



LS Power - Power Santa Clara Valley Project (A. 24-04-017)
Energy Division Deficiency Report Date May 29, 2024
LS Power Response #1 Date June 14, 2024

LS Power - Power Santa Clara Valley Project (A. 24-04-017) CPCN and PEA Deficiency Report

REPORT OVERVIEW

Review of the Certificate of Public Convenience and Necessity (CPCN) Application and Proponent’s Environmental Assessment (PEA) for the Power Santa Clara Valley Project (Application 24-04-017) was based on the CPUC’s Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-filing and Proponent’s Environmental Assessments (November 2019). Based on these criteria, the following additional information is needed in order to deem the CPCN Application and PEA complete.

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5.1 - Aesthetics		
1	Identify methodology and assumptions for completing the visual simulations.	As discussed in the PEA (page 5.1-11) under <i>Section 5.1.1.6, Representative Viewpoints</i> , the methodology employed for preparing the visual simulations includes site photography, computer modeling, and digital rendering techniques. Photographs were taken using a full-frame digital camera with a standard 50-millimeter lens, which represents an approximately 40-degree horizontal view angle. Photography viewpoint locations were documented systematically using photo log sheet notation, global positioning system (GPS) recording, and base-map annotation. Digital aerial photographs and Proposed Project design information supplied by Pacific Gas and Electric Company (PG&E) and LS Power provided the basis for developing a three-dimensional computer model of the new Proposed Project components. For each Key Observation Point simulation, viewer location was input from GPS data, using 5.5 feet as the assumed eye level. Computer “wireframe” perspective plots were overlaid on the simulation photographs to verify scale and viewpoint location. Digital visual simulation images then were produced based on computer renderings of a three-dimensional computer model matched to and combined with the selected digital site photographs. The simulations are presented as figures with two images designated “A” and “B,” with the existing views shown on the “A” photo and the post-Proposed Project visual simulations shown on the “B” photo.

¹ Where edits were made to text from the PEA, added text is shown in underline and removed text is shown in ~~strikethrough~~.

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5.3 – Air Quality		
1	Please revise the Project’s Health Risk Assessment (HRA) to include the following:	See responses below.
a	Annual average PM2.5 concentration (including fugitive dust)	<p>Particulate matter less than or equal to 2.5 microns (PM2.5) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. The BAAQMD’s project-level threshold addresses the potential for an individual project to significantly elevate existing risks or hazards associated with PM2.5. Specifically, a project would have a significant PM2.5 impact if the project would incrementally increase PM2.5 by more than 0.3 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) annual average.</p> <p>Based on the PM2.5 emissions modeling in PEA Appendix 5.3-A (Air Quality and GHG Modeling Files), the highest PM2.5 emissions expected would occur at the Skyline terminal site in 2026. Using these emissions estimates, the AERMOD dispersion model was utilized to determine the maximum project PM2.5 emission concentration based on the highest annual emission from all sources. PM 2.5 concentrations were calculated at the worst-case receptor locations as identified in PEA Section 5.3.1.3. The worst-case PM2.5 was calculated to be $0.098 \mu\text{g}/\text{m}^3$, which is below the BAAQMD threshold of $0.3 \mu\text{g}/\text{m}^3$. Therefore, potential health or hazard impacts resulting from increase in PM2.5 would be less than significant. PM2.5 AERMOD dispersion modeling files have been included as Attachment A to this Deficiency Response.</p>
b	Complete an HRA analysis for staging areas (analysis can be either qualitative or quantitative)	<p>Qualitative HRA analysis for staging areas was included with the PEA (page 5.3-5), and is summarized below:</p> <p>Construction equipment along the proposed transmission line corridor would be temporarily stored within staging areas along the alignment. While no significant construction activities would occur at staging areas, storage and use of a crane and rough terrain forklift would be anticipated for temporary storing and movement of materials. Given this, sensitive receptors located near the fixed construction areas (proposed high-voltage direct current [HVDC] terminals and existing substations) would be considered worst-case, and any short-term air quality emissions</p>

