of the WEAP and submit copies of all documentation and training materials.  |
| Effectiveness Criteria        | Successful training of all new workers within the first 5 days of work.   |
| Responsible Agency            | BLM and CPUC.   |
| Timing                        | Prior to and during construction.   |
| MITIGATION MEASURE            | <b>B-9d: Conduct pre-construction reptile surveys.</b> Prior to construction, SCE shall conduct surveys in areas of suitable habitat for common chuckwalla, banded Gila monster, and desert rosy boa within 48 hours prior to the start of construction activities. If common chuckwallas, banded Gila monsters and/or desert rosy boas are found on the construction site, they will be relocated to nearby suitable habitat outside the construction area. Following the clearance surveys, exclusion fencing will be erected or a biological monitor will be onsite during construction activities. <ul style="list-style-type: none"> <li>• If potentially suitable burrows or rock piles are found, they will be checked for occupancy. Occupied burrows will be flagged and avoided (employing a 50 foot buffer) during construction. If the burrow cannot be avoided, it will be excavated and the occupant relocated to an unoccupied burrow outside the construction area and of approximately the same size as the one from which it was removed. If an existing burrow is unavailable, the biologist will construct or direct the construction of a burrow of similar shape, size, depth, and orientation as the original. Trenches, holes, or other excavations will be examined for banded Gila monster prior to filling. If individuals are found, the biological monitor will relocate them to nearby suitable habitat.</li> <li>• During construction, if a common chuckwalla, banded Gila monster, and/or desert rosy boa occur on the project site, construction activities adjacent to the individual's location will be halted and the animal will be allowed to move away from the construction site. If the individual is not moving, a qualified biologist will relocate it to nearby suitable habitat outside the construction area. It shall be placed in the shade of a shrub. <u>The Forest Service will be notified of any sensitive wildlife identified on NFS lands.</u></li> </ul> |
| Location                      | All project areas that may support sensitive reptiles.  |

Table D.2-14. Mitigation Monitoring Program – Biological Resources

|                               |  |
|-------------------------------|--|
| Monitoring / Reporting Action | Biological monitor shall oversee surveys and monitoring, and if necessary, ensure compliance with mitigation measures.   |
| Effectiveness Criteria        | Successful avoidance of impacts to chuckwallas.  |
| Responsible Agency            | BLM and CPUC.  |
| Timing                        | Prior to and during construction.  |
| MITIGATION MEASURE            | <b>B-9f: Perform construction outside of breeding and lambing period.</b> Construction activities conducted within suitable habitat near Burnt Mountain, Harquahala Mountain, and Kofa NWR shall not occur during the period of the year when bighorn sheep are lambing (from January 1 to April 30). <u>A pre-construction survey for bighorn sheep shall be conducted on Forest Service lands prior to construction and maintenance of the transmission lines. If bighorn sheep are found, then SCE shall consult with the Forest Service, USFWS, and Bighorn Institute to identify appropriate avoidance measures.</u>  |
| Location                      | All locations on BLM land <u>and Forest Service lands</u> where bighorn sheep breeding or lambing may occur.   |
| Monitoring / Reporting Action | Biological monitor shall oversee monitoring, and if necessary, ensure compliance with mitigation measure. <u>Biological Monitor shall notify BLM, CPUC, and Forest Service of the findings of the pre-construction surveys.</u>  |
| Effectiveness Criteria        | Successful avoidance of impacts to bighorn sheep.  |
| Responsible Agency            | BLM, USFWS, and CPUC.  |
| Timing                        | Prior to and during construction.  |
| MITIGATION MEASURE            | <b>B-9g: Conduct pre-construction surveys and relocation for American badger.</b> Prior to construction, SCE shall conduct pre-construction surveys for American Badger. Surveys will be conducted prior to ground disturbance activities in areas that contain habitat for this species. Badger dens located outside the project area shall be flagged for avoidance. Unoccupied dens located in the right of way shall be covered to prevent the animal from re-occupying the den prior to construction. Occupied dens in the ROW shall be hand-excavated if avoidance is not possible. Dens shall only be hand-excavated before or after the breeding season (February 1–May 30). Any relocation of badgers shall take place after consultation with the BLM, <u>Forest Service</u> , and CDFG.   |
| Location                      | All locations where construction activities would occur near or on suitable habitat for the American badger.   |
| Monitoring / Reporting Action | BLM and CPUC to verify documentation of survey and avoidance or excavation documentation.  |
| Effectiveness Criteria        | Identification and avoidance of American badger dens.  |
| Responsible Agency            | CPUC and BLM   |
| Timing                        | Prior to construction.   |
| MITIGATION MEASURE            | <b>B-9h: Conduct pre-construction surveys for roosting bats.</b> SCE shall conduct surveys focused surveys for suitable roosting habitat or nursery sites for sensitive bats at the tower location, access/spur roads, and laydown/staging areas that occur in rocky areas or in areas where caves or old mines are present. If suitable roosting/nursery sites are found, then focused surveys shall be conducted to determine if the sites support sensitive bat species. If sensitive bat species occur at these sensitive roosting/nursery sites, then tower-specific adjustments and adjustments of the locations of access/spur roads and laydown/staging areas shall be made to avoid these sites. If towers, access/spur roads, and/or laydown/staging areas cannot avoid these sites, then construction of the towers, roads, and establishment of laydown/staging areas shall be delayed until the breeding cycles for the sensitive bats are completed. SCE shall consult with a bat specialist in order to determine when the breeding cycle for the sensitive bats are completed. SCE shall document the results of the surveys and any avoidance of roosting/nursery sites for sensitive bats. <u>The Forest Service will be notified of any sensitive wildlife identified on NFS lands.</u> |
| Location                      | All locations where construction activities would occur near rocky areas, caves or old mines.  |

