

A. Introduction

This recirculated Draft Environmental Impact Report (EIR) for the El Casco System Project (Proposed Project) has been prepared to inform the public of changes to the document resulting from new information provided by Southern California Edison (SCE) regarding the ambient noise levels adjacent to the existing single-circuit 115 kV subtransmission line. SCE provided this information subsequent to the California Public Utilities Commission (CPUC) publishing the Final EIR on April 11, 2008. The legal requirements for recirculation under the California Environmental Quality Act (CEQA) are provided in Section A.1 below, followed by a discussion of the specific reasons for recirculating the Draft EIR for the Proposed Project in Section A.2. An overview of the environmental review process required under CEQA is provided in Section A.3. A brief overview of the Proposed Project is provided in Section A.4. Section A.5 provides an overview of the contents of this recirculated Draft EIR.

A.1 LEGAL AUTHORITY

A.1.1 Requirements for Recirculation under CEQA

Recirculation must occur when, after circulation of a draft EIR but before certification of the final EIR, significant new information is added to an EIR that “deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” This includes changes in the project or environmental setting as well as additional data or other information. (Pub. Res. Code §21092.1; 14 Cal. Code. Regs. [“CEQA Guidelines”] §15088.5[a].)

The CEQA Guidelines provide the following four examples of “significant new information” that triggers recirculation:

- (1) A disclosure that a “*new significant environmental impact* would result from the project or from a new mitigation measure proposed to be implemented.”
- (2) A disclosure that a “*substantial increase in the severity of an environmental impact* would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.”
- (3) A disclosure that a “*feasible project alternative or mitigation measure* considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) “The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

(CEQA Guidelines §15088.5(a), emphasis added.)

A.1.2 Public Noticing Requirements

Notice of the recirculated EIR must be given in the same manner as notice of the previously circulated Draft EIR (CEQA Guidelines §15088.5[d]). Accordingly, notice of this recirculated Draft EIR will be provided to all organizations and individuals who previously requested notice in writing and by at least one of the methods specified in CEQA Guidelines §15087(a); i.e., publication in a newspaper of general circulation, posting, and/or direct mailing to neighboring property owners. All of the noticing procedures

set forth in CEQA Guidelines §15087 for circulation of a draft EIR will be complied with for the recirculated Draft EIR as well.

Additionally, the Lead Agency will provide notice to every agency, person, or organization that commented on the original EIR. The Lead Agency requests that comments be submitted only on the recirculated portions of the EIR (CEQA Guidelines §15088.5[f][3]).

A.1.3 Public Review Period Requirements

The review period for the recirculated EIR should generally be the same as the review period of the originally circulated EIR (CEQA Guidelines §§15088.5[d], 15087[e]). In the case of an EIR submitted to the State Clearinghouse for review by State agencies, the review period must be at least 45 days (CEQA Guidelines §15105[a]). Therefore, the review period for this recirculated Draft EIR is 45 days as discussed in Section A.3.2, below.

A.2 SUMMARY OF REVISIONS MADE TO PREVIOUSLY CIRCULATED EIR

After publication of the Final EIR on April 11, 2008, SCE provided the CPUC with new information regarding the ambient noise levels adjacent to the existing single-circuit 115 kV subtransmission line. The information provided contained details of existing 115 kV subtransmission line operational corona noise and projected modeled corona noise of the Proposed Project. Section D.9 (Noise) details the supplemental information pertaining to noise. In light of the standards for recirculation described in Section A.1.1, above, the CPUC has determined that this new environmental setting information received from SCE warrants recirculation of the El Casco System Project EIR.

This recirculated EIR contains a new noise analysis in Section D.9 (Noise) that reflects the new information provided by SCE regarding changes in the baseline conditions for the existing single-circuit 115 kV subtransmission line, an updated cumulative noise effects analysis, and updated portions of the Executive Summary summarizing the changes.

Additionally, portions of Section E (Comparison of Alternatives) have been revised to reflect the updated noise analysis and to be consistent with the constitutional requirement that there be “rough proportionality” between the impacts of the project and the measures identified to reduce or avoid those impacts, and an essential nexus (i.e., connection) between a legitimate governmental interest and the measures identified to further that interest (CEQA Guidelines §15126.4[a][4]). Accordingly, the environmental superiority of alternatives is based on a comparison of significant impacts that would result from the Proposed Project and alternatives as identified in the EIR, and does not consider whether the Proposed Project or an alternative would improve existing environmental conditions. Because this comparison now shows that neither the Proposed Project nor the Partial Underground Alternative is superior in terms of long-term environmental impacts, the comparison considers short-term construction impacts. In light of these revisions and considerations, the Proposed Project has been determined to be the environmentally superior alternative.

