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July 31, 2009

VIA E-MAIL & U.S. MAIL

Mr. Jensen Uchida
San Joaquin Cross Valley Loop Transmission Project
c/o Environmental Science Associates
225 Bush Street, Suite 1700
San Francisco, CA 94104-4207

Re: San Joaquin Cross Valley Loop Transmission Project
Draft Environmental Impact Report (SCH No.
2008081090)

Dear Mr. Uchida:

This letter and the table attached hereto contain the comments of Southern California Edison Company (SCE) on the Draft Environmental Impact Report (Draft EIR) for the San Joaquin Cross Valley Loop Transmission Project (Project). While the table provides most of SCE's comments, this letter emphasizes a few general concerns SCE has with the Draft EIR.

I. The Draft EIR Inappropriately Modifies the "basic objectives" of SCE's Project.

The Proponent's Environmental Assessment (PEA) submitted by SCE with the Application for a Certificate of Public Convenience and Necessity for the Proposed Project set forth SCE's basic project objectives for the Project (see, DEIR p. 3-2). However, the preparers of the Draft EIR, without any legal basis for doing so, substituted their own "independent" set of basic project objectives for SCE's project objectives. The preparer's explanation for doing so is to "better define the most important basic objectives of the Proposed Project for use in the alternatives screening process" (DEIR p. 3-3). The preparers further state that "safe and reliable service" is limited by only two critical system constraints: power flow capacity and system strength. As a result, the preparers' adopt only those constraints as basic project objectives (DEIR p. 3-4).

By eliminating SCE's other basic project objectives from further consideration in the Draft EIR, the preparers fail to capture important considerations that SCE took into account in developing the project alternatives and selecting the Proposed Project. For example, by eliminating SCE's basic project objective of reducing "the need to interrupt

customer electrical service under transmission line outage conditions”, the preparers disregarded this concern when comparing the Alternatives contained in the Draft EIR. But in applying this important objective, the route alternatives in the Draft EIR are not equal. The Proposed Project transmission line route is clearly superior to Alternatives 2, 3 and 6 due to its shorter outage requirements needed for construction.

In another example, the preparers eliminate SCE’s objective to meet “project need and construction schedule in a cost effective manner” (DEIR p. 3-3). But in order to satisfy the biological mitigation measures associated with Alternatives 2, 3, and 6 to protect the sensitive biological species associated with vernal pools along the Alternative routes (DIER p. 4.4-46 through 59), SCE would be required to conduct protocol-level surveys and collect 2 years worth of seasonal data prior to consulting with the US Fish and Wildlife Service and California Department of Fish and Game. If species are found to be present, acquiring incidental take permits would add an additional 1 to 10 years of construction delays, depending on whether or not SCE is required develop an HCP. As a result, the Alternatives would fail to achieve the SCE basic project objective stated above. On the other hand, there is no suitable habitat for vernal pools on the areas affected by the Proposed Project, and no protocol level surveys are required for this route. As such the Proposed Project route would clearly meet SCE’s basic project objectives.

II. The Rationale for Choosing Alternative 2 as the Environmentally Superior Alternative is Unsupported.

The preparers of the Draft EIR conclude that Alternative 2 is the Environmentally Superior Alternative solely on the basis that Alternative 2 would convert 12 acres of walnut orchards from production while the Proposed Project would convert 29 acres of walnut orchards from production. While SCE agrees with the Draft EIR conclusion that the removal of walnut trees would not result in conversion of farmland to non-agricultural use, SCE disagrees with the preparers’ conclusion that farmers may or may not re-plant an alternative crop within the ROW, which would “lead to formerly productive Farmland becoming permanently unusable” (DEIR 4.2-15). This conclusion requires a leap of logic that is completely unsupported by the evidence. (CEQA Guidelines § 15384 (a)) This unsupported conclusion inappropriately skews the analysis in favor of Alternative 2.

Additionally, the preparers fail to consider other mitigation measures that would lessen the impacts to walnut trees, such as an increase in transmission pole height where productive walnut groves are currently present and would otherwise interfere with towers as currently described for the Proposed Project. Increasing the pole height could avoid the permanent removal of many of the walnut trees and mitigate the impacts to a level similar to those associated with the citrus orchards (DEIR p. 4.2-15). Finally, the Draft EIR ignores (or inadequately considers) other impacts that should be considered when comparing the Proposed Project to the Alternative routes, such as impacts to federally

protected resources that are present on Alternative Routes 2, 3 and 6 and that are not present on the Proposed Project route.

III. The EMF Discussion Should Not Be Included In the Draft EIR

The Draft EIR improperly includes an analysis of electric and magnetic fields (EMF). EMF is not a CEQA issue. Although the Draft EIR recognizes that EMF is not considered in the context of CEQA (DEIR p. 2-41), the discussion of EMF is inappropriately included within the actual Draft EIR document for informational purposes. However, including this information within the Hazards and Hazardous Materials Section (or anywhere within the main body of the document) is misleading to the public and is beyond the scope of CEQA. In addition, as also recognized in the Draft EIR, there are no Federal or State standards relating to human exposure to EMF, and there is a lack of consensus in the scientific community regarding this issue. For these reasons, the Final EIR should not include an analysis of EMF.

Very truly yours,



Albert J. Garcia

cc: Dana Bullock
Susan Nelson
Erika Wilder

Enclosure(s)

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Number	Page	Text reference	Comment
1	Global		The document does not fully account for the many existing agricultural uses of the region, many of which are very similar to construction activities and operations, including, e.g., the presence of packing houses and other industrial agricultural facilities and staging areas, the common presence of slow-moving agricultural machinery on the roads, the common use of hazardous materials at low concentrations, and routine noise-producing agricultural operations that occur during daylight hours on weekdays and weekends.
2	ES-1	ES.1 Introduction/Background, 2nd paragraph "...while the other two lines begin at Big Creek and terminate at the Springville 220/66 kV Substation (Big Creek 3-Springville 220 kV transmission line and Big Creek 4-220 kV transmission line)."	The name of the second circuit is the Big Creek 4-Springville 220 kV transmission line.
3	ES-14	Table ES-2 Summary of Significant Unmitigable... "Proposed Project would result in the conversion of Farmland to nonagricultural uses in areas where height restrictions of crops within the ROW would cause walnut orchards to become unproductive."	This is not an unmitigable impact. SCE has the option of re-engineering the project to raise the heights of the structures to allow for 40 foot high orchards beneath the conductor.
4	2-20	Section 2.5.3, Poles and Towers, 1st paragraph ...where extra structuring strength...	Change "structuring" to "structural"
5	2-20	Table 2-2 Summary of Pole Information	The number, the type, the configuration, and the height of structures would be subject to final engineering.
6	2-22	2.6 Right-of-Way Requirements, 1st paragraph ... including condemnation of a 2,800 square foot residence located within the ROW to be acquired.	The sentence in the draft EIR presupposes that SCE will condemn the residence. Suggest changing the word "condemnation" to "acquisition".

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Number	Page	Text reference	Comment
7	2-22 & 2-24	Right of Way Requirements These roads would require the acquisition of approximately 2.1 acres of new ROW.	"ROW" should be changed to "access road easements".
8	2-24	Top of page ...private ranching roads would be used...	Delete the word "ranching," as private roads are likely used for purposes other than ranching.
9	2-26	Table 2-4 Pole and Tower Installation Metrics	The numbers and heights of poles and towers shown to be installed/removed are approximate; the exact numbers and heights may vary following completion of final engineering.
10	2-29	Conductor Shield Wire Stringing section, 1st sentence ...IEEE Standard 524-1992...	The latest correct reference to the IEEE standards should be should be to the IEEE Standard 524-2003.
11	2-33	Stormwater Pollution and Prevention	This information appears in an incorrect place in the document. SCE would have a SWPPP in place prior to the start of construction.
12	2-39	Table 2-8 Proposed Construction Timetable	The reference incorrectly attributes the information in the third column of this table to SCE, and incorrectly indicates that construction would be complete by November 2013. The estimated project operating date is October 2012, which is also the construction completion date.
13	2-40	2.8.1 220 kV Transmission Lines, 1st paragraph This involves both routing preventative maintenance...	"routing" should be "routine."