Table D.2-14. Mitigation Monitoring Program – Biological Resources

|                               |  |
|-------------------------------|--|
| Monitoring / Reporting Action | BLM and CPUC to review survey and avoidance documentation.                                     |
| Effectiveness Criteria        | Identification and avoidance of suitable roosting habitat or nursery sites for sensitive bats. |
| Responsible Agency            | CPUC and BLM Phoenix.  |
| Timing                        | Prior to construction.   |

In Section D.2.10, Table D.2-14, pages D.2-279 and D.2-280, Mitigation Measures B-13a and B-13b refer to compliance with the Western Riverside MSHCP. The comment requested adding in that the project will comply with the Coachella Valley MSHCP for all lands that fall under its jurisdiction. The Draft Coachella Valley MSHCP has not yet been adopted so no provisions will be added for implementing measures of a proposed plan.

A15-13 The figures in Appendix 10 of the Draft EIR/EIS depict the Proposed Project only. The figures showing the Devers-Valley No. 2 Alternative that crosses the SBNF are included in the Alternatives Screening Report, Appendix 1 of the Draft EIR/EIS (Figures Ap.1-8 through Ap.1-8g).

A15-14 Section D.2.6.1.2 of the EIR/EIS identifies and acknowledges that the introduction of invasive or noxious weeds poses a threat to native ecosystems. In addition, populations of exotic species are known to present in most of the project area at this time. Mitigation identified in this EIR/EIS (Mitigation Measure B-2a) requires preconstruction surveys and avoidance of identified populations and provides a mechanism to identify and eradicate specific populations identified before construction. Mitigation measures also require a plan that would implement the existing best management practices currently utilized by the BLM. However, the protocols identified in Mitigation Measure B-2b have been adopted from the United States Department of Agriculture Forest Service handbook for noxious weeds. The mitigation provided in this EIR/EIS addressing invasive weeds provides a reasonable range of measures intended to reduce the potential for the spread of exotic plants.