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		demonstrated at the receptor locations shown in <i>Figures 5.3-1 and 5.3-2</i> could be assumed to represent any potential receptors on the alignment. Therefore, no long-term air quality impacts, such as health risk, would be anticipated at the staging areas.
5.4 – Biological Resources		
1	Confirm if the project is covered by the Santa Clara Valley Habitat Conservation Plan (HCP).	LS Power could use the Santa Clara Valley HCP as necessary to mitigate impacts to special status species. It has not been determined if mitigation is necessary and if LS Power will utilize the HCP at this time.
5.5 – Cultural Resources (Deficiencies)		
1	Please evaluate all isolated resources and all resources that have not been previously evaluated for the California Register using their evaluation criteria and assess archaeological resources for eligibility as a potential unique archaeological resource.	<p>PEA <i>Table 5.5-2, Previously Recorded Cultural Resources Identified</i> has been updated with additional resource evaluations status and to include additional evaluation of isolates located within the Proposed Project area. The updated PEA <i>Table 5.5-2</i> has been included as Attachment B to this Deficiency Response.</p> <p>As defined in Public Resources Code (PRC) 21083.2, a “unique archaeological resource” means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:</p> <p>(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.</p> <p>(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.</p> <p>(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.</p> <p>A “nonunique archaeological resource” means an archaeological artifact, object, or site which does not meet the criteria above. A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.</p>

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		As defined in PRC 21083.2, archaeological site P-43-000189 (SCL-000178) should be considered a “unique archaeological resource” due to its particular quality of being one of only four Early Holocene deposits documented in the Bay-Delta Area (Byrd et al., 2017). Archaeological resources P-43-001279 (SCL-000846/H) and P-43-003535 (SCL-000948) may qualify as “unique archaeological resources” due to data value and public interest, which may be determined during Tribal consultation. All other archaeological resources listed in <i>Table 5.5-2</i> should be considered nonunique archaeological resources, as they do not meet the criteria defined in PRC 21083.2.
2	Please include a table that describes the final eligibility of all resources within the Project Area following the record search, survey, and evaluations.	PEA <i>Table 5.5-2</i> (Attachment B to this Deficiency Response) has been updated to include the eligibility for all resources within the Proposed Project area.
3	The impact analysis does not include all eligible resources that were previously described in the PEA as located within the Project Area. All historical resources, assumed historical resources, and unique archaeological resources that are within the Project Area need to be analyzed for potential Project impacts.	<p>There are six eligible resources (historical resources, assumed historical resources, or “unique archaeological resources”) within the Proposed Project area. One of these, P-43-001331, has been destroyed since determination, and, therefore, the Proposed Project would have no potential impact. Impact analysis of the remaining five resources is included as Attachment C (Confidential) to this Deficiency Response.</p> <p>The remaining resources listed in PEA <i>Table 5.2-2</i> are not eligible resources (historical resources or assumed historical resources per Section 15064.5 or “unique archaeological resources” per Section 21083.2).</p>
5.5 – Cultural Resources (Data Requests)		
1	Please provide site records, reports, and GIS data for everything identified in the cultural resources report’s confidential Appendix F: Figure 6 (Previous Reports), Figure 7 (Previously Recorded Resources), and Figure 8 (Survey Results). The chain of custody should be archaeologist to archaeologist.	The Proposed Project’s Archaeological Consultant, PanGIS, has aggregated the requested information. Contact information for the PanGIS Archaeologist has been provided in Attachment D (Confidential) to this Deficiency Response. The CPUC Archaeologist can coordinate directly with PanGIS to complete the archaeologist-to-archaeologist transmittal of the requested information.