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14	2-40	2.8.1 220kV Transmission Lines, 3rd paragraph “Maintenance of the transmission facilities would include limitations on certain land uses and maintenance of vegetation height within the ROW. Land uses that would typically be permitted within the ROW after project completion include agricultural and landscaping, underground facilities, biking and hiking trails, and automotive vehicle parking. Specific requirements associated with these activities include:”	Change text to read: “Maintenance of the transmission facilities would include limitations on certain land uses that may restrict SCE’s ability to have unrestricted 24/7 access to the ROW and its transmission facilities, and property owner maintenance of vegetation heights within the ROW. After review and approval by SCE, land uses that would typically be permitted within the ROW after project completion include agricultural and landscaping, underground facilities, biking and hiking trails, and automotive vehicle parking. SCE’s guidelines associated with these activities include:”
15	2-41	2.9 Electric and Magnetic Fields Summary	This is not a part of the CEQA analysis and should be removed from the Project Description.
16	2-41	2nd paragraph of 2.9.1 Additional information on electric and magnetic fields generated by transmission lines is presented in Appendix D.	Additional information on electric and magnetic fields generated by transmission lines is presented in Appendix B.
17	2-41	“Potential health effects from exposure to <i>electric field</i> from transmission lines (i.e. the effect produced by the existence of an electrical charge, such as an electron, ion, or proton, in the volume of space or medium that surrounds it) typically do not present a human health risk since electric fields are effectively shielded by materials such as trees, walls, etc.”	This is confusing and inaccurate. Suggested change: “Potential health effects from exposure to electric field from transmission lines (i.e. the force field produced by the existence of an electrical charge, such as an electron, ion, or proton, in the volume of space or medium that surrounds it) have not been established. They are generally not thought to be of concern since electric fields are effectively shielded by materials such as trees, walls, structures , etc.” Furthermore, please see comments contained in the cover letter.
18	3-2	3rd Paragraph CEQA Guidelines (Section 15126(a)) . . .”	Should read “CEQA Guidelines (Section 15126.2(a)) . . .”

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Number	Page	Text reference	Comment
19	3-2	5th paragraph ...(Section 16126.6(b).	Should read (Section 15126.6(b)).
20	3-6	Biological Resources bullet Permanent impacts to ... vernal pool fairy shrimp.	Appropriate vernal pool habitat is not present in the Proposed Project area.
21	3-6	Table 3-1, Hazards and Hazardous Materials bullet "Impacts to surface or groundwater from construction-related use of hazardous materials"	Change text to read: " Potential for impacts to surface or groundwater from construction-related use of hazardous materials" The construction activities will not impact groundwater unless an accidental spill or discharge occurs.
22	3-6	Land Use and Planning bullet Potential conflict with the City of Farmersville General Plan	The environmental analysis does not identify this as a significant environmental effect of the Proposed Project. This bullet should be removed.
23	3-6	Population and Housing bullet Permanent removal of one home	The environmental analysis does not identify this as a significant environmental effect of the Proposed Project. This bullet should be removed.
24	3-7	Alternative 2, Passes Screening, 3rd bullet	Alternative 2 may avoid the communities of Farmersville and Lemon Cove, but it does not avoid the community of Elderwood.

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25	3-7	Table 3-2 Summary of Alternatives Screening Analysis	<p>Table 3-2 provides a “Total Length” comparison for each of the route alternatives. This comparison appears to be based on corridor miles (length of the corridor) and not circuit miles (length of new transmission line circuits). Use of circuit miles, rather than corridor length, would more accurately convey the differences in construction work required between each of the project route alternatives. In particular, the “Total Length” shown on the table for each route alternative does not include the additional transmission line removal and rebuild work required for the portion of each route alternative that is located in the Big Creek corridor. In order to more accurately compare alternatives based on the total length of the alternative, the “Total Length” should include the additional amount of removal and rebuild work required for each alternative.</p> <p>The total length of the Alternatives are as follows: Proposed Project: 19.6 miles of double circuit construction Alternative 2: 33.8 miles of double circuit construction Alternative 3: 38.9 miles of double circuit construction Alternative 6: 28.6 miles of double circuit construction</p>
26	3-8	Reconductoring, Feasibility Criteria	Based on SCE’s basic project objectives, acquiring permits to reconductor may not be possible within the timeframe needed to serve electrical service reliability.
27	3-8	Replacement, Feasibility Criteria	Based on SCE’s basic project objectives, acquiring permits to replace existing structures may not be possible within the timeframe needed to serve electrical service reliability.
28	3-10	3.4 Alternatives Evaluated in this EIR Entire section	This section fails to compare each alternative to the basic objectives of the project as defined by SCE.

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29	3-11	First paragraph Work areas...would be required outside the ROW at Alternative 2....	Work areas outside the ROW may be required, and is unknown at this time.
30	3-12	“Implementation of this alternative would include similar construction, operation and maintenance activities to those activities described for the Proposed Project except the Alternative 2 alignment would take approximately 20 months to construct assuming there are no outage constraints. Given that combined work activities in the existing ROW are expected to exceed six months, an additional six to 12 months may be required to work around the April 1 through October 1 outage restrictions. Table 3-5 below summarizes the length of time anticipated to construct each phase of Alternative 2. This alternative is 4.5 miles longer and involves replacement of existing structures on 9.7 more miles than the Proposed Project requiring the removal and installation of more towers and poles than under the Proposed Project.”	Depending on timing of the final CPUC CPCN decision, completion of mitigation measures, property rights acquisition, final engineering and procurement activities, and transmission line outage requirements, SCE may be required to take steps to accelerate field construction activities in order to meet the October 2012 Operating Date.
31	3-13	Alternative 2, Lessen Significant Environmental Impacts ...permanent removal of fewer acres of Farmland than the Proposed Project...	Alternative 2 would cross approximately 226 acres of Farmland, and the Proposed Project would cross approximately 208 acres. Alternative 2 would cross approximately 17.5 more acres of Farmland than the Proposed Project.
32	3-13	Alternative 2, Lessen Significant Environmental Impacts ... and would also permanently remove fewer acres of walnut orchards from production.	This is not a CEQA criterion.

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33	3-14	1st paragraph Work areas...would be required outside the ROW at Alternative 2....	Work areas outside the ROW may be required, and is unknown at this time.
34	3-15	“Implementation of this alternative would include similar construction, operation and maintenance activities to those described for the Proposed Project except that Alternative 3 would take approximately 24 months assuming there are no outage constraints. Table 3-8 below summarizes the length of time estimated to construct each phase of Alternative 3. This alternative would be 5.8 miles longer and involves replacement of existing structures on 13.5 more miles than the Proposed Project. The terrain for Alternative 3 is more rugged requiring the construction of more miles of access roads than the Proposed Project.”	Depending on timing of the final CPUC CPCN decision, completion of mitigation measures, property rights acquisition, final engineering and procurement activities, and transmission line outage requirements, SCE may be required to take steps to accelerate field construction activities in order to meet the October 2012 Operating Date.
35	3-16	Alternative 3, Lessen Significant Environmental Impacts ... and would also permanently remove fewer acres of walnut orchards from production.	This is not a CEQA criterion.
36	3-17	1st paragraph ...112 additional structures removed...	Same comment as Comment #5 below.
37	3-17	Tables 3-9 and 3-10 Alternative 6	Same comment as Comment #5 below.
38	3-19	Alternative 6, Lessen Significant Environmental Impacts ... and would also permanently remove fewer acres of walnut orchards from production.	This is not a CEQA criterion.

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39	4.1-16	Viewer Types and Exposures ...and visitors to the Kaweah Oaks Preserve and Cutler Park...	Visitors to the Kaweah Oaks Preserve and Cutler Park would have views of Alternatives 1, 2, 3, and 6 that are almost completely obscured by vegetation; or in the case of the Kaweah Oaks Preserve, the southernmost preserve trails are below the grade of Highway 198, and views of Alternative 1 would be obscured by both vegetation and traffic.
40	4.1-19	Park and Recreation Areas, 1st paragraph ...recreational viewers, including hikers using trails that traverse the [Kaweah Oaks] Preserve, would have limited views of the Proposed Project alignment...	Please see Comment #39 below.
41	4.1-19	Park and Recreation Areas, 2nd paragraph Views [from visitors to Cutler Park] of Alternatives 2 and 3 alignments would generally be obstructed by vegetation and terrain	If it is believed that Alternatives 2 and 3 are visible from Cutler Park, then Alternative 6 would also be visible.
42	4.1-22	Tulare County Zoning Ordinance The Proposed Project would traverse parcels zoned SC...	The Proposed Project has one structure at the extreme southeast corner of one parcel zoned SC.
43	4.1-38	Impact 4.1-1, 2nd paragraph ...including a set of new tubular steel poles...	Same comment as Comment #5 below.
44	4.1-38	1st paragraph The new structures #20 and #21, 130 foot tubular steel poles...	Same comment as Comment #5 below.
45	4.1-40	Mitigation Measure 4.1-1a Treat Surfaces with Appropriate Colors, Finishes, and Textures	This mitigation measure is misclassified as mitigating a scenic resource within a State scenic highway. The effects would be more appropriately discussed as a change in the visual character or quality of the site and its surroundings.