However, to ensure that noxious or invasive weeds have been addressed on National Forest System Lands Section D.2.6.1.2 (Mitigation Measure B-1a and B-2b) of the EIR/EIS has been modified as follows:

**B-1a Prepare and implement a Habitat Restoration/Compensation Plan.** SCE shall restore all areas disturbed by project construction, including temporary disturbance areas around tower construction sites, laydown/staging areas, temporary access and spur roads, and existing tower locations that are removed during construction of the Proposed Project. Where onsite restoration is planned for mitigation of temporary impacts to sensitive vegetation communities, SCE shall identify a qualified Habitat Restoration Specialist to be approved by the CPUC/BLM. Hydroseeding, drill seeding, or an otherwise approved restoration technique shall be utilized on all disturbed surfaces using a locally endemic native seed mix approved by the CPUC/CDFG/ADGF/FWS and BLM. SCE shall flag the limits of disturbance at each construction site. The Plan shall incorporate the measures identified in the June 2006 Memorandum of Understanding regarding vegetation management along rights-of-way for electrical transmission and distribution facilities on Federal lands. In project areas that occur in the WRCMSHCP plan area, SCE shall use the applicable Best Management Practices identified in the WRCMSHCP.



The creation or restoration of habitat shall be monitored for five years after mitigation site construction, or until established success criteria are met, to assess progress and identify potential problems with the restoration site. Remedial activities (e.g., additional planting, weeding, or erosion control) shall be taken during the monitoring period if necessary to ensure the success of the restoration effort. If the mitigation fails to meet the established performance criteria after the five-year maintenance and monitoring period, monitoring shall extend beyond the five-year period until the criteria are met or unless otherwise noted by the CPUC/BLM.

**B-2b Implement control measures for invasive and noxious weeds.** SCE shall adhere to the BLM management guidelines for reducing the potential for the introduction of noxious weeds and invasive, non-native plant species ~~on BLM lands~~ by implementation of the following standards:

- **Wash all equipment and vehicles.** Vehicles and all equipment must be washed BEFORE AND AFTER entering all project sites unless otherwise directed in writing by the BLM. This includes wheels, undercarriages, bumpers and all parts of the vehicle. In addition, all tools such as chain saws, hand clippers, pruners, etc., must also be washed BEFORE AND AFTER entering all project sites areas. For example, vehicles traveling into contaminated areas are the main dispersal mechanism for yellow star-thistle. All washing must take place where rinse water is collected and disposed of in either a sanitary sewer or a landfill.
- **Keep written logs.** When vehicles and equipment are washed, a daily log must be kept stating the location, date and time, types of equipment, methods used and staff present. The log shall contain the signature of the responsible crewmember.
- **Written logs will be available** for CPUC/BLM inspection and shall be turned in to BLM on a weekly basis.
- **Post-construction weed abatement on the Coachella Valley Preserve and Kofa National Wildlife Refuge.** Post-construction follow-up weed abatement will be conducted on the work areas within the Coachella Valley Preserve. Weed abatement will be conducted during the spring following construction and prior to when the weeds establish flowers or produce seeds.

A15-15 Impact H-1 (Construction activity could degrade water quality due to erosion and sedimentation) in Section D.12 (Hydrology and Water Quality) addresses the potential for construction activities to create erosion and sedimentation. Mitigation Measure H-1a is presented specifically to protect National Forest System lands from erosion, and supplements the Applicant-Proposed Measures, detailed in Table D.12-3. Stormwater Pollution Prevention Plan. In the Geology Section (Section D.13), this concern is also addressed in Impact G-1 (Construction could accelerate erosion). The erosion issue is addressed in both sections because the concern is different: the hydrology section focuses on preservation of water quality, and the geology/soils section focuses on retention of soils. However, mitigation is coordinated between the two sections and both rely on a complete set of APMs as discussed above.

