



Michael Calvillo
Senior Land Planner
Environmental Management

1455 E. Shaw Ave, Bag 23
Fresno, CA 93710-8001
(559) 263-5780
(559) 263-5262
M6CL@pge.com

February 20, 2017

Sanger Substation Expansion Project
c/o Ecology and Environment, Inc.
Attn: Silvia Yanez, Project Manager
505 Sansome Street, Suite 300
San Francisco, CA 94111

RE: PG&E Sanger Substation Expansion Project
Comments to Draft Initial Study/Mitigated Negative Declaration

Dear Ms. Yanez:

Thank you for the opportunity to review the draft Initial Study/Mitigated Negative Declaration (MND) for the Sanger Substation Expansion Project (project). Pacific Gas and Electric Company (PG&E) appreciates the effort expended by Commission staff and its consultant to prepare a comprehensive CEQA document to cover the project.

PG&E offers the following minor revisions and comments concerning the draft MND:

Page 1-3, Required Approvals, Table 1-1, and Page 4-3, Other Public Agencies Whose Approval is Required, Table 4-1: Under Building Permit, please delete “two Modular Protection Automation Control buildings and” because Fresno County has confirmed that no building permit is needed for these installations.

Page 5.2-3, line 12, Agriculture, Local, Fresno County Code of Ordinances: Suggest “ultimate” be replaced with “discretionary” to clarify the legal relationship. The County does not have any discretionary authority over land use decisions for the proposed project.

Pages 5.3-6, line 29, and 5.7-4, line 28, San Joaquin Valley Air Pollution Control District: PG&E suggests placing these agency regulations under a different heading than “Local.” Although the San Joaquin Valley Air Pollution Control Board (“SJVAPCD”) and other air districts are referred to as “local” air districts to distinguish them from the California Air Resources Board (“CARB”), they are not local police-power agencies but rather were created under the authority of the California Health and Safety Code to enforce state and federal ambient air quality laws and standards. *See, e.g.,* Health & Safety Code, § 40001. They are subject to CARB oversight, rather than being within city or county jurisdiction. The distinction is important because PG&E’s project is subject to SJVAPCD regulations but not to local discretionary regulations enacted by local agencies under the police power. To avoid confusion and maintain the distinction from city and county regulations, PG&E generally identifies air district regulations as “Regional” rather than “Local,” but they could also properly be placed under “State” regulations.

Page 5.5-1, Cultural Resources, lines 7-8 and 28-31: Please delete “Native American resources” and the bullet with the same title. A Native American resource is either an archaeological resource or a Tribal Cultural Resource, and would be covered in those categories; PG&E experts are not aware of any other recognized independent classification.

Page 5.5-13, Cultural Resources, lines 4-7: Please change “would” to “could” in line 4 and add “if it is not a representative sample” after “after 50 percent of the work is done” in line 7 to be consistent with the intent of MM CUL-4 and discussions concerning its particulars.

Page 5.5-13, Cultural Resources, line 9: For clarity, please add “would supersede APM PAL-3 and” after “MM CUL-4.”

Page 5.5-11, Cultural Resources, MM CUL-1 (also in the MMRP and elsewhere): To ensure quick resolution of all cultural issues, PG&E suggests that MM CUL-1 include a 7-day CPUC response on whether a resource is a potentially a historical or unique archaeological resource, consistent with other parts of MM CUL-1. To accomplish this, we suggest adding the following clarification after the first sentence of the third paragraph (at line 22):

If the resource is of a type that is consistently found not eligible (i.e. an isolated artifact), then it may be assumed not eligible with informal notice to the CPUC. If the resource can be evaluated quickly without further investigation, then a recommendation shall be made in writing by the CPUC-approved archaeologist, and the CPUC must respond within 7 days if it disagrees with the conclusion.

Page 5.5-13, Cultural Resources, MM CUL-3 (also in the MMRP and elsewhere): For the same reason, PG&E suggests that MM CUL-3 contain a similar 7-day CPUC response provision. In the first sentence of the last paragraph (line 34), please replace “determine whether or not the resource is unique” with “respond in writing within 7 days on whether the resource is unique and providing reasoning if it disagrees with the conclusion.”

Page 5.8-10, Hazards, line 36 and other locations, MM HAZ-1: Please insert “at least” before “30 days” in the last line, which PG&E believes is consistent with the intent.

Page 5.10-6, Table 5.10-2, Noise: Suggest adding at the end of the first sentence “although the ordinance also exempts emergency work and utility facility modifications, which would cover any necessary night-time project construction activities.” See Fresno County Noise Ordinance, section 8.40-060.

Pages 5.17-5, line 12, 5.17-6, line 3 and 5.17- 7, lines 48-49, Utilities: As stated on page 5.13-2, Population and Housing, construction workers would be “mostly from the Central Valley” but not all “from the local area.” Suggest these lines be revised to state “Given the small number of workers, there will be a negligible change in wastewater generated and treated in the area.” PG&E believes this conclusion is supported by the analysis.

Page 5.18-1, Mandatory Findings of Significance, lines 13-17: Although the language in Table 5.18-1 is correct, the language in the first heading is not. Please add “substantially” in the two places underlined below to properly describe the legal standard:

(a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

See Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs., tit. 14, § 15000 (“CEQA Guidelines”), §15065 (a)(1).

Page 5.18-2, Mandatory Findings of Significance, Biology, line 7: Please add “substantially” before “reduce” as described above.

Page 5.18-2, Mandatory Findings of Significance, Biology, lines 21-35: The analysis in these paragraphs might have applied the misquoted standard as to reducing the number or restricting the range of a rare or endangered species. The Swainson’s hawk is the only species identified with moderate potential to occur in the area, with 3 other birds and the San Joaquin kit fox identified as having low potential to occur. While the CPUC concluded elsewhere that certain APMs proposed by PG&E were not sufficient to reduce potential impacts to these species to a less than significant level, and replaced them with mitigation measures, PG&E does not believe there is evidence that the project as proposed would “*substantially* reduce the number or restrict the range” of any rare or endangered animal species. See CEQA Guidelines, § 15065 (a)(1). PG&E agrees with the other conclusions in this paragraph (lines 32-34) and believes that minimizing the potential for any impacts to rare or endangered species is important, as evidenced by its acceptance of the proposed mitigation measures.

PG&E appreciates the opportunity to provide these comments. Please feel free to contact me if further information or clarification is necessary.

Sincerely,

Michael Calvillo

Michael Calvillo
Senior Land Planner
Pacific Gas and Electric Company

Ms. Yanez
February 20, 2017
Page 4

cc:

Derrick Hallum, Pacific Gas and Electric Company
Jo Lynn Lambert, Attorney for Pacific Gas and Electric Company
Shruti Ramaker, Haley & Aldrich
Kendra Ryan, Cardno