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46	4.1.40 8-9	MM 4.1-1a: Treat Surfaces w/ Appropriate Color...	<p>The requirement that SCE prepare a Surface Structure Treatment Plan 90 days in advance of construction would prevent SCE from meeting its project scheduling objective, given that engineered tubular steel pole (TSP) transmission structures are long lead procurement items. TSPs may take approximately 18-24 months to design, engineer, and procure. It will not be likely for changes to be made to any factory-applied surface coatings beyond those identified in the PEA (i.e., dull grey galvanized finish). While SCE may be able to provide documentation of any planned surface coatings within 90 days in advance of construction, there will be no opportunity to modify factory applied surface coatings without significant delay to the project construction schedule and at significant costs, particularly after structures have been designed, ordered, and fabricated.</p> <p>“Review and approval” is undefined and no objective review criteria has been provided for streamlined implementation this proposed mitigation measure. Accordingly, delays to the project engineering, procurement, and construction schedule would be likely if such “review and approval is left to the field judgment of a third-party visual specialist that may not be familiar the project, the project area, the community. SCE will utilize surface structure treatments, consistent with those identified in the PEA description, and will provide CPUC notice if any deviation from that description is necessary for any particular structures.</p>

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47	4.1-41	MM 4.1-2: Reduce Visibility of Staging Area	<p>The 4.1.-2 requirement to “submit final construction plans to CPUC for review” should be clearly limited to providing documentation of any plans for the location and general construction of temporary staging areas. In areas where the additional visual impact to the surrounding temporary staging area is expected to be minimal, or non-existent, this measure should not apply to such areas.</p> <p>The use of “light brown vinyl slats” as aesthetic treatment for chain link fencing will lead to additional project costs. This requirement should be deleted or modified to allow for use of other screening techniques for those staging areas that warrant screening.</p> <p>This measure should be modified to more clearly reflect it does not apply to individual pole or tower construction locations, at which the duration of construction activities will be relatively short compared to overall construction.</p>
48	4.1-41	Mitigation Measure 4.1-2: Reduce visibility of staging areas. All staging areas including storage sites for excavated materials, and helicopter fly yards, shall be appropriately located away from areas of high public visibility.	<p>“appropriately located away from areas of high public visibility” is undefined, and no objective review criteria has been specified .</p>
49	4.1-41	<p>Mitigation Measure 4.1.3</p> <p>SCE shall not place equipment on the pulling/splicing site any sooner than two weeks prior to the required use...</p>	<p>The DEIR does not provide a justification for application of an "absolute" two week time frame. This measure should be modified to allow SCE to request additional time to place equipment on the pulling/splicing sites beyond the two weeks prior to the required use, if site-specific circumstances warrant such additional time. For example, if an environmental mitigation issue arises after equipment has been located, and resolution of that issues extends beyond two weeks, it may be impracticable, as well as costly to move the equipment off of the site only to move it back on a short while later.</p>

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50	4.1-50	Mitigation Measure 4.1-6 – Reduce construction night lighting impacts	<p>This measure incorrectly assumes that SCE will be constructing a new substation-type project at one discrete fixed location for the entire duration of construction, rather than a long linear transmission line project such as SJXVL for which the construction duration at each work location may be temporary. The need for any SJXVL construction lights, if at all, and the precise type and location of such lighting will depend on the many site-specific circumstances at each tower construction location. If construction lighting were necessary at any of these locations, the use of such lighting would be limited in duration during the construction of individual towers. Moreover, the impact would also be very short term in duration relative to the entire construction project duration.</p> <p>This measure should either be eliminated as inapplicable, or re-drafted to indicate that SCE to provide the CPUC generic construction lighting plan that would apply to all storage yards and potential tower construction sites, and generally identify when lighting may be necessary at such locations and how it would be utilized, if at all, for such limited short term durations.</p>
51	4.1-46	State Route 245 New tubular steel poles...	Same comment as Comment #5 below.
52	4.1-47	Top of page ...more prominent than existing utility infrastructure.	The wind machines are agricultural infrastructure.
53	4.1-47	2nd paragraph ...(Structure #82, a 120-foot tubular steel pole)...	Same comment as Comment #5 below.
54	4.1-48	Local Roadways and Private Residences, 1st paragraph Nonetheless, the new tubular steel poles...	Same comment as Comment #5 below.

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55	4.1-48	Local Roadways and Private Residences, 2nd paragraph Structure #102, a 130-foot tall tubular steel pole...; ...including Structure #102A (a 130-foot tall tubular steel pole...); ...Structure #103 (a 120-foot tubular steel pole...)	Same comment as Comment #5 below.
56	4.1-54	...whereas the Proposed Project would be visible from SR 245 for several miles.	This is unlikely. Also, most analyses use views within a quarter mile or a half mile of a project when determining visual impacts.

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57	4.2-11	<p>Mitigation Measure 4.2-1a</p> <p>SCE and/or its contractors shall ensure that the following measures are taken, during construction of the Proposed Project:</p> <p>Replace soils in a manner that shall minimize any negative impacts on crop productivity. The surface and subsurface layers shall be stockpiled separately and returned to their appropriate locations in the soil profile.</p> <p>To avoid over-compaction of the top layers of soil, monitor pre-construction soil densities and return the surface soil (approximately the top three feet) to within five percent of original density.</p> <p>Where necessary, the top soil layers shall be ripped to achieve the appropriate soil density. Ripping may also be used in areas where vehicle and equipment traffic have compacted the top soil layers.</p> <p>Avoid working or traveling on wet soil to minimize compaction and loss of soil structure.</p> <p>Remove all construction-related debris from the soil surface. This shall prevent rock, gravel, and construction debris from interfering with agricultural activities.</p> <p>Remove topsoil before excavating in fields. Return it to top of fields to avoid detrimental inversion of soil profiles.</p>	<p>The replacement of soils on any privately-owned croplands would normally be arranged for directly between SCE and the private property owners, and as such, may be different than that specified in the first bullet of Measure 4.2.1 a.</p> <p>The first bullet "Replace soils in a manner that shall minimize any negative impacts on crop productivity. The surface and subsurface layers shall be stockpiled separately and returned to their appropriate locations in the soil profile" should be eliminated from the Final EIR, and SCE and individual property owners should be allowed to develop and reach a mutual agreement for the disposition of any soils that are impacted on such property.</p> <p>The density for soils associated with installation of transmission tower foundations will be determined during the engineering phase and could vary more than 5% from the original soil density in order to meet engineering requirements. Accordingly, the second bullet "To avoid over-compaction of the top layers of soil, monitor pre-construction soil densities and return the surface soil (approximately the top three feet) to within five percent of original density" should be deleted. Compaction of soils to this criteria may lead to unacceptable conditions for installation of tower foundations.</p>

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58	4.2-12	1st Bullet Avoid working or traveling on wet soil to minimize compaction and loss of soil structure.	SCE will work and travel on wet soil because the soil will be sprayed by a water truck to control dust per air quality rules. SCE would make every effort to minimize damage to soils during construction. The restoration of soils on privately-owned land would be arranged for directly between SCE and the private property owners as part of the easement negotiation.
59	4.2-12	Impact 4.2-2 A 50-foot maintenance buffer would surround each pole and tower (SCE, 2008a).	SCE's clearance requirements around poles and towers are 50 feet for suspension structures (poles), and 100 feet for dead-end structures (towers) within the ROW.

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60	4.2-12	<p>Mitigation Measure 4.2-1b</p> <p>Coordinate construction scheduling as practicable so as to minimize disruption of agricultural operations by scheduling excavation to occur before or after the growing season.</p>	<p>“Growing season” is undefined and may vary depending on crop type and the particular landowner.</p> <p>The requirement that “SCE to submit documentation of construction schedule in comparison to growing seasons to CPUC for review” is unnecessary. SCE intends to coordinate construction scheduling directly with affected landowners and minimize disruption to any agricultural operations. The requirement that “Supply replacement crops and trees at a mitigation ratio of one to one, upon completion of construction” should similarly be deleted, as requirements for crop replacement should be the subject of bilateral agreement between SCE and the underlying property owner. Replacing crops on a one for one basis may be excessive, as crops have a limited lifespan and landowners would be fully compensated for any crop take. Additionally, the crops may have been grown temporarily to be replaced by nut or fruit trees.</p> <p>The requirement that SCE submit documentation to CPUC demonstrating landowner coordination and location of replacement crops and trees should be deleted as it is vague, overbroad, burdensome and may be ineffective at improving or tracking SCE coordination with individual property owners. Depending on the final route alternative selection, SCE may need to engage in multiple discussions with as many as 50 to 100 different property owners and/or their representatives during the construction of SJXVL to address multiple issues. The discussions with each property owner may include, but will not be limited to obtaining temporary entry permits to perform engineering and environmental surveys, negotiating acquisition of rights-of-way, relocation of irrigation lines and other structures, and staging of site-specific construction, construction activities, and cleanup. These multiple discussions with multiple property owners will be conducted by multiple engineering, real estate, and construction personnel. These discussions may be ongoing and continuous during the entire engineering and construction period.</p>