Comment Set A16  
Irrigation and Electrical Districts of Arizona

**IRRIGATION & ELECTRICAL DISTRICTS  
ASSOCIATION OF ARIZONA**

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E-MAILED ONLY

August 11, 2006

Gail Acheson, Field Manager  
Bureau of Land Management  
Palm Springs-South Coast Field Office  
P.O. Box 581260  
North Palm Springs, California 92258

Re: Draft EIS/EIR, DPV 2 Transmission Line Project

Dear Ms. Acheson:

The Irrigation & Electrical Districts Association of Arizona (IEDA) welcomes the opportunity to make a comment on the draft EIS/EIR, Devers-Palo Verde No. 2. 71 Fed.Reg. 42875-6 (July 28, 2006). IEDA members and associate members (list attached) provide electricity and water throughout Arizona and utilize and/or are served by the bulk power system affected by this project.

The July 28 notice invites the public to provide comments as to the scope and content of the Draft EIS/EIR, as posted on the Bureau of Land Management Palm Springs Field Office's website. After reviewing the Draft EIS/EIR, IEDA believes the agency failed to consider the effects of a terrorist attack attached on the proposed project, as mandated by a recent Ninth Circuit Court decision. San Luis Obispo Mothers for Peace v. Nuclear Regulatory Commission, 449 F.3d 1016 (9th Cir. 2006).

The Ninth Circuit in San Luis Obispo Mothers for Peace held that, under NEPA, a federal agency must include studies of effects of terrorist attacks in the NEPA compliance documents. Id. at 1028.

IEDA believes the Draft EIS/EIR for Devers-Palo Verde No. 2 transmission line may be adjudged inadequate for NEPA compliance purposes by a federal court following the holding in San Luis Obispo Mothers for Peace, thereby causing unnecessary delay in the development of this project. We understand that the draft was published before this decision. Nevertheless, it is currently the controlling law. Therefore, we respectfully request that the agency include the environmental impact of a terrorist attack in the final EIS for the Project.

Sincerely,

/s/

Robert S. Lynch  
Counsel and Assistant  
Secretary/Treasurer

RSL:psr

*SERVING ARIZONA SINCE 1962*

A16-1

## Comment Set A16, cont. Irrigation and Electrical Districts of Arizona

### MEMBERSHIP LIST

#### Voting Members

Ak-Chin Electric Utility Authority  
Buckeye Water Conservation & Drainage District  
Electrical District No. 3, Pinal County, Arizona  
Electrical District No. 4, Pinal County, Arizona  
Electrical District No. 5, Pinal County, Arizona  
Electrical District No. 7, Maricopa County, Arizona  
Harquahala Valley Power District  
Maricopa County Municipal Water Conservation District No. 1  
Roosevelt Irrigation District  
Tonopah Irrigation District  
Wellton-Mohawk Irrigation and Drainage District

#### Associate Members

Aguila Irrigation District  
Central Arizona Water Conservation District  
Electrical District No. 2, Pinal County, Arizona  
Electrical District No. 8, Maricopa County  
McMullen Valley Water Conservation and Drainage District  
The City of Mesa, Arizona  
SRP  
San Carlos Irrigation Project  
Southwest Transmission Cooperative, Inc.  
The Town of Thatcher  
Yuma County Water Users Association  
Yuma Irrigation District  
Yuma-Mesa Irrigation and Drainage District

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## Responses to Comment Set A16 Irrigation and Electrical Districts of Arizona

A16-1 The referenced Ninth Circuit decision regarding the [San Luis Obispo Mothers for Peace](#) required that the Nuclear Regulatory Commission (NRC) consider the potential effects of terrorism in its assessment of the expansion of the spent fuel storage facility at the Diablo Canyon Nuclear Power Plant. The Decision referenced other NRC documents that had determined that terrorism was a potential threat to U.S. nuclear power facilities. The potential for a terrorist act against the DPV2 project does exist, but the result of such an act would be far less serious than an act against a nuclear power plant. If the DPV2 transmission line or a major substation such as the Devers Substation were damaged by terrorism, the effects would not create far-reaching health effects to people in the region. Rather, there would likely be a short-term power outage until power was routed into the Southern California area via another transmission line route. While this effect is not considered to be severe, a brief discussion of terrorism has been added to Section D.10.12 (Environmental Impacts and Mitigation Measures for the Proposed Project – Non-EMF Electric Power Field Issues) as follows:

