

Public Scoping Report

Southern California Edison's Colorado River Substation Expansion for Devers–Palo Verde No. 2 Transmission Line Project

PTC Application A.10-11-005

SCH No. 2005101104



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Contents

1. Introduction	1
1.1 Purpose of Scoping.....	1
1.2 Summary of CRS Expansion Project.....	2
1.3 Scoping Report Organization.....	2
2. Project Scoping	3
2.1 Notice of Preparation.....	3
2.2 Outreach.....	3
3. Scoping Comments	4
3.1 Key Issues Raised during the Public Comment Period.....	4
3.2 Summary of All Comments.....	5
4. Next Steps	7
4.1 Supplemental Events and Documents.....	7

Tables

Table 3-1 Summary of Written Comments Received from Private Organizations and Companies.....	5
Table 4-1 Supplemental EIR Events and Documents.....	8

1. Introduction

The lead agency for the environmental review of the proposed DPV2 CRS expansion is the California Public Utilities Commission (CPUC). This review is regulated by the California Environmental Quality Act (CEQA). The CEQA process includes public scoping for the Supplemental Environmental Impact Report (EIR) for the proposed CRS expansion in order to provide information about the Proposed Project, and solicit information that will be helpful in the environmental review process.

This Scoping Report for the CRS expansion documents the issues and concerns expressed by members of the public, government agencies, and organizations during the 2010 public scoping period. After the release of the Notice of Preparation, the CPUC held a 30-day public scoping period under CEQA. The comment period allowed the public and regulatory agencies an opportunity to comment on the scope of the environmental document, comment on the alternatives considered, and to identify issues that should be addressed in the Supplemental EIR. Comment letters were also accepted after the official end of the comment period. The Supplemental EIR for the Proposed Project will evaluate the potential environmental impacts associated with the CRS expansion and will identify mitigation measures to reduce these impacts, where possible.

1.1 Purpose of Scoping

The process of determining the focus and content of the Supplemental EIR is known as scoping. Scoping helps to identify the range of actions, alternatives, environmental effects, and mitigation measures to be analyzed in depth, and eliminates from detailed study those issues that are not pertinent to the final decision on the Proposed Project. The scoping process is not intended to resolve differences of opinion regarding the Proposed Project or evaluate its merits. Instead, the process allows all interested parties to express their concerns regarding the Proposed Project and thereby ensures that all opinions and comments are considered in the environmental analysis. Scoping is an effective way to bring together and address the concerns of the public, affected agencies, and other interested parties. Members of the public, relevant federal, State, regional and local agencies, interests groups, community organizations, and other interested parties may participate in the scoping process by providing comments or recommendations regarding issues to be investigated in the Supplemental EIR.

Comments received during the scoping process are part of the public record as documented in this scoping report. The comments and questions received during the public scoping process have been reviewed and considered by the CPUC in determining the appropriate scope of issues to be addressed in the EIR.

The purpose of the scoping for the CRS expansion was to:

- Inform the public and relevant public agencies about the CRS project, CEQA requirements, and the environmental impact analysis process;
- Identify potentially significant environmental impacts for consideration in the Supplemental EIR;
- Identify possible mitigation measures for consideration in the Supplemental EIR;
- Identify alternatives to the CRS project for evaluation in the Supplemental EIR; and
- Compile a mailing list of public agencies and individuals interested in future Project meetings and notices.

1.2 Summary of CRS Expansion Project

This section describes the Devers–Palo Verde 500 kV No. 2 (DPV2) Transmission Project Colorado River Substation Expansion (Proposed Project).

Southern California Edison (SCE) filed an application for a Certificate of Public Convenience and Necessity (CPCN) with the California Public Utilities Commission (CPUC) for the proposed Devers–Palo Verde 500 kilovolt (kV) No. 2 Transmission Line project (DPV2) in April 2005. The application was determined to be complete and in compliance with CPUC requirements on September 30, 2005. The CPUC and Bureau of Land Management (BLM) prepared a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) in 2006, and the CPUC approved the DPV2 Project on January 25, 2007 in Decision D.07-01-040 and certified the EIR as being in compliance with the requirements of CEQA.