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2	Please provide copies of all tribal consultation letters and responses from Tribes.	All coordination and communication with Tribes was conducted via email and phone calls. Copies of email correspondence with the Tribes has been included in Attachment E (Confidential) to this Deficiency Response. Note these should be kept confidential (not for public disclosure) as the documents include information pertaining to tribal cultural resources and areas of sensitivity, as well as tribal personal contact information. AB 52 requires that any information – not just documents – submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public consistent with Gov. Code Sections 6254, subd.(r) and 6254.10. (Pub. Resources Code § 21082.3, subd. (c)(1)).
3	There is no analysis of potential Project impacts to resources within the Project Area based on the specific Project components or impact types anticipated. It is unclear how the mitigation would minimize impacts to known eligible resources within the Project Area. Please revise accordingly.	See response to Cultural Resources Deficiency No. 3 above.
4	There seems to be some confusion as to what is an historical resource and what is an archaeological resource pursuant to §15064.5. Historical resources are resources that are eligible or listed on the California Register and/or the National Register. These can be archaeological or architectural. It is recommended that impact analysis in the PEA under criterion 5.5a, explicitly addresses potential impacts to historic-era architectural or built historical resources and that impact analysis under criterion 5.5b, explicitly addresses potential impacts to archaeological historical resources and/or unique archaeological resources.	<p>Cultural resource impacts discussions have been updated accordingly for criteria 5.5(a) and 5.5(b).</p> <p>5.5(a): Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?</p> <p>Less-Than-Significant Impact. There are two<u>five</u> known historical resources, as defined in Section 15064.5, located within the Proposed Project area. P-43-002628, a non-material travel route, is part of the National Historic Trail network and is listed as California Landmark #784. P-43-002629 is listed as California Registered Point of Historical Interest #SCL-056. <u>P-43-000571 was evaluated and recommended not eligible for listing on the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR), though no agency determination is on record with the California Historical Resources Information System (CHRIS). P-43-001279 is a multi-component archaeological site. The prehistoric component, located 95 meters outside the Proposed Project area, was treated as eligible for listing on the CRHR and subjected to data recovery associated with human remains, while the historic component, which intersects the Proposed Project area, was regarded as ineligible for listing and destroyed during data recovery.</u></p>

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		<p><u>No agency determination for this site is on record with the CHRIS. P-43-003535 is a single prehistoric burial that was treated as eligible for the CRHR and completely recovered; no agency determination for this site is on record with the CHRIS.</u></p> <p>There are no additional recorded historical resources within the Proposed Project area. However, unrecorded historical resources may exist within or adjacent to the Proposed Project area. While unanticipated, the Proposed Project would involve activities that have the potential to encounter historical resources that are eligible for listing in the CRHR or in a local register. Should previously unidentified historical resources be encountered during construction, the following Applicant Proposed Measures (APMs) would reduce impacts to less than significant by ensuring that all Proposed Project construction personnel can recognize historical resources, avoid known resources, and appropriately respond to unanticipated discoveries. APM CUL-1, Worker Environmental Awareness Program (WEAP) Training requires the development and implementation of a WEAP; APM CUL-2, Archaeological and Native American Monitoring requires archaeological monitoring to assist in identification and evaluation of potential historical resources; and APM CUL-3, Unanticipated Discovery of Potentially Significant Prehistoric and Historic Resources specifies the procedures needed to occur if a previously unidentified historical resource is uncovered during implementation of the Proposed Project. APM CUL-4, Cultural Resources Inventory would require a cultural survey prior to construction at the temporary construction staging areas, which would reduce impacts to less than significant by ensuring that any newly identified historical resources are either avoided by project redesign or evaluated and treated.</p> <p><u>PG&E Facility Upgrades</u></p> <p>In order to integrate the proposed HVDC terminals and new Grove to Skyline 320 kV direct current (DC) transmission line into the existing transmission system, PG&E would be required to perform upgrades at two existing substations: modifications to the Metcalf substation and expansion of the San Jose B substation (refer to PEA <i>Section 3.3.5</i>, Other Potentially Required Facilities). These substation upgrades would occur within and adjacent to the existing substation facilities. The PG&E facility upgrades would also include a new water line to the existing Metcalf substation, which would extend approximately 800 feet north-northeast from the Metcalf substation and connect to an existing 16-inch water main near the corner of Metcalf Road and Malech Road, which is served by the Great Oaks Water Company. Construction on these upgrades would occur concurrently with</p>