### Impact PS-6: Terrorist Acts Could Damage Transmission or Substation Facilities (Class III)

Electric system security has been an increasing focus of utility attention over the past several years. Major substations and high-voltage transmission lines serving major metropolitan areas could be targets for terrorist acts. If a major substation or transmission line were seriously damaged, the effects could include (a) injury to onsite utility personnel, and/or (b) power outages in areas served by the facilities. As is common practice when a line is down, the utility would have to re-route power around the affected substation or transmission line to serve southern California load, and an outage could occur for some period of time while the system was modified to provide service from other substations.

In addition to DPV1, the proposed DPV2 line would be one of many transmission lines serving southern California from the southwest. Other transmission lines include North Gila–Imperial Valley–Miguel 500 kV transmission line (also known as Southwest Powerlink or SWPL), high voltage DC lines from the Las Vegas area to Los Angeles, two El Dorado-Lugo 500 kV lines, plus many other lines operating at lower voltages (Western and IID have independent systems of their own). Therefore, the regional transmission system is interconnect as such that it is not possible to say that a single line outage would cause an outage at a specific hospital, airport, security facility, etc. In addition, although most facilities of this type may received power from the SCE grid supplied by DPV2, the facilities would also have back up power/generators to prevent electricity interruptions in the event of an outage, such as would occur with a terrorist attack on a transmission line. Therefore, this impact is considered to be adverse, but less than significant (Class III).

## Comment Set A17 California Department of Fish & Game

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER Governor

### DEPARTMENT OF FISH AND GAME

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August 11, 2006

John Kalish/Billie Blanchard  
BLM/CPUC  
c/o Aspen Environmental Group  
235 Montgomery Street, Suite 935  
San Francisco, CA 94140-3002

**Re: Draft Environmental Impact Report/ Draft Environmental Impact Statement  
(Draft EIR/EIS) Devers-Palo Verde No. 2 Transmission Line Project**

Dear Mr. Kalish and Ms. Blanchard:

The California Department of Fish and Game (Department) thanks you for the opportunity to comment on the Draft Environmental Impact Report/ Draft Environmental Impact Statement for the Devers-Palo Verde No. 2 Transmission Line Project proposed by Southern California Edison. Southern California Edison has filed an application for a Certificate of Public Convenience and Necessity (CPCN) with the California Public Utilities Commission (CPUC) for the proposed project. The California Public Utilities Commission is the lead agency for the State of California and the US Bureau of Land Management is the federal lead agency.

The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381).

Southern California Edison is proposing to construct a new 230-mile, 500 kV electric transmission line between California and Arizona (the Harquahala Generating Station west of Phoenix, Arizona) and replace 48.2 miles of 230 kV transmission lines in California. The portion of the project in California consists of 128 miles.

While Section D.2.4 lists applicable State environmental regulations, these are not explicitly listed in Section D.2.5.2 Applicant Proposed Measures or in the Mitigation Measures listed throughout Section D.2. Specifically, the project may result in "take" of species listed as endangered under California Endangered Species Act (CESA), over the life of the project. These include the Mojave tarplant, slender-horned spineflower, Nevin's barberry, Munz's onion, Santa Ana River woollystar, elf owl, willow flycatcher, western yellow-billed cuckoo, desert tortoise, Coachella Valley fringe-toes lizard, least Bell's vireo, Stephens' kangaroo rat, and southwestern willow flycatcher.

A17-1

Comment Set A17, cont.  
California Department of Fish & Game

Devers-Palo Verde No. 2 Transmission Line Project DEIR/EIS  
Page 2 of 3

Therefore, an Incidental Take Permit, pursuant to CESA, is required. Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Specific Mitigation Measures should include obtaining an Incidental Take Permit.