The Colorado River Substation (CRS) was identified as the Midpoint-DSW Substation as part of the Desert Southwest Transmission Project Alternative in the Final EIR/EIS for the DPV2 project. The substation site was approved by the CPUC in November 2009 as part of the Decision (D.)09-11-007 adopting a Petition for Modification of D.07-01-040) to construct the DPV2 California-only portion. The Midpoint-DSW Substation was described in Section C.4.4.1 (Desert Southwest Transmission Project Alternative) and addressed in Section E.2.1.3 (Proposed Project vs. Desert Southwest Transmission Project Alternative) of the Final EIR/EIS (October 2006).

Since the DPV2 project was approved, several large solar power projects have been proposed in the Blythe area. Two of these projects, the Blythe Solar Power Project and the Genesis Solar Energy Project, have requested interconnection to the electricity grid at the CRS. As a result, the solar developers and SCE developed a plan to expand the CRS to accommodate increased equipment and allow generation tie lines to be interconnected with the SCE 500 kV transmission system. The CRS would be located on an approximately 160-acre parcel of land located approximately 1.5 miles south of Interstate 10 and 4.75 miles east of Wileys Well Road, in the County of Riverside, California. The substation that was approved as part of the DPV2 CPCN would have covered approximately 45 acres of land. The expanded substation would be a full 2240 MVA 500/220 kV substation and would cover approximately 90 acres of land.

The Proposed Project footprint includes approximately 77 acres of permanent disturbance within the substation perimeter wall and approximately 13 acres of enhancements (e.g., flood protection berm and stormwater detention basin) outside of the perimeter wall. The expanded substation perimeter would be approximately 1,530 feet by 2,200 feet surrounded by a wall with two gates. The terminating transmission towers would be the tallest structures at the substation, ranging between 190 and 220 feet tall. In addition, several new components would be included in the CRS design that were not evaluated in the original DPV2 EIR/EIS: restrooms for visitors and maintenance workers, a water well, and temporary water storage.

SCE would construct approximately 3,000 feet of 33 kV overhead distribution line and approximately 1,000 feet of underground distribution line to connect a nearby existing distribution system to the CRS to provide substation light and power. Three access driveways will be constructed in order to provide a path from the main access road to the substation site. Two of the access driveways would be permanent, connecting to gates at the southwest and southeast corners of the substation.

1.3 Scoping Report Organization

This scoping report includes four main sections and appendices, as described below:

- Section 1: Provides an introduction to the report and describes the purpose of scoping and a brief overview of the CRS expansion project.
- Section 2: Provides information on notification materials, including the Notice of Preparation and Notice of Intent.
- Section 3: Summarizes the comments received and issues raised during the scoping comment period.
- Section 4: Provides the next steps in the Supplemental EIR process.
- Appendices: Appendix A includes the Notice of Preparation. Appendix B includes copies of the comment letters received.

2. Project Scoping

This section describes the methods used to notify the public and agencies about the scoping process conducted for the CRS expansion. It outlines how information was made available for public and agency review and identifies the different avenues available for providing comments on the project (fax, email, mail, and phone).

2.1 Notice of Preparation

As required by CEQA Guidelines §15082, the CPUC issued a Notice of Preparation (NOP) on September 29, 2010 that summarized the CRS Project, stated its intention to prepare Supplemental EIR, and requested comments from interested parties (See Appendix A). The NOP was filed with the State Clearinghouse on September 29, 2010 (SCH# 2005101104), which began the 30-day public scoping period. The review period for the NOP ended on November 1, 2010.

Over 56 copies of the NOP were distributed. Forty-four copies went to local, State, and federal agency representatives, 11 went to library repository sites, and the final NOP was filed with the State Clearinghouse.