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61	4.2-12 8-12	<p>Mitigation Measure 4.2-1b</p> <p>Supply replacement crops and trees at a mitigation ratio of one to one, upon completion of construction. Coordinate planting of replacement crops and trees with landowners.</p>	<p>Crop and tree replacement is an economic consideration and is not a significant environmental impact. Therefore, mitigation does not apply.</p> <p>Requirements for crop replacement are the subject of bilateral agreement between SCE and the underlying property owner, and are not the subject of an unsupported CPUC mandate. Replacing crops on a one for one basis would likely be excessive, as crops have a limited lifespan and landowners would be fully compensated for any crop take.</p>
62	4.2-13	<p>Footnote</p> <p>SCE's policy is to maintain a 50-foot maintenance area...</p>	<p>Same comment as number 59 below.</p>
63	4.2-14	<p>Mitigation Measure 4.2-2</p> <p>For each acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance that is permanently converted, SCE shall obtain one (1) acre of agricultural conservation easements. An agricultural conservation easement is a voluntary, recorded agreement between a landowner and a holder of the easement that preserves the land for agriculture. The easement places legally enforceable restrictions on the land. The exact terms of the easement are negotiated, but restricted activities shall include subdivision of that property, non-farm development, and other uses that are inconsistent with agricultural production. The mitigation lands must be of equal or better quality (according to the latest available FMMP data) and have an adequate water supply. In addition, the mitigation lands must be within the same county as the impact.</p>	<p>The procurement of such conservation easements would essentially double the amount of land needed to be acquired for the project, which would lead to at least a comparable increase in real estate acquisition costs not currently included in SCE's cost estimate, nor evaluated in the DEIR.</p> <p>The agricultural lands that may be impacted by the SJXVL project are not likely subject to similar restrictions if it were to be developed by a third party. The City of Visalia does not have a program for mitigating Farmland impacts, nor does the City of Farmersville. Tulare County updated its General Plan in 2008, and set forth a new policy to work with the Tulare County Association of Governments to develop a conservation easement program, but no program has yet been established.</p> <p>In addition, the term "permanently converted" is undefined in the context of land used for transmission line easements. The DEIR also does not recognize the Farmland that has already been converted by a change in designation in a General or Specific Plan, and has not been found to have an impact associated with the conversion.</p>

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64	4.2-15	<p>Impact 4.2-4, 2nd paragraph</p> <p>Furthermore, farmers may or may not replant an alternative crop within the ROW. In effect, this would lead to formerly productive Farmland becoming permanently unusable.</p>	<p>The “farmers” decision as to whether or not to plant crops does not render Farmland “permanently” unusable. Ultimately, the decision to plant or not to plant would be an economic one that the underlying fee property would make.</p>
65	4.2-16	<p>Mitigation Measure 4.2-5</p> <p>Coordinate with landowners to ensure that construction does not impact irrigation and/or other ancillary farming systems to a degree that farming practices cannot be maintained.</p>	<p>The CPUC should not have a role in the review and approval of detailed designs or construction plans as a prerequisite to any agreement between SCE and individual property owners for relocation of existing irrigation and drainage facilities. Coordination with landowners would typically be part of SCE’s normal business practice. Any relocation or temporary displacement of existing drainage and irrigation systems due to construction within the project area would be based on negotiations and final agreement with the affected property owners, irrigation agency, etc.</p> <p>It is not reasonable to expect SCE or its Contractor to develop Construction Plans that show measures used for every existing drainage and irrigation systems and provide documentation demonstrating compliance to the CPUC for review and approval.</p>
66	4.2-17	<p>Alternative 2, 2nd paragraph</p> <p>Alternative 2 crosses proportionately less Farmland than the Proposed Project.</p>	<p>This statement is incorrect. In fact, Alternative 2 would cross approximately 226 acres of Farmland, and the Proposed Project would cross approximately 208 acres.</p> <p>Alternative 2 would cross approximately 17.5 more acres of Farmland than the Proposed Project.</p>
67	4.3-2	<p>Existing Air Quality, 1st paragraph</p> <p>...the Visalia-North Church monitoring station located approximately three miles northeast of the Rector Substation.</p>	<p>Northwest?</p>

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68	4.3-6	<p>Greenhouse Gas Emissions and Climate Change, 1st paragraph</p> <p>...emissions from human activities such as electricity production and the use of motor vehicles have elevated the concentration of GHGs in the atmosphere.</p>	<p>In fact, it is the use of carbon-based fossil fuels that have contributed to the increase in concentration of GHGs in the atmosphere. There are several sources of electricity generation (i.e., hydropower, wind) that do not contribute to an increase in GHG concentrations, as well as there are vehicles powered by non-fossil based fuels that would not contribute to an increase in GHG concentrations.</p>
69	4.3-18	<p>Mitigation Measure 4.3-1a</p> <p>SCE shall submit an Air Impact Assessment application to the SJVAPCD ...</p>	<p>Mitigation Measure 4.3-1a would impose a 10 tons/year ceiling on NOx emissions for construction related activities rather than, as is more appropriate, a significance threshold for construction-related emissions.</p> <p>This mitigation measure may make Alternative 2 (and, for that matter, Alternatives 3 and 6) infeasible with an imposed arbitrary construction emissions constraint. Alternative 2 involves more transmission construction than the Proposed Project; for example, Alternative 2 involves construction of 33.8 miles of new double circuit transmission construction as compared to 19.6 miles for the Proposed Project. However all alternatives face the same construction-related constraints including a 6 month annual outage availability window and electrical system reliability requirements during construction. Therefore, construction of Alternatives 2, 3 and 6 would likely require more aggressive construction methods and practices than would be required for Alternative 1. This would increase the estimated annual NOx emissions for Alternatives 2, 3 or 6 beyond the annual levels shown in Table 4.3-4 and potentially make it infeasible to meet this specific mitigation measure for any project except Alternative 1.</p> <p>As stated on page 4.3-17, the project is not subject to the SJVAPCD Indirect Source Review (Rule 9510).</p>

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70	4.3-19 and 20	<p>Mitigation Measure 4.3-1b</p> <p>SCE and/or its contractors shall implement the following dust control measures.</p>	<p>SCE and its contractors will comply with the Regulation VIII Control Measures for Construction Emissions of PM10 as set forth by the San Joaquin Valley Air Pollution Control District during construction of the project.</p> <p>In addition, the SJVAPCD Enhanced Control Measures and Additional Control Measures (bullets 8 through 12) are applicable to construction sites that are large in area, and do not apply to a 200 by 200 foot area cleared to install a transmission structure.</p> <p>In addition, the requirement to install sandbags is not a dust control measure, but is an erosion control measure. As such, it should be removed from this mitigation measure.</p> <p>The requirement to “Suspend excavation and grading activity when winds exceed 20 mph “ should be limited to those activities wherein other dust control measures (use of water or other dust suppressants) are no longer effective.</p>

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71	4.3-20	<p>Mitigation Measure 4.3-3</p> <p>After construction, SCE shall, in perpetuity, utilize the following control measures to reduce fugitive PM10 and PM2.5 emissions...</p>	<p>This mitigation measure does not mitigate a significant impact.</p> <p>This is an unreasonable and burdensome solution to an insignificant issue; there are thousands of miles of existing dirt roads in the project area. Additionally, there is no other area in SCE's territory that such a measure as this is in place or being contemplated after project construction and in perpetuity. This will create a laborious and costly on-going maintenance issue (at the ratepayers' expense) for SCE on property that it does not own.</p> <p>There will be other parties that utilize these access roads and will create fugitive dust emissions besides SCE. It is the property owner's responsibility to maintain their property not required as part of SCE's O&M clearance area, per the terms of the easement acquired by SCE. Further, it is unclear whether property owners would even want gravel and chemical stabilizers placed on their property by SCE, as it may lead to an unwanted traffic increase by other users avoiding other dirt roads to travel on a property owner's gravel road.</p> <p>In addition, any reference to activities conducted during operation of the project should specifically state "during operation of the project", and not state "in perpetuity".</p>

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72	4.3-27	<p>First paragraph</p> <p>While the annualized greenhouse gas emissions associated with the Proposed Project would be substantially less than CARB's preliminary draft threshold amount of 7,000 metric tons CO₂e, significance for this project is also based on whether the Proposed Project would be consistent with the State's greenhouse gas reduction goal under AB 32, which would require a minimum 30 percent reduction of greenhouse gases by 2020 compared to business as usual conditions.</p>	<p>The statement that "significance for this project is also based on whether the Proposed Project would be consistent with the State's greenhouse gas reduction goal under AB 32, which would require a minimum 30 percent reduction of greenhouse gases by 2020 compared to business as usual conditions" is in error. A project that does not individually reduce its emissions by 30 percent is not necessarily in conflict with AB 32. Additionally, this criterion is not one of the two criteria stated on Page 4.3-24.</p> <p>By demonstrating that the project is consistent with CARB's 39 Recommended Actions, or would be expected to emit fewer than 7,000 metric tons per year of CO₂e during operation, the Proposed Project would be consistent with AB 32.</p>
73	4.3-27	<p>Mitigation Measure 4.3-8a</p> <p>...SCE shall enter into a binding agreement to purchase carbon offsets credits...</p>	<p>As discussed in Comment #72 above, the preparers have not shown with sufficient evidence how or why the Proposed Project is inconsistent with AB32. Accordingly, SCE requests that the analysis be revised to reflect this comment and that this proposed mitigation measure be deleted.</p>