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		<p>construction of the remainder of the Proposed Project and for a similarly limited duration. There is one<u>are two</u> known historical resources, as defined in Section 15064.5, located within the PG&E facility upgrade area. P-43-001116 (PG&E's San Jose B substation), was evaluated and recommended not eligible for listing on the NRHP or CRHR, though no agency determination is on record with the CHRIS. <u>P-43-000189 is a prehistoric village site with human remains that was determined eligible for listing on the NRHP and CRHR (1978) and qualifies as a unique archaeological resource per PRC Section 21083.2 (remaining data value and oldest of its type in the region). It was subjected to data recovery and reburial, and the site was expanded and updated during the survey for the Proposed Project.</u></p> <p>Similar to the Proposed Project, upgrades to the existing substations would involve earthmoving activities that may have the potential to encounter historic resources that are eligible for listing in the CRHR or in a local register. Implementation of PG&E BMPs CULT-1, Worker Awareness Training; CULT-2, Worker Awareness Training; CULT-3, Inadvertent Discovery; CULT-4, Flag and Avoid Known Resources; and CULT-5, Human Remains would reduce potential impacts by ensuring that all Proposed Project personnel can recognize historical resources; avoid known historic resources; appropriately respond to unanticipated discoveries of any newly identified historic resources; and ensure that appropriate personnel are present and appropriate procedures are followed. Therefore, impacts to historic resources would be less than significant.</p> <p>5.5(b): Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p> <p>Less-Than-Significant Impact. There is one<u>are three</u> known archaeological resources located within the Proposed Project area. P-43-000571 was evaluated and recommended not eligible for listing on the NRHP and CRHR, though no agency determination is on record with the CHRIS. <u>P-43-001279 is a multi-component archaeological site. The prehistoric component, located 95 meters outside the Proposed Project area, was treated as eligible for listing on the CRHR and subjected to data recovery associated with human remains, while the historic component, which intersects the Proposed Project area, was regarded as ineligible for listing and destroyed during data recovery. No agency determination for this site is on record with the CHRIS. P-43-003535 is a single prehistoric burial that was treated as eligible for the CRHR and completely recovered; no agency determination for this site is on record with the CHRIS.</u></p>

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		<p>There are no additional recorded archaeological resources within the Proposed Project area. However, unrecorded archaeological resources may exist within or adjacent to the Proposed Project area. While unanticipated, the Proposed Project would involve earthmoving activities that have the potential to uncover unrecorded subsurface archaeological resources that are eligible for listing in the CRHR or in a local register. Should previously unidentified archaeological resources be encountered during construction, the following APMs would reduce impacts to less than significant by ensuring that all Proposed Project construction personnel can recognize archaeological resources, avoid known resources, and appropriately respond to unanticipated discoveries. APM CUL-1 requires the development and implementation of a WEAP; APM CUL-2 requires archaeological monitoring to assist in identification and evaluation of potential archaeological resources; and APM CUL-3 specifies the procedures needed to occur if a previously unidentified archaeological resource is uncovered during implementation of the Proposed Project. APM CUL-4 would require a cultural survey prior to construction at the temporary construction staging areas, which would reduce impacts to less than significant by ensuring that any newly identified archaeological resources are either avoided by project redesign or evaluated and treated.</p> <p><u>PG&E Facility Upgrades</u></p> <p>The PG&E substation upgrades would occur within and adjacent to the existing substation facilities, and the proposed new water line would extend approximately 800 feet north-northeast of the existing Metcalf substation. There are no <u>is one</u> known archaeological resources, as defined in Section 15064.5, located within the PG&E facility upgrade areas <u>area</u>. <u>P-43-000189 is a prehistoric village site with human remains that was determined eligible for listing on the NRHP and CRHR (1978) and qualifies as a unique archaeological resource per PRC Section 21083.2 (remaining data value and oldest of its type in the region). It was subjected to data recovery and reburial, and the site was expanded and updated during the survey for the Proposed Project.</u></p> <p>Similar to the Proposed Project, upgrades to the existing substations would involve earthmoving activities that may have the potential to encounter archaeological resources that are eligible for listing in the CRHR or in a local register. Implementation of PG&E BMPs CULT-1 through CULT-4 would reduce potential impacts by ensuring that all Proposed Project personnel can recognize archaeological resources; avoid known archaeological resources; appropriately respond to unanticipated discoveries of any newly identified archaeological resources; and ensure that</p>