Only the sections that have changed due to the new information provided by SCE are included in this recirculated EIR, per CEQA Guidelines §15088.5(c). This EIR does not make a recommendation regarding the approval or denial of the Project; it is purely informational in content and will be used by the CPUC in considering whether or not to approve the Proposed Project or an alternative.

A.3 OVERVIEW OF THE ENVIRONMENTAL REVIEW PROCESS

A.3.1 Background on the Project's Environmental Review Process

The CEQA environmental review process for the proposed El Casco System Project started on July 16, 2007, with the CPUC's issuance of a Notice of Preparation (NOP) of an EIR. The public involvement milestones associated with the environmental review process for the proposed El Casco System Project are described below.

- **Scoping Process.** As required by CEQA Guidelines §15082, the CPUC issued a NOP on July 16, 2007 that summarized the Proposed Project, stated its intention to prepare an EIR, and requested comments from interested parties. The NOP also included notice of the CPUC's Pre-Hearing Conference for the Proposed Project, and public scoping meetings that were held on August 1, 2007 in the cities of Banning and Beaumont, California. The NOP was filed with the State Clearinghouse on July 16, 2007 (SCH# 2007071076), which initiated the 30-day public scoping period. The review period for the NOP ended on August 14, 2007. Public notification of the NOP included direct agency and public notification, newspaper announcements in five newspapers, and posting on the project website (<http://www.cpuc.ca.gov/environment/info/aspen/elcasco/elcasco.htm>).
- **Draft EIR Public Review Process.** The CPUC published the Draft EIR for the El Casco System Project on December 12, 2007, commencing the 45-day public review period. The Draft EIR included a detailed project description, analysis of impacts in eleven environmental disciplines, cumulative and growth inducing impacts analysis, analysis and comparison of alternatives including the No Project Alternative, and mitigation to reduce or eliminate environmental impacts of the Proposed Project.
- **Draft EIR Informational Workshops and Public Participation Meetings.** Two Informational Workshops were held on January 9, 2008 at the City of Banning Council Chambers. The Informational Workshops were intended as an opportunity for the public to learn more about the content and analysis provided in the Draft EIR. The Informational Workshops were conducted in an "open house" format that allowed members of the public and government agencies to view displays, review handouts, and ask questions about the Draft EIR and the environmental review process from the Draft EIR authors. No verbal comments were accepted or recorded at the Informational Workshops; only written comments were accepted. In addition to the Informational Workshops, two Public Participation Meetings were held on January 9, 2008 at the City of Banning Council Chambers. During the Public Participation Meetings, a short presentation was provided regarding the Proposed Project, the CEQA review process, and the conclusions of the Draft EIR. After the presentation, members of the public, organizations, and agencies had an opportunity to present verbal comments on the Draft EIR. All verbal comments presented at the Public Participation Meetings were transcribed by a court reporter and were included in the Final EIR. Written comments were also accepted at these meetings.
- **Final EIR.** The Final EIR was published on April 11, 2008. Per the requirements of California Public Resources Code §21092.5 and CEQA Guidelines §15089, the CPUC provided a response to each public agency, organization, and individual that commented on the Draft EIR. In addition, the Final EIR contained text revisions to the Draft EIR and a summary of the Draft EIR public review process.

A.3.2 Recirculated Draft EIR Environmental Review Process

Publication of this recirculated Draft EIR commences a 45-day public review period that ends on August 22, 2008 (CEQA Guidelines §§15088.5(d), 15087(e), 15105(a)). **The public is invited to comment on only those portions of the document that have been revised and included in this recirculated Draft EIR; i.e. the revised Executive Summary, Introduction, Noise Analysis, and Comparison of Alternatives (CEQA Guidelines §15088.5(f)(2)).**

A.3.3 Decision-Making Process

After the close of the public review period on August 22, 2008, the CPUC will prepare a revised Final EIR that contains a response to each public agency, organization, and individual that commented during the initial circulation period that pertain to those portions of the EIR that were not recirculated, and all comments received during the recirculation period that pertain to the recirculated portions of the EIR (CEQA Guidelines §15088.5[f][2]). In addition, the recirculated Final EIR will contain a summary of text changes to the original Draft EIR published in December 2007 and the recirculated Draft EIR, which incorporates (1) previous changes based on comments received during the original Draft EIR review period (December 12, 2007 to January 25, 2008) (Previously included in the original Final EIR); (2) any additional changes to the previous modifications necessitated by the new information triggering recirculation; (3) and text changes resulting from new comment letters received during the recirculation period pertaining to the recirculated portions of the Draft EIR. A summary of the entire El Casco System Project EIR public review process will also be provided.