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74	4.3-28	<p>Mitigation Measure 4.3-8b</p> <p>During construction, SCE shall dispose of all removed trees and other green waste via the Tulare County's Wood and Green Waste Program. To ensure compliance with this program, SCE shall:</p> <p>Collect all wood and green waste generated from the removal of orchard trees separately from other construction and demolition waste, and place wood and green waste in a separate recovery area;</p> <p>Keep wood and green waste free of contaminants such as dirt, rock concrete, plastic, metal and other contaminants which can damage wood waste processing equipment, and reduce the quality of the compost; and</p> <p>Prohibit the inclusion of yucca leaves, palm fronds or bamboo (which cannot be included in the salvage program) from the wood and green waste recovery area.</p>	<p>Landowners may want the opportunity to keep removed trees and green waste for their own purposes.</p> <p>There may be other comparable wood and green waste programs in addition to the Tulare County program.</p> <p>For removed trees and green wastes that need to be removed from properties, SCE should be allowed to dispose of removed trees and green waste at any comparable wood and green waste facility.</p>

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75	4.3-28	<p>Mitigation Measure 4.3-8c</p> <p>Prior to the conclusion of construction, SCE shall establish, fund, and implement a tree replacement program with the Urban Tree Foundation of Visalia, CA (or other comparable organization in Tulare County) for the replacement of all permanently removed orchard trees on a 1.5 to 1 basis. The tree replacement program shall provide for the Urban Tree Foundation to select the tree species and suitable locations for the plantings, and shall also provide for the maintenance of the plantings for a minimum of one full year to maximize survival rate. SCE shall provide the CPUC with documentation of the tree replacement program, including the types and quantities of each tree species to be planted, the planting locations, the planting schedule, and the methodology for maintaining the plantings. (Note: it is the intent of this mitigation measure to offset the loss of carbon sequestration from the permanent loss of trees, not to replace the loss of a particular crop; therefore, it is not required that the replacement trees be orchard species.)</p>	<p>This mitigation measure not roughly proportional to the impact. Further, there is no appropriate rational for this mitigation measure, as there is no environmental impact. Fundamentally, the trees being removed are crop trees. Their function is economic: to produce crops. These are not naturally occurring trees, nor are they trees planted for the enjoyment of others or recreational purposes. These trees are a fungible commodity, not an environmental resource. The trees have a useful production life and are removed at the end of their useful life. Further, they can be removed or replaced at any time without mitigation by farmers. Farmers are never required to mitigate for crop trees in this manner when their crop trees are removed from production. Likewise, developers removing crop trees to make room for homes or buildings are not required to mitigate their crop trees. The reason is because there is no legal requirement for them to do so. So why would SCE be treated so differently? To do so would set a precedent that could stifle proper planned economic development of land from agriculture to residential/commercial land uses by others in the Central Valley. Further, allowing such a mitigation measure could produce unintended consequences, such as having farmers change the types of crops they plant from trees to other types of plants in order to avoid costly replacement programs. Finally, the logic of this mitigation measure (or lack thereof) would not stop at trees. It could even be applied to row crops as well. Because this measure does not mitigate an impact, it should be stricken.</p> <p>Finally, DEIR indicates SCE will have to replace approximately 2,900 x 1.5 = 4,350 trees. The cost to implement this measure are unknown, are expected to be significant, and are not reflected in the SCE cost estimate provided to the CPUC in the CPCN proceeding.</p> <p>But even assuming there the intent is carbon sequestration, the phrase "in Tulare County" should be stricken to have the flexibility to plant trees anywhere in California.</p>

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76	4.3-30	Alternative 3, 1st paragraph However, since construction activities associated with Alternative 3 would be spread over a longer time period...	It is unlikely that the teardown and rebuild of the existing corridor could be completed within the limited outage timeframes allowed by the CAISO, and construction activities within the existing corridor associated with this route would likely be more intense.
77	4.4-5	Annual Grassland, 4th paragraph The burrowing owl is an uncommon resident of grasslands in the study area.	Burrowing owls are common to grassland areas.
78	4.4-15	Vernal Pool Tadpole Shrimp, 2nd paragraph ...is presumed present in all vernal pool habitats in or near the Proposed Project...	Appropriate vernal pool habitat is not present in the Proposed Project area.
79	4.4-16	Golden Eagle Potential nesting sites are available under Alternatives 2 and 6, where woodlands occur near the ROW.	Golden eagle have been observed on Alternative 2.
80	4.4-19	Non-listed Plants, Spiny-sepaled Button-celery This species is also reported from the easternmost three miles of the Alternative 3 ROW.	This species is also reported from the easternmost three miles of the Alternatives 2 and 6 ROW.

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81	4.4-31	Mitigation Measure 4.4-1a: Rare plant surveys. SCE and/or its contractors shall conduct preconstruction surveys following CDFG and USFWS special-status plant survey guidelines to determine if populations are present in unsurveyed areas. Surveys shall document the location, extent, and size of special-status plant populations, if present, and shall be used to inform the planned avoidance of rare plant populations whenever possible. To the extent feasible, the final project design shall minimize impacts on known special status plant populations that are identified in the project area (e.g., by routing access roads away from plant populations). SCE and/or its contractors shall establish an appropriate exclusion zone (e.g., greater than 50 feet) to minimize the potential for direct and indirect impacts such as fugitive dust and accidental intrusion into sensitive areas (see Mitigation Measure 4.3-1b for dust control measures). The exclusion zone shall be staked and flagged in the field by a qualified botanist prior to construction.	<p>SCE would need to obtain rights-of-entry from each property owner to secure access to conduct surveys. If there are unwilling property owners, SCE would need to obtain a court order to secure such temporary access, which could take approximately 2-3 months for each property owner.</p> <p>Special-status plants have not been observed on the Proposed Project, but they have been observed on Alternatives 2, 3, and 6.</p>
82	4.4-32	Mitigation Measure 4.4-1c The plan shall be reviewed and approved by Tulare County...	Who or which department from Tulare County would be reviewing and approving the document?
83	4.4-34	Mitigation Measure 4.4-3a, 2nd bullet ...before the start of each new construction phase....	<p>SCE proposes nesting surveys prior to construction in the phases outlined below:</p> <ol style="list-style-type: none"> 1. Prior to the start of construction in the existing corridor; 2. Prior to the start of construction between the existing BC-Rector corridor and the connection point; and 3. At any location that has not been worked at for more than 14 days.

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84	4.4-34	Mitigation Measure 4.4-3a, 4th bullet (Swainson's hawk) ...conduct preconstruction surveys at least 14 days prior to construction...	This bullet is not consistent with the 2nd bullet, which states ...perform a preconstruction survey 14 to 30 days before the start of each new construction phase... Should a preconstruction survey be conducted within 14 days or 30 days?
85	4.4-37	Impact 4.4-7 ...raptor behavior and pole design.	Structure design would be a more appropriate term to use.
86	4.4-37	Mitigation Measure 4.4-6, 1st bullet ...evidence of kit fox use by placing an inert tracking medium at den entrances and monitoring for at least three consecutive nights.	Inert tracking medium utilized for potential dens is not specified in the protocol survey requirements.
87	4.4-39	Part of Mitigation 4.4-7, Third bullet Shield wires to minimize the effects from bird collisions.	In areas of high avian collision risk, bird diverters (such as swan flight diverters) are generally used. These areas are designated based on the species of avian, avian behavior, and habitat present. Bird flight diverters are not utilized on every power line because there are many situations that birds can exist near power lines without significant risk of collisions (APLIC, 1994).
88	4.4-39	Mitigation Measure 4.4-8, last sentence ...3:1 mitigation ratio based on affected acreage and a 9:1 mitigation ratio based on impacted native oak trees.	What is the rationale for the 9:1 mitigation ratio? Tulare County does not have an established Oak Woodland Management Plan and generally utilizes the CEQA guidelines: 1:1 ratio for loss of acreage, and 2:1 ratio for replanting.
89	4.4-40	Mitigation Measure 4.4-9a, 1st sentence ...final design of transmission lines and access roads to ensure a minimum 50 foot construction buffer...	There is not a construction buffer associated with jurisdictional wetlands, usually they are species-specific.