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		appropriate personnel are present and appropriate procedures are followed. Therefore, impacts to archaeological resources would be less than significant.
5	P-43-000189, which is only discussed in the TCR section, is also an archaeological historical resource and should be included in the impact analysis under impact criteria 5.5b in the Cultural Resources section.	See updated 5.5(b) impact discussion under the response to Cultural Resources Data Request No. 4 above.
6	Page 5.5-8 states, “Unanticipated resources may be discovered during ground-disturbing activities, which would then need to be evaluated into order to assess Proposed Project impacts”. This is deferred mitigation, which is why inadvertent discovery and monitoring mitigation measures are established. If Project impacts to potential historical resources would not be mitigated by the APMs, then the impacts to these resources may be considered Significant and Unavoidable.	Impacts pertaining to unanticipated discovery would be addressed through implementation of APM CUL-2 (Archaeological and Native American <u>Cultural Resources Monitoring</u>) and APM CUL-3 (<i>Unanticipated Discovery of Potentially Significant Prehistoric and Historic Resources</i>).
7	APM CUL-2: Archaeological and Native American Monitoring and APM TCR-2: Native American Monitoring are contradictory. It is recommended that one APM be developed that works for both archaeological and tribal monitoring or, alternatively, separate archaeologist-led monitoring from tribal monitoring.	<p>APM CUL-2 (Archaeological and Native American <u>Cultural Resources Monitoring</u>) has been revised, as shown below, and as further discussed in the response to Cultural Resources Data Request No. 8. APMs CUL-2 and TCR-2 are no longer contradictory.</p> <p>APM CUL-2 (Archaeological and Native American <u>Cultural Resources Monitoring</u>): Archaeological and Native American monitoring shall be conducted during ground disturbance associated with the Proposed Project when within 100 feet (30 meters) of previously recorded prehistoric, ethnohistoric resources or after unanticipated discovery of same. Archaeological monitoring shall be conducted during ground disturbance associated with the Proposed Project when within 100 feet (30 meters) of previously recorded historic-period resources, or after unanticipated discovery of the same. Prehistoric and/or ethnohistoric archaeological sites have been recorded within the Proposed Project area, and the Sacred Lands File (SLF) search and Tribal outreach indicates that lands sacred to the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, the Ohlone Indian Tribe, the Tamien Nation, and the Amah Mutsun Tribal Band are present within the Proposed Project search area. In addition, historic era archaeological</p>

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		<p>sites have been recorded within the Proposed Project area. A qualified archaeologist shall be retained by LSP to monitor excavation in each work area for the Proposed Project in accordance with the above monitoring criteria to ensure that there is no impact to any significant unanticipated historical resource. A qualified archaeologist and a Native American monitor determined during Tribal consultation shall be retained by LS Power to monitor excavation in each work area for the Proposed Project in accordance with the above monitoring criteria to ensure that there is no impact to any significant unanticipated cultural resource. Procedures to be followed in the event that a Native American monitor is not available shall be determined during Tribal consultation. Native American monitoring requirements established in this APM may be superseded by government-to-government consultation conducted between the CPUC and Tribal organizations as part of the AB 52 process or otherwise.</p>
8	<p>APM TCR-2 states: “Prior to construction, LS Power shall confer with a designated Tribal representative on the appropriate course of action to be taken should unanticipated cultural materials, and specifically human remains, be discovered during construction.” The human remains statement in this APM is not legal. If human remains are found, you must follow PRC § 5097.98 and call the coroner. The coroner decides if the human remains are Native American or not and then contacts the Native American Heritage Commission, who identifies the Most Likely Descendant (MLD). The MLD is the individual who recommends what to do with human remains and grave goods. A single ‘designated Tribal representative’ cannot determine the disposition of human remains and grave goods over an area that covers multiple tribal territories.</p>	<p>APM TCR-2 (Native American<u>Cultural Resources Monitoring</u>) has been revised to remove the reference to human remains. Unanticipated discovery of human remains would be governed by APM CUL-5, in compliance with PRC § 5097.98.</p> <p>APM TCR-2 (Native American<u>Cultural Resources Monitoring</u>): <u>Native American and archaeological</u> monitoring shall be conducted during ground disturbance associated with the Proposed Project when within 100 feet (30 meters) of previously recorded prehistoric, ethnohistoric, or TCRs. Prehistoric and/or ethnohistoric archaeological sites have been recorded within the Proposed Project area, and the SLF search and Tribal outreach indicates that lands sacred to the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, the Ohlone Indian Tribe, the Tamien Nation, and the Amah Mutsun Tribal Band are present within the Proposed Project search area. A Native American monitor determined during Tribal consultation shall be retained by LS Power to monitor excavation associated with the Proposed Project to ensure that there is no impact to any significant unanticipated prehistoric, ethnohistoric, or TCR. Prior to construction, LS Power shall confer with a designated Tribal representative on the appropriate course of action to be taken should unanticipated cultural materials, and specifically human remains, be discovered during construction. Native American monitoring requirements established in this APM may be superseded by government-to-government consultation conducted between the CPUC and Tribal organizations as part of the AB 52 process or otherwise.</p>