A17-1 cont.

The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful. This affects the adequacy of Mitigation Measure B-6a.

A17-2

Additionally, Mitigation Measures for Section D.12 should include the application for a Streambed Alteration Agreement under Section 1600 et seq of the Fish and Game Code. The Department requires the project applicant to notify the Department of any activity that will divert, obstruct or change the natural flow or the bed, channel, or bank (which includes associated riparian resources) of a river, stream or lake, or use material from a streambed prior to the applicant's commencement of the activity. However, if the CEQA document does not fully identify potential impacts to lakes, streams, and associated resources (including, but not limited to, riparian and alluvial fan sage scrub habitat) and provide adequate avoidance, mitigation, monitoring and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Streambed Alteration Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a lake or stream, as well as avoidance and mitigation measures need to be discussed within this CEQA document.

A17-3

The Department previously requested all information regarding impacts to lakes, streams and associated habitat to be included in the Draft EIR/EIS. The Draft EIR/EIS does not contain this information. The information that needs to be included within this document includes: (a) a delineation of lakes, streams, and associated habitat that will be directly or indirectly impacted by the proposed project; (b) details on the biological resources (flora and fauna) associated with the lakes and/or streams; (c) identification of the presence or absence of sensitive plants, animals, or natural communities; (d) a discussion of environmental alternatives; (e) a discussion of avoidance measures to reduce project impacts; and (f) a discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. The applicant and lead agency should keep in mind that the State also has a policy of no net loss of wetlands.

A17-4

Thank you for your cooperation. If you have any questions, please call Robin Maloney-Rames, Environmental Scientist, at (909) 980-3818.

Sincerely,



Scott Dawson  
Senior Environmental Scientist

Comment Set A17, cont.  
California Department of Fish & Game

Devers-Palo Verde No. 2 Transmission Line Project DEIR/EIS  
Page 3 of 3

cc: State Clearinghouse, Sacramento  
Kim Nicol, DFG, Bermuda Dunes  
Chris Hayes, DFG, Blythe  
Doreen Stadlander, USFWS, Carlsbad  
Pete Sorensen, USFWS, Carlsbad

## Responses to Comment Set A17 California Department of Fish & Game

A17-1 The need for a “take” permit for impacts to state-listed species is briefly described under Section D.2.4 of the EIR/EIS, where the California Endangered Species Act is described (Draft EIR/EIS page D.2-98). The document states that, “For projects that affect both a State and federal listed species, compliance with the Federal Endangered Species Act (FESA) will satisfy CESA if the Department of Fish and Game CDFG determines that the federal incidental take authorization is “consistent” with CESA under Fish and Game Code Section 2080.1. For projects that will result in a take of a State-only listed species, the Applicant must apply for a take permit under Section 2081(b).”

The EIR/EIS clearly states throughout Section D.2 (impacts and mitigation) that a Section 2081 or Section 2080.1 Incidental Take Permit will be required for direct or indirect impacts to state-listed species of plants and wildlife. However, the California Endangered Species Act requires that an Incidental Take Permit be acquired prior to any impacts to state-listed species. This is a law and as such, it is not appropriate to include the acquisition of an Incidental Take Permit as a mitigation measure in a CEQA document. APMs and mitigation measures include pre-construction surveys that will identify whether state- and/or federal-listed species will be affected by the project. If it is determined that any state-listed species will be directly or indirectly affected by the project, then the Applicant will be required by law to acquire a Section 2080.1 or Section 2081 Incidental Take Permit (whichever is applicable).