2.2 Outreach

A public email address and website were established and available during the public comment period. Information on these additional outreach efforts are described below.

Email Address

An email address (dpv2@aspenerg.com) was established for the CRS project to provide another means of submitting comments on the scope of the Supplemental EIR. Comments received by email have been considered and incorporated in this report.

Website

Information about the CRS project was made available through a website hosted by the CPUC. During the scoping period, the website included electronic versions of the NOP for the CRS and the NOP, NOI, scoping report, and the Final EIR/EIS for the DPV2 Project. The website will remain a public resource for information about the project. The website address is:

<http://www.cpuc.ca.gov/environment/info/aspeng/dpv2/dpv2.htm>.

3. Scoping Comments

This section summarizes the comments raised by the public and agencies during the scoping process for the CRS Supplemental EIR. This summary is based upon written comments that were received during the NOP review period, which officially extended from September 29, 2010 to November 1, 2010. All written received during the public comment period on the NOP through mail and email were reviewed for this report and for the Supplemental EIR. Comment letters were also accepted and reviewed after the official end of the comment period.

Seven comment letters were submitted during the scoping process, five from public agencies and two from private organizations. The letters are summarized in Table 3-1.

- Mojave Desert Air Quality Management District
- California Native American Heritage Commission
- Colorado River Board of California
- California Department of Toxic Substances Control
- Riverside County Airport Land Use Commission
- Basin and Range Watch
- Center for Biological Diversity, Western Watershed Project, and Sierra Club

3.1 Key Issues Raised during the Public Comment Period

As discussed above, written comments were provided by public agencies, private organizations, and by the Applicant, SCE. The discussion below presents the key issues identified from comments received on the project. The specific issues raised during the public scoping process are summarized according to the following topics and issue areas:

- Native American Cultural Resources
- Water Resources
- Potential Hazards
- Sand Transport and Habitat Impacts

3.1.1 Native American Cultural Resources

The Native American Heritage Commission (NAHC) commented that based on their Sacred Lands File search, there are Native American cultural resources located in the area that could be affected by the Proposed Project. NAHC provided a list of culturally affiliated tribes and interested Native American individual with whom they recommend consulting in order to avoid impacts to Native American cultural resources and ensure compliance with State and federal regulations.

3.1.2 Water Resources

The Colorado River Board of California recommended that the Supplemental EIR fully analyze ground-water use and its potential impacts on water supply for other users of Colorado River water.

3.1.3 Potential Hazards

The California Department of Toxic Substances Control (DTSC) commented that the EIR should evaluate conditions in the project area that may pose a threat to human health or the environment. DTSC listed regulatory agency databases and outlined regulatory requirements for investigating, identifying, and remediating hazardous materials that may be encountered in the project area.

The Riverside County Airport Land Use Commission noted that if any associated transmission lines for the Proposed Project pass through the Airport Influence Area of any airport in Riverside County, the transmission lines would need to be reviewed by the Airport Land Use Commission.

3.1.4 Sand Transport and Habitat Impacts

Basin and Range Watch, Center for Biological Diversity, Western Watersheds Project, and the Sierra Club expressed concern about the potential impacts of the Proposed Project on sand transport and habitat for Mojave fringe-toed lizard. These groups argued that the CPUC should consider alternative locations for the substation.