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90	4.4-40	Mitigation Measure 4.4-9b ..to offset temporary and permanent impacts that occur as a result to the project, restoration and compensation mitigation...	Temporary impacts generally require a lower mitigation ratio than permanent impacts. The 1st bullet for this mitigation measure only mentions one mitigation ratio to cover both temporary and permanent impacts.
91	4.4-42	Mitigation Measure 4.4-10, 5th bullet Replace lost valley oaks or landmark trees at a 5:1 ratio within the City of Visalia...	Suggest changing the mitigation measure to SCE acquiring an oak tree or landmark tree removal permit from the City of Visalia.
92	4.4-46	Mitigation Measure 4.4-Alt2-1 ...in all suitable habitat for which SCE chooses not to perform protocol-level surveys.	<p>The US Fish and Wildlife Service and California Department of Fish and Game have not been allowing applicants to assume presence, and have instead been requiring protocol level surveys for these species prior to consultation. The protocol level surveys for these particular species would take approximately 2 to 2-1/2 years.</p> <p>Assuming the US Army Corps of Engineers would take jurisdiction over the waterway within which the species are present and a federal nexus could be determined, going through Section 7 of the federal Endangered Species Act would take an additional 1 to 2 years.</p> <p>If a federal nexus could not be determined, consultation would occur through Section 10 of the federal Endangered Species Act, and would add an additional 5 to 10 years to time needed to acquire a permit.</p> <p>Alternative 2 has approximately 4 miles of areas with the potential for vernal pools and vernal pool species. The Proposed Project has none.</p> <p>Alternative 2 would add significant time delays and cost to construction of the project that would not be applicable to the Proposed Project.</p>

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93	4.4-49	Top of page ...reconnaissance-level field surveys.	ESA and SCE conducted joint focused plant surveys for sensitive portions of the Proposed Project and Alternatives 2, 3, and 6 during Spring 2009. One sensitive plant, spiny sepaled button celery, was observed on Alternatives 2 and 6.
94	4.4-52	Mitigation Measure 4.4-Alt3-1 ...in all suitable habitat for which SCE chooses not to perform protocol-level surveys.	<p>SCE would need to obtain rights-of-entry from each property owner to secure access to conduct surveys. If there are unwilling property owners, SCE would need to obtain a court order to secure such temporary access, which could take approximately 2-3 months for each property owner.</p> <p>The US Fish and Wildlife Service and California Department of Fish and Game have not been allowing applicants to assume presence, and have instead been requiring protocol level surveys for these species prior to consultation. The protocol level surveys for these particular species would take approximately 2 to 2-1/2 years.</p> <p>Assuming the US Army Corps of Engineers would take jurisdiction over the waterway within which the species are present and a federal nexus could be determined, going through Section 7 of the federal Endangered Species Act would take an additional 1 to 2 years.</p> <p>If a federal nexus could not be determined, consultation would occur through Section 10 of the federal Endangered Species Act, and would add an additional 5 to 10 years to time needed to acquire a permit.</p> <p>Alternative 3 has approximately 6 miles of areas with the potential for vernal pools and vernal pool species. The Proposed Project has none.</p> <p>Alternative 3 would add significant time delays and cost to construction of the project that would not be applicable to the Proposed Project.</p>

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95	4.4-58	Mitigation Measure 4.4-Alt6-1 ...in all suitable habitat for which SCE chooses not to perform protocol-level surveys.	Same as Comment #93 below, but Alternative 6 would cross approximately 3 miles of areas with the potential for vernal pools and vernal pool species. The Proposed Project has none.
96	4.4-61	References – Biological Resources	The 1994 Avian Power Line Interaction Committee (APLIC) manual is the most updated manual that deals with avian collisions; and therefore, should be referenced here.
97	4.5-5	Paleontological Setting, 2nd paragraph ...Mesozoic basic intrusive, and pre- Pre-Cenozoic granitic...	Delete double “pre-”.

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98	4.5-12	<p>Native American Contact</p> <p>Contact was made with the [Native American Heritage Commission] NAHC in November 2005 and April 2007</p>	<p>Three separate requests for Sacred Lands Files searches were transmitted to the NAHC regarding the SIXVL Project on late October 2005, 4 April 2007, and 2 January 2008. These requests were associated with first the original proposed project area and sub-alternates, and subsequently as new increasingly northerly routes were added. The NAHC responded to the October 2005 request by letter dated 8 November 2005 stating that no sacred lands known to the NAHC were present in the immediate project area. The 4 April 2007 inquiry response was received on 23 April 2007; again the NAHC response was that no known sacred lands were present in the immediate area of the revised project. Finally, the NAHC responded by fax on 3 January 2008 that "numerous Native American cultural resources were present in the project area." NAHC staff in a 3 January telephone conversation stated that there were known to be numerous burials in the hills near the projects area and that there may be the remains of an unnamed village site in the general area, but indicated that members of the local Native American community listed in the 3 January fax would have to be contacted for further information.</p> <p>Although uncertain, the conclusion one draws from the sequence of responses from the NAHC is that Native American resources recorded in the Sacred Lands File were not threatened by the project until the last (Alternative 3) route was added to the search request. Subsequent conversations with representatives of the Santa Rosa Rancheria Tachi Tribe, the Eshow Valley Band of Michahai and Wuksachi Indians, and several local Native Americans of Wuksachi decent indicated a general interest in prehistoric and historic Native American resources throughout the region. Few specifics were given by these individuals with the exception of a profound concern about Rocky Hill by the representative of the Eshow Valley Band of Michahai and Wuksachi Indians.</p>

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99	4.5-12	Other Sources of Information In a letter to the CPUC dated May 2008, Mary Gordon noted...	Mary Gordon's Protest and Request for a Hearing letter submitted to the CPUC on 30 May 2008 demonstrates extensive knowledge of the history of the Visalia area and the resource values associated with the area of the Proposed Project. Her admitted knowledge of the areas of Alternatives 2 and 3 is much less, and although she states that "it is impossible to adequately assess the potential for impacts to cultural resources on any of the three proposed routes because none of the areas has been systematically surveyed" she goes on to assert that "current information indicates that the greatest impacts to prehistoric and historic cultural resources occur along Alternative 1 [the Proposed Project]." (continued on following page)

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100 (cont'd)	4.5-12	<p>(continued from previous page)</p> <p>Other Sources of Information</p> <p>In a letter to the CPUC dated May 2008, Mary Gordon noted...</p>	<p>(Continued from previous page)</p> <p>We do not believe the facts support this conclusion. Ms. Gordon goes on to say: "I agree that twelve prehistoric sites are on proposed Route 3. However, I believe, that the majority of the sites are small habitation sites." She also says Route 3 appears to be the most extensively surveyed. She acknowledges the numerous documented prehistoric archaeological sites along Alternative 2, including ethnographically named places and several large habitation sites, but then goes on to state that Alternative 2 is the least known archaeologically. As reported by Armstrong and Jackson (2008:Figure 4-1), the Alternative 2 route has in fact been subject to more systematic pedestrian archaeological survey than either Alternative 3 or the Proposed Project (due to landowner permission issues). Aerial reconnaissance of the Stone Corral Canyon area of the Alternative 3 route revealed several extensive previously unrecorded millingstone features indicative of very large habitation sites on properties for which SCE was denied landowner survey permission. This result serves to reinforce the expectation that in the present context (i.e., historic agricultural landuse in the valley) the foothill and foothill/valley interface areas are likely to be the most sensitive areas with regard to prehistoric archaeological resources in the project area. Alternative 3 crosses more of this potentially sensitive area than any of the other routes, followed by Alternative 2. The Proposed Project crosses by far the least amount of the foothill/mountain interface zone.</p> <p>Although we believe Ms. Gordon is sincere in her view that the Proposed Project is more sensitive than Alternative 2 and 3 with regard to cultural resources, it would appear that this view results from her greater familiarity with resources in the area of the Proposed Project and perhaps a desire to support her community.</p>

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101	4.5-13	Archeological Survey, 3rd paragraph ...the majority of the alignment for the Proposed Project and Alternative 2 could not be surveyed...	Approximately two-thirds of Alternative 2 was subject to pedestrian archaeological survey, including all of the eastern portion of the alignment shared with Alternative 6 (Armstrong and Jackson 2008:Figure 4-1). This figure shows that a 300 foot wide corridor was surveyed within the existing Big Creek-Rector transmission line right-of-way and a 200 foot wide corridor was surveyed from the Kern Canal east to Millwood Road and from just east of the Visalia Electric RR grade to the eastern terminus of the Alternative 2 route.
102	4.5-16	Top of page No archeological survey has yet been conducted for Alternative 6.	The portion of Alternative 6 that is shared with Alternative 2 has been archaeologically surveyed at a 200 foot wide corridor width (Armstrong and Jackson 2008:Figure 4-1).
103	4.5-19	Impact 4.5-1, 2nd paragraph ...Section 151246.4(b)(2).	The citation is probably 15064.5[4][b].
104	4.6-3	The igneous granitic and basic rocks are relatively resistant [to erosion?]...	All things being equal, basic rock is significantly less resistant to erosion than granitic rock.
105	4.6-5	Landslides	Due to the presence the possible landslide scarps along the ridgeline of the upper weathered portion of basic and granitic rock on Stokes Mountain, it is reasonable to conclude that the rock has the potential for moderate to high rates of erosion, including landslide.
106	4.7-4	Schools There are two schools within one-quarter mile of the Proposed Project and there are no schools in the vicinity of the alternative alignments.	Union Elementary School is within one-quarter mile of Rector Substation, the starting point for all alignments.