A17-2 As stated in Response A17-1, if the project will result in “take” of a state-listed species, then the Applicant will be required to apply for an Incidental Take Permit under Section 2080.1 or 2081 of the California Endangered Species Act. Additional measures for avoidance, minimization, and/or compensation for impacts to listed species will be determined through the process of obtaining the Incidental Take Permit. The EIR/EIS specifically states that, to the extent feasible, sensitive species, sensitive resources, and sensitive features will be avoided by implementing APMs (see page D.2-120 under the Vegetation heading). If sensitive plant species are encountered and will be directly or indirectly affected by the project, then Mitigation Measures B-6a (Development of a Transplanting Plan) will be implemented in coordination with the BLM. The plan will include accepted measures for transplanting appropriate specimens, if feasible. Transplantation of cacti, Joshua trees, and oak trees, for example, is a measure that is frequently utilized to mitigate for impacts to sensitive or protected species of plants. However, to address potential impacts to plant species that do not respond to transplanting the following change to Mitigation Measure B-6a has been made.

**B-6a Develop a transplanting plan.** In coordination with the BLM, SCE shall prepare a transplanting plan in compliance with both Arizona and California laws and regulations regarding native and sensitive plants, prior to project construction activities. The plan will provide details on the plants being transplanted, including which species and how many individuals of each species; where the plants will be transplanted; how the plants will be transplanted; how the plants will be maintained during the transplanting efforts; and if the plants will be used to re-vegetate disturbed areas of the construction site. As a condition of the plan, a pre-construction survey will be conducted to mark (using bright-colored flagging) all plants that will be transplanted. Some cacti will need to be transplanted facing the same direction as they currently



face (in other words, the north side of the plant must stay facing the north); these cacti will be identified in the plan and appropriately marked to identify which side faces north. For listed plant species, SCE shall identify if the plants can be avoided. If avoidance is not possible, SCE shall purchase off site mitigation in coordination with the USFWS and CDFG

- A17-3 The need for a Section 1602 Streambed Alteration Agreement is covered in Section D.2.6.1.9 of the EIR/EIS under Impact B-10 (The Proposed Project would result in adverse effects to Jurisdictional Waters and Wetlands). Any impacts to state jurisdictional waters will require completion of the Section 1602 permitting process. Impacts include diverting, obstructing, or changing the natural flow or the bed, channel, or bank of a river, stream or lake, or use material from a streambed. SCE is responsible for applying for the Streambed Alteration Agreement prior to any impacts occurring in state or federal jurisdictional waters. Applying for and acquiring a Section 1602 Streambed Alteration Agreement is required by law if a project will impact state jurisdictional waters. Therefore, it is not appropriate to include acquiring this permit as a mitigation measure in a CEQA document.
- A17-4 The EIR/EIS acknowledges that a formal jurisdictional delineation was not conducted (Section D.2.6.1.9, under Impact B-10) prior to the preparation of the Draft EIR/EIS. The biological information provided in the document and the known and potential occurrences of the flora and fauna along the route of the Proposed Project and alternatives was based partly on past surveys of the routes and partly on the reconnaissance surveys conducted for the Draft EIR/EIS. Sections D.2.1 through D.2.3 (pages D.2-1 through D.2-91) discuss the details of the biological resources along the routes, including the resources associated with the streams and associated habitats that are crossed by the project. In addition, the presence and potential presence of sensitive plant and wildlife species and natural communities occurring in the areas associated with the streams are discussed in these sections. The discussion of alternatives is included in Sections D.2.7 and D.2.8. Avoidance and mitigation measures for the proposed project are discussed in Section D.2.6 and Sections D.2.7 and D.2.8 for the alternatives. The Applicant and Lead Agency both realize that the State has a policy of no net loss of wetlands. And, as a matter of law, the Applicant will be required to apply for, and acquire, a Section 1602 Streambed Alteration Agreement prior to implementing any activities that would affect state jurisdictional waters. Through the Section 1602 permitting process, the Applicant will be required to provide the jurisdictional delineation and additional details on the biological resources that will be affected by the project. This will include the presence or absence of sensitive plants, animals, or natural communities and a discussion of additional avoidance and/or mitigation measures required to protect the jurisdictional waters.