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9	<p>The monitoring APMs only recommend monitoring around known archaeological resources and do not address the high potential for unknown cultural resources to be impacted by the Project. Recommend including monitoring for areas with a high potential for unknown archaeological resources/TCRs.</p>	<p>Portions of the project area have a high potential for unknown archaeological resources and human remains, as evidenced by previous discoveries and feedback provided by local Tribes. Methods of assessment of archaeological sensitivity for the Proposed Project area are detailed in the Cultural Resources Technical Report (Mengers et al., 2024). The boundaries of these areas should be determined during government-to-government consultation with interested Tribes conducted during the CEQA process.</p> <p>Cultural Resources Monitoring (Archaeological and Native American, as appropriate) is prescribed through APMs CUL-2 and TCR-2, as revised above. The potential for unanticipated discovery of cultural resources during Proposed Project construction activities within areas of high potential for unknown resources would be addressed through implementation of APM CUL-1 and TCR-1 (<i>WEAP Training</i>) and APM CUL-3 (<i>Unanticipated Discovery of Potentially Significant Prehistoric and Historic Resources</i>). WEAP training will specifically address worker awareness for potential resources, especially within the areas of high potential for resources. APM CUL-3 prescribes procedures to be implemented in the event of an unanticipated discovery, and APMs CUL-2 and TCR-2 require archaeological and Native American monitoring to be expanded following identification of an unanticipated discovery. As stated in APMs CUL-2 and TCR-2, monitoring requirements may be re-evaluated by CPUC following formal government-to-government consultation with the Tribes.</p>
10	<p>APM CUL-4 does not explain how newly identified resources would be avoided or evaluated and treated. This needs to be explicitly explained with step-by-step instructions to avoid issues with deferring mitigation.</p>	<p>APM CUL-4 has been updated to include specific procedures to be implemented upon the identification of new resources.</p> <p>APM CUL-4: The temporary construction staging areas shall be surveyed prior to construction. If additional proposed facilities and ground-disturbing activities move outside the previously surveyed acreage, the new areas shall be subjected to a cultural resources inventory to ensure that any newly identified cultural resources are either avoided by project redesign or evaluated and treated.</p> <p><u>Cultural resource inventory of temporary construction staging areas and/or new areas shall consist of a pedestrian archaeological survey conducted at 10-meter or less transects. If cultural resources are encountered, LS Power’s qualified archaeologist shall inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts shall occur, the resource shall be documented on State of California Department of Parks and</u></p>