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107	4.7-13	<p>MM 4.7-1d</p> <p>SCE shall submit documentation to the CPUC prior to the commencement of construction activities that each worker on the project has undergone this training program.</p>	<p>Submitting WEAP logs to the CPUC prior to construction isn't practical because workers come on site at different times. All workers are trained prior to working at the site, and the log is kept at the site.</p>
108	4.7-16	<p>Mitigation Measure 4.7-3b</p> <p>...and treatment/disposal of material found to exceed regulatory requirements...</p>	<p>The mitigation measure, as written, is overly burdensome. If there is a reason to suspect a property owner is using hazardous materials in a manner inconsistent with its labeled use and is jeopardizing public health, SCE would contact the Tulare County Health Department to conduct an investigation.</p> <p>However, SCE will test for typical soil contaminants during the geotechnical investigation, and if contamination is discovered above action levels set forth by the federal government (or the State of California, whichever is more stringent), SCE would notify the property owner as well as the Tulare County Health Department, and the Tulare County Health Department would coordinate oversight of the cleanup.</p>

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109	4.7-16	<p>Mitigation Measure 4.7-3b.</p> <p>SCE shall develop and implement a Soil Sampling and Analysis Plan to determine the presence and extent of any residual herbicides, pesticides, and fumigants on currently or historically-farmed land in agricultural areas that would be disturbed during construction of the Proposed Project. The Plan shall be prepared in consultation with the County Agricultural Commission, and the work shall be conducted by an appropriate California-licensed professional and samples sent to a California Certified laboratory. At a minimum, the Plan shall document the areas proposed for sampling, the procedures for sample collection, the laboratory analytical methods to be used, and the pertinent regulatory threshold levels for determining proper excavation, handling, and, if necessary, treatment or disposal of any contaminated soils. The Plan shall be submitted to the CPUC for review and approval at least 60 days before construction. Results of the laboratory testing and recommended resolutions for excavation, handling, dust control, and treatment/disposal of material found to exceed regulatory requirements shall be submitted to the CPUC prior to construction.</p>	<p>SCE would need to obtain rights-of-entry to conduct surveys. If there are unwilling property owners, SCE would need to obtain a court order to secure such temporary access, which could take approximately 2-3 months for each property owner.</p>

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110	4.7-18	<p>Mitigation Measure 4.7-6</p> <p>SCE shall consult with landowners to determine which aerial applicators cover agricultural parcels within one mile of the approved transmission line ROW. SCE shall provide written notification to all aerial applicators stating when the new transmission line and towers would be erected. SCE shall also provide all aerial applicators that operate in the area recent aerial photos or topographic maps clearly showing the location of the new lines and towers, as well as all existing SCE lines and towers within 10 miles of the approved corridor. The photos or maps shall also indicate the heights of the towers and conductors. SCE shall provide documentation of compliance to the CPUC.</p>	<p>This requirement is vague, overbroad, burdensome, and potentially impractical for SCE to implement in advance of commencement of construction. Depending on the CPUC's final route selection, there may be hundreds to over 1,000 property owners within 1 mile of each route. The requirement does not specify what "consult with landowners" means. While the property ownership list for new ROW was only 350 feet on either side of the proposed transmission line route, this measure would require "consulting with" property owners that are located 5,280 feet on either side of the transmission line, i.e., an area that is approximately 15 times as vast as the GO 131D 300 foot ownership list.</p>
111	4.7-18	<p>Mitigation Measure 4.7-6</p> <p>SCE shall also provide all aerial applicators that operate in the area recent aerial photos or topographic maps clearly showing the location of new lines, as well as existing SCE lines and towers within 10 miles of the approved corridor.</p>	<p>There is no practical reason to providing maps of existing lines within 10 miles of the approved corridor.</p>
112	4.7-23	<p>Mitigation Measure 4.7-11a</p> <p>As part of the siting and construction process, SCE shall identify objects, such as fences, metal buildings, and pipelines, that are within and near the ROW that have the potential for induced voltages and shall implement electrical grounding of metallic objects in accordance with SCE's standards. The identification of objects shall document the threshold electric field strength and metallic object size at which grounding becomes necessary.</p>	<p>The last sentence "The identification of objects..." should be removed. It is SCE's standard practice to ground any large metallic objects within the project ROW. For large metallic objects outside but near the ROW, SCE will investigate on a case by case basis.</p>

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113	4.7-23	<p>Mitigation Measure 4.7-11b</p> <p>Prior to construction, SCE shall coordinate with affected property owners to conduct an inventory of the groundwater wells that are within the proposed ROW. Using the working clearances identified in Cal OSHA Title 8 of the California Code Section 2946, and considering the minimum height of equipment that would be required to perform maintenance activities as well as the maximum line sag at the well locations, SCE shall identify wells that would not have the required minimum ground clearance to perform any necessary well maintenance and shall engage a qualified water well drilling contractor to relocate those identified wells to another location. Well relocation shall include all drilling and well development activities, including relocating the associated pumping equipment and pipeline to the new location. Abandonment of the old...</p>	<p>SCE would need to obtain rights-of-entry from each property owner to secure access to conduct surveys. If there are unwilling property owners, SCE would need to obtain a court order to secure such temporary access, which could take approximately 2-3 months for each property owner.</p>
114	4.7-25	<p>1st paragraph</p> <p>Unlike the Proposed Project, there are no schools within one-quarter mile of the alignment for Alternative 2.</p>	<p>Please see Comment #106 below.</p>
115	4.7-26	<p>1st paragraph</p> <p>Unlike the Proposed Project, there are no schools within one-quarter mile of the alignment for Alternative 3.</p>	<p>Please see Comment #106 below.</p>
116	4.7-27	<p>1st paragraph</p> <p>Unlike the Proposed Project, there are no schools within one-quarter mile of the alignment for Alternative 6.</p>	<p>Please see Comment #106 below.</p>

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117	4.7-27	<p>Impact 4.7-ALT6-1</p> <p>Additionally, a Notice of Proposed Construction or Alteration form (FAA Form 7460-1) would be filed with the FAA, as required.</p>	<p>Why is compliance with existing laws and the rules and regulations of outside agencies called out separately as mitigation under the Proposed Project, but merely part of the Project Description for Alternative 6?</p>
118	4.8-17	<p>MM 4.8-1:</p> <p>For all segments of new access roads that would be within 300 feet of an existing surface water channel (including irrigation ditches where no berm or levee is currently in place) and traverse a ground slope greater than two percent, the following protective measures shall be installed:</p> <p>Permanent access roads shall be in-sloped with a rock-lined ditch on the inboard side;</p> <p>Water bars, or a similar drainage feature, shall be installed at 150 foot intervals (so as to reduce the effective, connected length of the access road to 150 feet).</p>	<p>This appears to be an arbitrary mitigation measure that is an unreasonable and burdensome solution to an less than significant issue; there are numerous existing access roads that are within 300 feet of an existing surface water channel (including irrigation ditches where no berm or levee is currently in place) within the project area where no such protective measures are in place.</p> <p>All new SCE access and spur roads will be constructed per SCE specification E-2008-21.</p>
119	4.8-17	<p>Mitigation Measure 4.8-2</p> <p>If degraded soil or groundwater is encountered during excavation (e.g., there is an obvious sheen, odor, or unnatural color to the soil or groundwater), SCE and/or its contractor shall excavate, segregate, test, and dispose of degraded soil or groundwater in accordance with State hazardous waste disposal requirements.</p>	<p>If soil or groundwater contamination is discovered during construction, SCE or its contractor will stop work and call SCE's Regional Spill Response Coordinator to the site to make an assessment. The property owner would be notified as well as the Tulare County Health Department, and the Tulare County Health Department would coordinate oversight of the cleanup.</p>
120	4.8-19	<p>Alternative 2, 2nd paragraph</p> <p>...SCE would be required to consult with and obtain an encroachment permit (or waiver) from the Central Valley Flood Protection Board.</p>	<p>Why is compliance with existing laws and the rules and regulations of outside agencies called out separately as mitigation under the Proposed Project, but merely part of the Project Description for Alternative 2?</p>

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121	4.8-19	Alternative 3, 2nd paragraph ...SCE would be required to consult with and obtain an encroachment permit (or waiver) from the Central Valley Flood Protection Board.	Why is compliance with existing laws and the rules and regulations of outside agencies called out separately as mitigation under the Proposed Project, but merely part of the Project Description for Alternative 3?
122	4.8-19	Alternative 6, 2nd paragraph ...SCE would be required to consult with and obtain an encroachment permit (or waiver) from the Central Valley Flood Protection Board.	Why is compliance with existing laws and the rules and regulations of outside agencies called out separately as mitigation under the Proposed Project, but merely part of the Project Description for Alternative 6?
123	4.9-1	Existing Land Uses, Proposed Project, 2nd paragraph ...on land currently used by SCE for industrial purposes.	The land is being used for utility purposes.
124	4.9-3 and 4.9-4	Last paragraph page 4.9-3 Land Use (1964); Environmental Resource Management (1972) 3rd paragraph page 4.9-4 (Tulare County, 2001)	Unclear about dates of documents used. Tulare County updated their General Plan in 2008.
125	4.10-12	Fresno County restricts construction hours to between the hours of six p.m. and nine p.m. on weekdays and between the hours of seven a.m. and five p.m. on Saturdays and Sundays.	Six p.m should be six a.m.

