

From: Noland, Christopher [mailto:cnoland@bechtel.com]
Sent: Monday, October 8, 2007 05:02 AM
To: sunrise@aspenerg.com
Cc: bcb@cpuc.ca.gov, Lynda_Kastoll@ca.blm.gov
Subject: Modified Route D Alternative
Importance: High

Please include the full text of this electronic mail transmission as my formal comments pertaining to the alignment of the Modified Route D Alternative. Allow me to reiterate my opposition not only to the Modified Route D Alternative, but to the entire Sunrise Powerlink project. Also, please add my name and address to your notification list for anything pertaining to updates for the Sunrise Powerlink project.

Chris Noland
39524 Jewel Valley Court
Boulevard, CA 91905

From: Noland, Christopher
Sent: Mon 10/1/2007 1:32 PM
To: Susan Lee
Cc: bcb@cpuc.ca.gov; Lynda_Kastoll@ca.blm.gov
Subject: RE: Sunrise Powerlink Project

Susan,

Thank you for your response, but here are some items in which CEQA and NEPA guidelines may not have been followed or could be used for further public involvement.

1. CEQA Section 15082 Notice of Preparation and Determination of Scope of EIR. Item (a)(1)(A) states the following:

Location of the project (either by street address and cross street, for a project in an urbanized area, or by attaching a specific map, preferably a copy of a U.S.G.S. 15' or 7-1/2' topographical map identified by quadrangle name), and

The map that was provided to the Campo/Lake Morena Planning Group has 4 to 5 circled areas that have an alternative route that "may be refined". The circled areas encompass more than 12 square miles of public and private land. The location of the project has not been specified and until then, there should be another scoping period to FORMALLY submit comments. How can the public be expected to submit INFORMAL comments on a route that is yet to be defined? The original notification or even a subsequent notification should present a SPECIFIC map of alternative routes, such as in the second scoping period.

2. CEQA Section 15224 Time Limits.

Where a project will be subject to both CEQA and the National Environmental Policy Act, the one year time limit and the 105-day time limit may be waived pursuant to Section 15110.

Time schedules for this project have already been extended and if more time is needed for public scoping, that time should be afforded. It appears that perhaps the population of the affected area merits no need for further public scoping.

3. CEQA Section 15082 Notice of Preparation and Determination of Scope of EIR. Item (c)(1) states the following:

For projects of statewide, regional or areawide significance pursuant to Section 15206, the lead agency shall conduct at least one scoping meeting. A scoping meeting held pursuant to the National Environmental Policy Act, 42 USC 4321 et seq. (NEPA) in the city or county within which the project is located satisfies this requirement if the lead agency meets the notice requirements of subsection (c)(2) below.

To my knowledge, the other routes have also undergone significant alternative modification and were given a second formal scoping period for public comment. The fact that the Modified Route D Alternative has not even been determined, how can the CPUC justify that modification of this alternative does not warrant additional public scoping?

4. From NEPA:

Sec. 1501.7 Scoping. There shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This process shall be termed scoping. As soon as practicable after its decision to prepare an environmental impact statement and before the scoping process the lead agency shall publish a notice of intent (Sec. 1508.22) in the Federal Register except as provided in Sec. 1507.3(e).

(a) As part of the scoping process the lead agency shall:

1. Invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, the proponent of the action, and other interested persons (including those who might not be in accord with the action on environmental grounds), unless there is a limited exception under Sec. 1507.3(c). An agency may give notice in accordance with Sec. 1506.6.

2. Determine the scope (Sec. 1508.25) and the significant issues to be analyzed in depth in the environmental impact statement.

3. Identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3), narrowing the discussion of these issues in the statement to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.

4. Allocate assignments for preparation of the environmental impact statement among the lead and cooperating agencies, with the lead agency retaining responsibility for the statement.

5. Indicate any public environmental assessments and other environmental impact statements which are being or will be prepared that are related to but are not part of the scope of the impact statement under consideration.

6. Identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the environmental impact statement as provided in Sec. 1502.25.

7. Indicate the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision making schedule.

(b) As part of the scoping process the lead agency may:

1. Set page limits on environmental documents (Sec. 1502.7).
2. Set time limits (Sec. 1501.8).
3. Adopt procedures under Sec. 1507.3 to combine its environmental assessment process with its scoping process.
4. Hold an early scoping meeting or meetings which may be integrated with any other early planning meeting the agency has. Such a scoping meeting will often be appropriate when the impacts of a particular action are confined to specific sites.

(c) An agency shall revise the determinations made under paragraphs (a) and (b) of this section if substantial changes are made later in the proposed action, or if significant new circumstances or information arise which bear on the proposal or its impacts.

NEPA gives clear guidance to the CPUC/BLM that additional scoping meetings may be held if significant new circumstances or information arise which bear on the proposal or its impacts. This section allows the CPUC/BLM to have an additional scoping period AFTER a final route determination is made.