3.2 Summary of All Comments

Table 3-1. Summary of Written Comments Received from Private Organizations and Companies

Date Received	From	Comments
October 1, 2010	Mojave Desert Air Quality Management District Alan J. De Salvio, Supervising Air Quality Engineer	<ul style="list-style-type: none"> • The Mojave Desert Air Quality Management District (District) has reviewed the NOP and has no objection to the proposed air quality analysis • The District supports improving the State's power transmission infrastructure, particularly in support of renewable energy projects
October 19, 2010	Native American Heritage Commission Dave Singleton, Program Analyst	<ul style="list-style-type: none"> • NAHC is the state trustee agency under CEQA for preservation of Native American Cultural Resources • NAHC performed a Sacred Lands File (SLF) search in the NAHC SLF Inventory and Native American Cultural Resources were identified in the Area of Potential Effect (APE) for the Proposed Project. Results of the SLF search are confidential. • Important to do early consultation with Native American tribes in the area to avoid unanticipated discoveries of cultural resources; a Native American Tribe or Tribal Elder may be the only sources of information about a cultural resource. • CEQA guidelines require the lead agency to work with the Native American identified by NAHC to ensure appropriate and dignified treatment of Native American human remains. • CEQA and State Health and Safety Code and Public Resources Code all require stopping excavation in the event of accidental discovery of human remains. • Although tribal consultation under CEQA is "advisory," California Public Resources Code, Chapter 4.3, and Section 25330 to Division 15 mandates tribal consultation for "electric transmission corridors." <p>Attachments: Names of culturally affiliated tribes and interested Native American individuals that the NAHC recommends as "consulting parties" in compliance with State and federal regulations</p>

Table 3-1. Summary of Written Comments Received from Private Organizations and Companies

Date Received	From	Comments
October 25, 2010	Colorado River Board of California Gerald R. Zimmerman, Acting Executive Director	<ul style="list-style-type: none"> • The Colorado River Board recommends that the Supplemental EIR fully analyze groundwater use and its potential impacts on water supply for other users of Colorado River water
November 1, 2010	California Department of Toxic Substances Control (DTSC), Brownfields & Environmental Restoration Program Greg Holmes, Unit Chief	<ul style="list-style-type: none"> • EIR should evaluate whether conditions in the project area may pose a threat to human health or to the environment. The following are regulatory agency databases: National Priorities List (US Environmental Protection Agency [EPA]); Envirostor (DTSC); Resource Conservation and Recovery Information System (US EPA); Comprehensive Environmental Response, Compensation, and Liability Information System (US EPA); Solid Waste Information System (California Integrated Waste Management Board); GeoTracker (California Regional Water Quality Control Boards); County and City lists for hazardous substances cleanup and underground storage tanks; Formerly Used Defense Sites (US Army Corps of Engineers) • EIR should identify the mechanism for initiating any required investigation and/or remediation for any contaminated sites in the project area • Investigations, sampling, and/or remediation should be conducted under a workplan approved by regulatory agency with jurisdiction to oversee hazardous substance clean up. Findings of any investigations should be summarized in the EIR. • If buildings, other structures, or paved surfaces will be demolished, an investigation should be conducted to identify hazardous chemicals and materials. If hazardous chemicals or materials are identified, proper precautions should be taken and remediation should occur in compliance with applicable regulations. • Soil sampling may be required if project may encounter contaminated soil. • Human health and the environment of sensitive receptors should be protected. • If site has been used for agriculture, soils and groundwater may need to be tested for presence of pesticides or other hazardous agricultural residue. • Any hazardous wastes that would be generated by the Proposed Project must be managed in accordance with the California Hazardous Waste Control Law and Hazardous Waste Control Regulations. • DTSC can provide cleanup oversight.
November 2, 2010	Riverside County Airport Land Use Commission Edward C. Cooper, Director	<ul style="list-style-type: none"> • If any associated transmission lines for the Proposed Project pass through the Airport Influence Area of any airport in Riverside County, the transmission lines would need to be reviewed by the Airport Land Use Commission. • Airport Influence Areas in Riverside County are delineated on maps that are available at www.rcaluc.org. • Project would be subject to Federal Aviation Administrative review through Form 7460-1 if it is within 20,000 feet of any airport runway.