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		<p><u>Recreation cultural resource records, and no further effort shall be required. If the resource cannot be avoided and may be subject to further impact, LS Power’s qualified archaeologist shall evaluate the significance and CRHR eligibility of the resources and, in consultation with the CPUC, determine appropriate treatment measures. Preservation in place shall be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Section 15126.4(b)(3), if it is demonstrated that resources cannot feasibly be avoided, LS Power’s qualified archaeologist, in consultation with the CPUC and, if the resource is prehistoric or Native American in nature, the Tribal representative, shall develop additional treatment measures, such as data recovery consistent with CEQA Guidelines 15126.4(b)(3)(C)-(D). Archaeological materials recovered during any investigation shall be curated at an accredited curation facility or transferred to the appropriate Tribal organization.</u></p>
5.7 - Geology, Soils, and Paleontological Resources		
1	Provide data on depth of excavation and amount of soil movement.	<p>As discussed in PEA <i>Section 3.0</i>, Proposed Project Description, the anticipated depth of ground disturbance varies for the different Proposed Project components. Below is a summary of the various discussions in the PEA.</p> <ul style="list-style-type: none"> • Section 3.3.4.1, HVDC Terminal Facilities states the depth of ground disturbance at the proposed HVDC terminal sites is not expected to exceed approximately 50 feet for terminal equipment drilled shaft foundations and approximately 100 feet for piles. • Section 3.3.4.2, Transmission Lines and Section 3.3.7, Belowground Conductor/Cable Installations states the minimum depth for the top of the underground transmission line duct bank would be approximately three feet, with the top of the duct bank typically varying between approximately three to 10 feet beneath the surface. Additionally, splice vaults would be approximately 10 feet tall, with additional height required for the manholes (see <i>Figure 3-10, Typical Splice Vault Diagrams</i>). Therefore, it is estimated that ground disturbance for the duct bank and splice vaults would occur up to approximately 15 feet below ground surface. • Section 3.3.9, Telecommunication Lines states the typical depth of the telecommunications lines is three to four feet below ground surface. • Section 3.5.4.6, Grading provides information regarding the earthmoving activities and quantity. Specifically, <i>Table 3-4</i> and the text following this table from the PEA provides the

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		<p>anticipated grading, excavation, and material removal quantities anticipated for the Proposed Project.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="background-color: #333; color: white; text-align: center;">Table 3-4: Proposed Project Grading, Excavation, and Material Removal Summary</th> </tr> <tr> <th style="width: 40%;">Grading Description</th> <th style="width: 20%;">Approximate Quantity (Cubic Yards [CY])</th> <th style="width: 40%;">Activity Description</th> </tr> </thead> <tbody> <tr> <td>Underground Transmission Cut</td> <td align="center">100,000</td> <td>Installation of underground transmission duct banks, trenchless crossings, and splice vaults.</td> </tr> <tr> <td>Underground Transmission Fill</td> <td align="center">75,000</td> <td>Backfill in and around underground duct bank, trenchless crossings, and splice vaults.</td> </tr> <tr> <td>Skyline Terminal Cut</td> <td align="center">19,000</td> <td>Grading and excavations at Skyline terminal site.</td> </tr> <tr> <td>Skyline Terminal Fill</td> <td align="center">6,000</td> <td>Grading at Skyline terminal site.</td> </tr> <tr> <td>Grove Terminal Cut</td> <td align="center">24,000</td> <td>Grading and excavations at Grove terminal site.</td> </tr> <tr> <td>Grove Terminal Fill</td> <td align="center">7,000</td> <td>Grading at Grove terminal site.</td> </tr> <tr> <td>San Jose B Substation Expansion Cut</td> <td align="center">5,000</td> <td>Grading and excavations at San Jose B substation as part of substation upgrades.</td> </tr> <tr> <td>San Jose B Substation Expansion Fill</td> <td align="center">1,000</td> <td>Grading at San Jose B substation as part of substation upgrades.</td> </tr> <tr> <td>Metcalf Substation Fill</td> <td align="center">5,000</td> <td>Raising Metcalf substation modification area as part of substation upgrades.</td> </tr> <tr> <td>Total Cut</td> <td align="center">148,000</td> <td>Total cut for Proposed Project.</td> </tr> <tr> <td>Total Fill</td> <td align="center">94,000</td> <td>Total fill for Proposed Project.</td> </tr> </tbody> </table> <p>As a result of the Proposed Project’s grading and excavations (e.g., trenching, structure foundations, vaults), approximately 143,000 CY of material would be hauled off-site, stockpiled, or</p>	Table 3-4: Proposed Project Grading, Excavation, and Material Removal Summary			Grading Description	Approximate Quantity (Cubic Yards [CY])	Activity Description	Underground Transmission Cut	100,000	Installation of underground transmission duct banks, trenchless crossings, and splice vaults.	Underground Transmission Fill	75,000	Backfill in and around underground duct bank, trenchless crossings, and splice vaults.	Skyline Terminal Cut	19,000	Grading and excavations at Skyline terminal site.	Skyline Terminal Fill	6,000	Grading at Skyline terminal site.	Grove Terminal Cut	24,000	Grading and excavations at Grove terminal site.	Grove Terminal Fill	7,000	Grading at Grove terminal site.	San Jose B Substation Expansion Cut	5,000	Grading and excavations at San Jose B substation as part of substation upgrades.	San Jose B Substation Expansion Fill	1,000	Grading at San Jose B substation as part of substation upgrades.	Metcalf Substation Fill	5,000	Raising Metcalf substation modification area as part of substation upgrades.	Total Cut	148,000	Total cut for Proposed Project.	Total Fill	94,000	Total fill for Proposed Project.
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		<p>wasted. Approximately 5,000 CY of cut material is anticipated to be reused as fill for the terminal and substation grading work. The remaining approximately 89,000 CY of fill material would consist of concrete, flowable backfill, gravel, and clean fill. In addition to general earthmoving quantities, approximately four to eight inches of surface gravel would be required to be imported and installed within the proposed Skyline terminal site and the proposed Grove terminal site footprint. This material would be imported from a suitable, nearby aggregate source. All clean spoils excavated by the Proposed Project would be used on-site to balance cut and fill, as feasible. All spoils that are not useable and/or contaminated would be sent to a properly licensed landfill facility or other site for reuse. Recyclables would be taken to a licensed recycling facility, and all refuse would be taken to a landfill or another suitable facility.</p> <ul style="list-style-type: none"> • Section 3.5.6.1, Trenching states the typical trench depth for installation of the underground transmission lines would be approximately six feet deep. • Section 3.5.6.2, Trenchless Techniques states the standard depth of the jack-and-bore pits for the trenchless techniques would be approximately 10 feet below grade. <p>Excavation depths and volumes will be refined during final engineering design based on refined geotechnical information and gathered utility data.</p>
5.17 – Transportation		
1	Identify potential transit stop closures during construction and operation.	Potential transit stop closures could occur at transit stops along the proposed Grove to Skyline 320 kV DC transmission line. These are listed in Attachment F to this Deficiency Response.
5.18 - Tribal Cultural Resources		
1	Provide copies of all correspondence between PanGIS/LS Power and tribes.	Copies of correspondence between PanGIS and Native American Tribes are included in Attachment E (Confidential) to this Deficiency Response.