I realize that the alternative routes will be discussed in detail in the EIR/EIS and I am sure other routes will be refined as well, but the extensive changes and modifications that have been made to the southern alternative routes AFTER the May 2007 scoping period should have warranted an additional scoping period for FORMAL public comment. For the record, I must let you know that I am completely for the "no-build alternative" for the Sunrise Powerlink project.

Sincerely,

Chris Noland

From: Susan Lee [mailto:SLee@aspeneq.com]
Sent: Monday, October 01, 2007 7:22 AM
To: Noland, Christopher
Cc: Blanchard, Billie C.
Subject: Sunrise Powerlink Project

Dear Mr. Noland,

The CPUC and BLM are fully complying with CEQA and NEPA requirements in preparation of the EIR/EIS for the Sunrise Powerlink Project. Following are responses to each of your concerns.

The CPUC website does not even have a map for the updated routes for public review. This is in violation of CEQA and NEPA.

The CPUC website does have copies of all of the published documentation and maps on alternatives, including the January 2007 "Notice of Second Round of Scoping on Alternatives to the Sunrise Powerlink Project" (presenting preliminary conclusions regarding alternatives), the March 2007 Notice Regarding Conclusions on EIR/EIS Alternatives to the Proposed Sunrise Powerlink Project, and the May 2007 Notice on the Modified Route D Alternative. We are still in the process of finalizing the route of the Modified Route D Alternative. However, we are attaching the latest map, which identifies areas with routing issues -- we recently provided this to the Campo-Lake Morena Planning Group.

Neither CEQA nor NEPA require that alternatives be disclosed to the public prior to publication of the Draft EIR/EIS. In this process, the CPUC and BLM have far exceeded legal requirements for public involvement, including holding two scoping periods, the second focusing only on alternatives, and a third comment period on the U.S. Forest Service's suggested Modified Route D Alternative (each with a 30 day comment period). While we have been making an effort to keep the public informed, this is not always possible as we get closer to publication of the Draft EIR/EIS. Alternative route modifications are often made during EIR/EIS preparation in response to technical issues arising during analysis.

The newly modified routes are not even in the libraries in the communities that would be affected.

All public information, including the January, March, and May 2007 alternatives notices and accompanying maps, has been provided to the libraries in the affected communities. This includes the following libraries in the area around the Modified Route D Alternative:

Campo-Morena Village Branch Library

31356 Highway 94, Campo, CA 91906

Potrero Branch Library

24883 Potrero Valley Road, Potrero, CA 91963

Pine Valley Branch Library

28804 Old Highway 80, Pine Valley, CA 91962

Descanso Branch Library

9545 River Drive, Descanso, CA 91916

Alpine Branch Library

2130 Arnold Way, Alpine, CA 91901

I understand that the comment period for the Modified Route D Alternative has been extended, however, there has been little to no information on the CPUC website about this. I do realize that this is an ongoing process and the Department of the Navy has a big part in the routing, but the clock for the comment period should not start until there is a solidified alternative that is published.

Two formal scoping periods were held for the EIR/EIS, in October 2006 and in January/February 2007. . The Modified Route D Alternative suggested by the Forest Service was noticed in May 2007 for a 30 day comment period. While we are not now in a formal public comment period, comments that are submitted at other times during the preparation of the Draft EIR/EIS are always welcome and will be considered to extent possible.

An important public comment period will be the 90-day review period on the Draft EIR/EIS. During that time, you can provide written comments, you may discuss the document at a workshop in your area, and you may attend a Public Participation Hearing (to be held by the CPUC's Administrative Law Judge) to speak on the record about the Draft EIR/EIS. Notice of the scheduled dates and locations for these events will be sent out at the time of the release of the Draft EIR/EIS. We will look forward to receiving your comments at that time. If you have any general concerns or suggestions regarding possible routes for the Modified Route D Alternative, we would be happy to receive those as well, but if we receive them after October 8 it will be difficult for us to fully consider them prior to publication of the Draft EIR/EIS. Thank you for your involvement in this project.

Sincerely,

Susan Lee
Vice President, SF Office
Aspen Environmental Group
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San Francisco, CA 94104

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-----Original Message-----

From: Noland, Christopher [mailto:cnoland@bechtel.com <mailto:cnoland@bechtel.com >]

Sent: Tuesday, September 25, 2007 03:29 PM

To: bcb@cpuc.ca.gov

Cc: sunrise@aspeneq.com

Subject: Sunrise Powerlink Project

Ms. Blanchard,

Please inform me on the publication that was used to publish the extended comment period for the Proposed Modified Route D Alternative for the Sunrise Powerlink. The CPUC website does not even have a map for the updated routes for public review. This is in violation of CEQA and NEPA. The newly modified routes are not even in the libraries in the communities that would be affected. I understand that the comment period for the Modified Route D Alternative has been extended, however, there has been little to no information on the CPUC website about this.

I do realize that this is an ongoing process and the Department of the Navy has a big part in the routing, but the clock for the comment period should not start until there is a solidified alternative that is published. Please let me know and enlighten me about the Modified Route D Alternative.

Christopher Noland, PG

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Navy CLEAN 3

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