Pursuant to Article XII of the Constitution of the State of California, the CPUC oversees the regulation of investor-owned public utilities, including SCE. The CPUC is the lead State agency ensuring compliance of the El Casco System Project with CEQA regulations. The recirculated Final EIR will be used by the CPUC, in conjunction with other information developed in the CPUC's formal record, to act on SCE's application for a Permit to Construct. Under CEQA requirements, the CPUC will determine the adequacy of the recirculated Final EIR and, if adequate, will certify the document as complying with CEQA.

It should be noted that environmental impacts identified for a project may not always be mitigated to a less-than-significant level. When this occurs, impacts are considered significant and unavoidable. If a public agency approves a project that has significant unavoidable impacts, the agency shall state in writing the specific reasons for approving the project, based on the Final EIR and any other information in the public record for the project. This is termed a "statement of overriding considerations" and is used to explain the specific reasons why the benefits of a proposed project make its significant unavoidable impacts acceptable. The statement is prepared, if required, after the Final EIR has been completed but before action to approve the project has been taken. The statement of overriding considerations and the CEQA required Findings of Fact (CEQA Guidelines §15091) would be included in the CPUC's Proposed Decision on the El Casco System Project.

A.4 PROJECT DETAILS

If approved, the Proposed Project would provide relief to the Vista and Devers Systems through the transfer of load from the Banning, Maraschino, Mentone, Crafton Hills, and Zanja Substations to the newly created El Casco System. In addition, the Proposed Project would allow load transfers between the Devers, Vista, and the new El Casco Systems under both normal and abnormal conditions. Together, these functions would serve to ensure that reliable, safe electric service is available to meet customer electrical demand without overloading the existing electrical facilities that serve northern Riverside County. The proposed El Casco System Project would include the following major components:

- Construct a new 220/115/12 kV substation within the Norton Younglove Reserve in the County of Riverside (El Casco Substation), associated 220 kV and 115 kV interconnections, and new 12 kV line getaways.
- Replace approximately 13 miles of existing single-circuit 115 kV subtransmission lines with new, higher capacity double-circuit 115 kV subtransmission lines and replace support structures within existing SCE rights-of-way (ROWs) in the Cities of Banning and Beaumont and unincorporated areas of Riverside County.
- Replace approximately 1.9 miles of existing single-circuit 115 kV subtransmission lines with new, higher capacity single-circuit 115 kV subtransmission lines and replace support structures within existing SCE ROWs in the City of Beaumont and unincorporated Riverside County.
- Replace approximately 0.5 mile of existing single-circuit 115 kV subtransmission lines with new, higher capacity single-circuit 115 kV subtransmission lines on existing support structures within existing SCE ROWs in the City of Beaumont and unincorporated Riverside County.
- Rebuild 115 kV switchracks within Banning and Zanja Substations in the Cities of Banning and Yucaipa, respectively.
- Install telecommunications equipment at the proposed El Casco Substation and at SCE's existing Mill Creek Communications site.
- Install fiber optic cables within public streets and on existing SCE structures between the Cities of Redlands and Banning.

A.5 READER'S GUIDE

This recirculated EIR contains revised sections from the original Draft EIR and is organized as follows:

Executive Summary. A summary of the Proposed Project and changes to the Draft EIR resulting from the new information provided by SCE subsequent to the issuance of the Final EIR.

Section A (Introduction). A discussion of the legal authority for recirculation and a summary of revisions made to the previously circulated El Casco System Project EIR, as well as a brief summary of the Proposed Project and the environmental review process.

Section D.9 (Noise). A comprehensive analysis and assessment of impacts and mitigation measures for the Proposed Project and alternatives, including the No Project Alternative. This section comprises the updated noise analysis that contains the environmental setting, impacts, and proposed mitigation of impacts of the Proposed Project and each alternative carried forward for full EIR analysis. At the end of the noise analysis, a Mitigation Monitoring table and cumulative effects analysis is provided.

Section E (Comparison of Alternatives). The CEQA Environmentally Superior Alternative is identified and an updated discussion of the relative advantages and disadvantages of the Proposed Project and alternatives that were evaluated is provided.