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2	Provide maps and/or documentation of areas described by the tribes as sensitive for the TCRs.	<p>No maps or documentation were provided by Tribes. Email and voice communications between Tribes and PanGIS are detailed below. The “Coyote Creek area” was not specifically delineated by Tamien Nation.</p> <p>The Ohlone Indian Tribe: “from a quick review of the map it looks like this project is near Morgan Hill and Highway 101 where Coyote Creek flooded a few years back. And yes there are pre-contact sites along that route” (Andrew Galvan email to PanGIS, 10/25/2023)</p> <p>Tamien Nation: The entire Coyote Creek area is culturally important to the Tamien Nation (Chairwoman Quirina Geary voice call to PanGIS, 10/30/2023)</p>
3	APM CUL-2 and APM TCR-2 are contradictory, revise these measures accordingly.	APMs CUL-2 and TCR-2 have been revised to remove inconsistencies.
5.21 – Mandatory Findings of Significance		
1	The impact conclusions are not adequately supported by data for cultural resources. Although maps are provided in the confidential cultural report and show general locations where sites have been identified as listed or determined eligible are adjacent or within the project area, some of the sites are listed as unevaluated and no data records are included. Please provide the cultural resources records requested above.	Cultural resources records to be provided as described under the response to Cultural Resources Data Request No. 1 above. Updated PEA <i>Table 5.5-2 (Attachment B</i> to this Deficiency Response) includes eligibility for sites within the Proposed Project area.
9 - References		
1	Provide electronic copies of references.	An updated PEA references section has been included as Attachment G to this Deficiency Response. All publicly available references include active website links. Where references are not currently available online, copies have been provided in Attachment H to this Deficiency Response. Copies of confidential cultural and TCR references will be provided as described in the response to Cultural Resources Data Request No. 1 above.