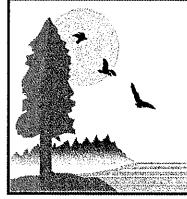


CALIFORNIA STATE LANDS COMMISSION

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Established in 1938

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September 10, 2019

File Ref: SCH #2019089033

Billie Blanchard, Project Manager
California Public Utilities Commission
c/o Aspen Environmental Group
235 Montgomery Street, Suite 640
San Francisco, CA 94104-2920

VIA REGULAR & ELECTRONIC MAIL: elm@aspeneq.com

Subject: Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Southern California Edison (SCE) Eldorado-Lugo-Mohave Series Capacitor Project, San Bernardino County

Dear Ms. Blanchard:

The California State Lands Commission (Commission) staff has reviewed the subject IS/MND for the SCE Eldorado-Lugo-Mohave Series Capacitor Project (Project), which is being prepared by the California Public Utilities Commission (CPUC). The CPUC, as the regulatory agency, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq). The Commission may act as a responsible agency because of its duty as the trustee of school lands to monitor projects that could directly or indirectly impact these lands.

Commission Jurisdiction

In 1853, the United States Congress granted to California nearly 5.5 million acres of land for the specific purpose of supporting public schools. In 1984, the State Legislature passed the School Land Bank Act (Act), which established the School Land Bank Fund (SLBF) and appointed the Commission as its trustee (Pub. Resources Code, § 8700 et seq.). The Act directed the Commission to develop school lands into a permanent and productive resource base for revenue generating purposes. The Commission manages approximately 462,830 acres of school lands still held in fee ownership by the State and the reserved mineral interests on an additional 790,000 acres where the surfaces estates have been sold. Revenue from school lands is deposited in the State Treasury for the benefit of the Teachers' Retirement Fund (Pub. Resources Code, § 6217.5).

The proposed Project involves a transmission line that crosses multiple school land parcels under the jurisdiction of the Commission. SCE has two right-of-way leases with the Commission at various locations along this transmission line (PRC 6346.2 and PRC 4024.2). These locations include portions of Section 36, Township 6 North, Range 1 East; Section 16, Township 6 North, Range 3 East; Section 36, Township 10 North, Range 13 East; Section 36, Township 10 North, Range 14 East; Section 36, Township 10 North, Range 15 East; and Section 36, Township 12 North, Range 20 East, SBM. Depending upon the nature and extent of the proposed improvements at these specific locations, SCE may be required to apply to the Commission for a lease amendment to one or both leases. SCE should consult with Commission staff to clarify these issues and determine whether it is necessary to obtain any lease amendments before commencing activities on these parcels (see Public Land Management Specialist contact information at end of letter).

Project Description

SCE proposes several improvements to its existing high-voltage transmission system to meet the agency's objectives and needs as follows:

- Meet the target in-service date of June 2021 to support the requirements as outlined and required by the California Renewables Portfolio Standard (RPS) including 33% by 2020 and the increased requirement of 60% by 2030 and ensure compliance with CPUC General Order 95 and the National Electrical Safety Code.
- Continue to provide safe and reliable electrical service.
- Maintain system reliability within the Los Angeles Basin as well as the entire California Independent System Operator grid, which is defined as the Electrical Needs Area (ENA).
- Increase power flow through the existing Eldorado-Lugo, Eldorado-Mohave, and Lugo-Mohave 500 kV Transmission Lines for the purpose of increasing the amount of power delivered from California, Nevada, and Arizona to the ENA through the SCE system in an effort to meet requirements associated with the California RPS.
- Reduce the SCE's current flow into the LADWP transmission system for the purpose of mitigating power overloads under abnormal system conditions.

From the Project Description and Project area map, Commission staff understands that the Project would include the following components within the Commission's jurisdiction:

- Project Component 4. Replaces approximately 235 miles of existing overhead ground wire with new optical ground wire between Eldorado, Mohave, and Lugo substations.
- Project Component 5. Other upgrades including underground telecommunications facilities, modifying existing series capacitors, and installing or replacing equipment at existing substations.

Environmental Review

Commission staff requests that the CPUC consider the following comments on the Project's IS/MND.

General Comments

1. In regard to mitigation, the IS/MND text should be consistent with the Mitigation Monitoring Program (MMP) presented in Section 6. Throughout the IS/MND, various Applicant-Proposed Measures (APMs) are presented, even though the majority of those APMs are noted as having been "superseded" by Mitigation Measures (MMs). Although it is fine to acknowledge the Proponent's contribution to the resulting MMs, presenting the superseded APMs in the document is confusing to the reader. If the APMs have been "superseded," by definition they have been replaced or removed. CPUC appears to have added the MMs to improve upon the APMs and this amended text is reflected in the MMP.

Commission staff suggests that a statement directing the reader to the MMP for the complete text of each MM precede the discussion of MMs in each *Project Impacts and Mitigation Measures* section, or preferably only the complete MMs (as presented in the MMP) be included in each *Project Impacts and Mitigation Measures* section, to better assure the public's clear understanding of the Project.

Cultural Resources

2. MM CR-4: Inadvertent Discovery of Cultural or Tribal Cultural Resources. The IS/MND should also mention that the title to all archaeological sites and historic or cultural resources on lands of California is vested in the state and under the jurisdiction of the Commission (Pub. Resources Code, § 6313). Commission staff requests that the CPUC consult with Staff Attorney Jamie Garrett, whose contact information is provided below, should any cultural resources on state lands be discovered during construction of the proposed Project. In addition, Commission staff requests that the following statement be included in the IS/MND's MMP, "The final disposition of archaeological, historical, and paleontological resources recovered on state land under the jurisdiction of the California State Lands Commission must be approved by the Commission."
3. MM CR-7: Inadvertent Discovery of Human Remains on State Owned Lands or Private Property. MM CR-7 states that "SCE shall immediately contact the Medical Examiner at the County Coroner's office, BLM, CPUC as well as representatives of consulting tribes." If human remains are discovered on state-owned land, the Commission must also be notified. Therefore, Commission staff requests that the following statement be added to MM CR-7, "Should human remains be discovered on state land, SCE shall also notify the California State Lands Commission within 24 hours of the discovery."

Thank you for the opportunity to comment on the IS/MND for the Project. As a trustee and potential responsible agency, the Commission may need to rely on the adopted IS/MND for the issuance of any amended lease as specified above and, therefore, we request that you consider our comments prior to adoption of the IS/MND.

Please send copies of future Project-related documents, including electronic copies of the adopted MND, MMP, Notice of Determination, and approving resolution when they become available. Please refer questions concerning the environmental review to Christine Day, Environmental Scientist, at (916) 562-0027 or christine.day@slc.ca.gov. For questions concerning archaeological or historic resources under Commission jurisdiction, please contact Staff Attorney Jamie Garrett at (916) 574-0398 or jamie.garrett@slc.ca.gov. For questions concerning Commission leasing jurisdiction, please contact Jim Porter, Public Land Management Specialist, at (916) 574-1865 or jim.porter@slc.ca.gov.

Sincerely,



Eric Gillies, Acting Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
C. Day, Commission
J. Porter, Commission
P. Huber, Commission
J. Garrett, Commission