Table 3-1. Summary of Written Comments Received from Private Organizations and Companies

Date Received	From	Comments
December 10, 2010	Basin and Range Watch Laura Cunningham and Kevin Emmerich	<ul style="list-style-type: none"> • CPUC should consider alternative locations for the substation because the proposed site is in a sand movement corridor and is sensitive habitat for Mojave fringe-toed lizard; impacts to sand movement could affect additional down-wind habitat for fringe-toed lizards • EIR should address potential cumulative impacts to Mojave fringe-toed lizard and impacts to habitat connectivity • The Proposed Project site may house a genetically distinct population segment of fringe-toed lizards, but sufficient genetic analysis has not yet been completed
December 10, 2010	Center for Biological Diversity, Western Watersheds Project, and Sierra Club Lisa T. Belensky, Senior Attorney, on behalf of Michael J. Connor, California Director, Western Watersheds Project and Barbara Boyle, Senior Representative, Clean Energy Solutions, Sierra Club	<ul style="list-style-type: none"> • As proposed, substation would have significant, unavoidable impacts on sand dunes and sand transport, including impacts to habitat for Mojave fringe-toed lizard • EIR should address: impacts to Mojave fringe-toed lizard and sand habitats, rare plants and communities, rare insects and other biological resources; cumulative impacts; and a reasonable range of alternatives • The Proposed Project should not be characterized as an “expansion” because the original substation project right of way has not been approved by BLM • CPUC should re-open the issue of the substation location because it is not clear based on the record that SCE officially selected the current location from the two “equally environmentally superior” alternatives in the Final EIR/EIS • The original Midpoint Substation site is actually environmentally superior. • Blocking sand movement at the proposed site would impact habitat and could also impact substation equipment. • EIR should review alternative locations with reduced impacts on Mojave fringe-toed lizard • Cumulative impacts may be very different than those assessed in 2006 because many more projects have been proposed. As a result of these projects, fringe-toed lizards may need additional legal protections. • Fringe-toed lizards are sensitive to edge effects. <p>Attachments: Barrows et al., 2006. Boundary processes between a desert sand dune community and an encroaching suburban landscape. <i>Biological Conservation</i> 131: 486-494. PWA, 2010. Soil & Water Report for Palen Solar Project site.</p>

4. Next Steps

4.1 Supplemental Events and Documents

While scoping is the initial step in the environmental review process, additional opportunities to comment on the Supplemental EIR for the Proposed Project will be provided. The CPUC will provide for additional public input when the Draft Supplemental EIR is released and during the public meetings for the Draft Supplemental EIR. Table 4-1 presents the proposed schedule for the Supplemental EIR and identifies where in the process the public and agencies can provide additional input in the environmental review process.

Table 4-1. Supplemental EIR Events and Documents

Event/Document		Purpose	Approximate Date
COMPLETED EVENTS / DOCUMENTS			
Notice of Preparation (NOP) for CEQA	Release of NOP ¹	Notified interested parties and agencies of the CPUC's intent to prepare a Supplemental EIR	September 29, 2010
	Public Review Period	Held 30-day public scoping period on the Project to provide for public comments on the scope of Supplemental EIR	September 29 to November 1, 2010
Scoping Report for CEQA NOP Process		Reported comments on the Proposed Project and environmental issues of concern to the public and agencies. This report includes comments made during the scoping process for the CEQA Notice of Preparation.	December 2010
UPCOMING EVENTS / DOCUMENTS			
Draft SEIR	Release of Draft Supplemental EIR	Presents impacts and mitigation for the Proposed CRS Expansion Project and its alternatives	January 2011
	Public Review Period	CEQA: 45-day minimum review period for State agencies.	January 2011 to March 2011
Final SEIR	Release of Final Supplemental EIR	Final Supplemental EIR, with response to comments, issued by CPUC	April 2011
	Decision on the CRS Project	CPUC certifies Supplemental EIR and issues a Proposed Decision	Second Quarter 2011

Refer to the website for specific document dates: <http://www.cpuc.ca.gov/environment/info/asper/dpv2/dpv2.htm>