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126	4.10-14	Mitigation Measure 4.10-1, Top of page ...and these shall be submitted to the City.	<p>SCE has not conducted field investigations to determine whether subsurface blasting will be necessary at any particular proposed tower or pole foundation locations. Depending on subsurface conditions, SCE may use blasting for installation of foundations in areas of shallow bedrock, but such use would take place far outside of the Cities of Visalia and Farmersville.</p> <p>SCE questions whether the CPUC has any jurisdictional authority or expertise to “review and approve” blasting plans, and if not, what is the purpose of such approval? Absent such CPUC authority and expertise, this measure should be re-drafted to require that if SCE determines that blasting is required for any one or more construction activities, SCE shall provide the CPUC copies of such blasting plan in advance of any such activity.</p>
127	4.10-17	Mitigation Measure 4.10-4a, Temporary Construction Noise Nearby residents shall be notified for the construction schedule and how many days they may be affected by construction noise prior to the commencement of construction activities.	<p>SCE’s construction noise is no different than any other construction noise taking place within Tulare County and the cities of Visalia and Farmersville. In order to minimize the effects of construction noise on nearby receptors, each of these jurisdictions have designated hours during which construction may take place. If construction must take place outside of these hours, there are processes in place for obtaining a variance.</p> <p>In addition, a majority of the region is used for agricultural operations, which are similarly noisy, and are not restricted by noise ordinance.</p>
128	4.10-18	Mitigation Measure 4.10-5 Blasting activities could expose people to substantial noise levels	<p>SCE has not conducted field investigations to determine whether subsurface blasting will be necessary, if at all, at any particular tower or pole foundation location. If determined to be needed, such blasting would occur below ground.</p>

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129	4.10-20	Alternative 2	<p>The discussion of noise impacts during construction of Alternative 2 is misleading.</p> <p>As stated in Section 4.1, Aesthetics, approximately 216 residences are within 300 feet of Alternative 2 as compared to approximately 86 residences within 300 feet of the Proposed Project. This is an increase of approximately 150 percent.</p> <p>Nighttime construction is not anticipated for the Proposed Project; however, the chances for nighttime construction are greatly increased for Alternative 2 due to the outage constraints for construction within the existing corridor. This would result in approximately 3x the additional notifications.</p>
130	4.10-21	Alternative 3	<p>The discussion of noise impacts during construction of Alternative 3 is misleading.</p> <p>As stated in Section 4.1, Aesthetics, approximately 214 residences are within 300 feet of Alternative 3 as compared to approximately 86 residences within 300 of the Proposed Project. This is a difference of approximately 150 percent.</p> <p>Nighttime construction is not anticipated for the Proposed Project; however, the chances for nighttime construction are almost certain for Alternative 3 due to the outage constraints for construction within the existing corridor. This would result in approximately 3x the additional notifications.</p>

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Number	Page	Text reference	Comment
131	4.10-21	Alternative 6	<p>The discussion of noise impacts during construction of Alternative 6 is misleading.</p> <p>As stated in Section 4.1, Aesthetics, approximately 213 residences are within 300 feet of Alternative 6 as compared to approximately 86 residences within 300 of the Proposed Project. This is an increase of approximately 150 percent.</p> <p>Nighttime construction is not anticipated for the Proposed Project; however, the chances for nighttime construction are greatly increased for Alternative 6 due to the outage constraints for construction within the existing corridor. This would result in 3x the additional notifications.</p>
132	4.11-7 and 4.11-8	<p>Alternative 6</p> <p>Moreover, Alternative 6 would avoid displacing any housing units or people, including the one residential housing unit located adjacent to Proposed Project...</p>	<p>In fact, Alternative 6 as designed by the CPUC, would require the removal of one residence.</p>
133	4.13-2	<p>1st paragraph</p> <p>Located approximately one-half mile north of the Proposed Project, Kaweah Oaks Preserve in the City of Exeter...</p>	<p>The Kaweah Oaks Preserve is in unincorporated Tulare County.</p>
134	4.14-7	<p>Mitigation Measure 4.14-1a</p> <p>SCE shall also coordinate short-term construction activities at private road crossings with the applicable private property owners. Copies of all encroachment permits and evidence of private property coordination shall be provided to the CPUC prior to the commencement of construction activities.</p>	<p>SCE can provide Caltrans Encroachment Agreements and agreements with fee owners of lands with private roads.</p> <p>To be clear, SCE will not be entering into agreements with private parties who only have access easements to use these private roads crossing of lands owned by the fee owner.</p>

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Number	Page	Text reference	Comment
135	5-3	<p>Proposed Project, second item</p> <p>Proposed Project would result in the conversion of Farmland to non-agricultural uses in areas where height restrictions of crops within the right-of-way (ROW) would cause walnut orchards to become unproductive.</p>	<p>Height restrictions in the ROW do not convert Farmland to non-agricultural use. People have been farming under the Big Creek transmission lines for almost 100 years.</p>
136	5-4	<p>Proposed Project, Alternative 2, Alternative 3, and Alternative 6</p> <p>Less than significant impacts would include permanently removing ## acres of Farmland that supports walnut orchards from production.</p>	<p>This is not a CEQA criterion.</p>
137	5-7	<p>Agricultural Resources</p> <p>All three alternatives would remove approximately one-half the acreage of walnut orchards that would be removed from production under the Proposed Project.</p>	<p>This is not a CEQA criterion for significance.</p> <p>Additionally, as shown in the EIR, Alternatives 2, 3, and 6 would require the removal of approximately 1.1 acres of walnut orchards, and the Proposed Project would require the removal of 4.6 acres of walnut orchards. Considering that the magnitude of the acreage is so low, and this is not a CEQA criterion, it should not be used as a basis for making a route decision or the selection of an environmentally superior alternative.</p>
138	6-2	<p>Significant Environmental Effects that Cannot be Avoided</p> <p>...conversion of Farmland to non-agricultural uses in areas where height restrictions of crops within the right-of-way (ROW) would cause walnut orchards to become unproductive...</p>	<p>Please see Comment #3 below.</p>

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Number	Page	Text reference	Comment
139	6-2	<p>Significant Environmental Effects that Cannot be Avoided</p> <p>The Proposed Project would result in: permanent removal of 31.1 acres of Farmland...</p>	<p>Why were project alternatives pursued to reduce the unmitigable impacts to the Big Creek Hydroelectric System Historic District, but not for Farmland? The structures could be made taller to increase the spans, requiring fewer structures, and a fewer number of acres of Farmland would be impacted.</p>
140	6-3	<p>Significant Irreversible Changes, 1st paragraph</p> <p>...construction of the Proposed Project would necessitate the permanent removal of 31.1 acres of Farmland and conversion of an additional 29 acres of Farmland to non-agricultural uses in areas where height restrictions of crops within the ROW would cause walnut orchards to become unproductive.</p>	<p>Please see Comment #3 below.</p>
141	6-5 and 6-6	<p>Construction of the Proposed Project could result in both temporary impacts on special-status species (i.e., Kaweah brodiaea, Hoover's spurge, striped adobe lily, San Joaquin Valley Orcutt grass, San Joaquin adobe sunburst, Greene's tuctoria, recurved larkspur, spiny-sepaled button celery, valley elderberry longhorn beetle, burrowing owl, San Joaquin kit fox, Swainson's hawk, and golden eagle)...</p>	<p>Only Hoovers Spurge, San Joaquin Adobe Sunburst, Kaweah Brodiaea, Valley elderberry longhorn beetle, burrowing owl, San Joaquin kit fox, Swainson's hawk, and golden eagle have the potential to be present for the Proposed Project. Valley elderberry suitable for supporting the Valley elderberry longhorn beetle has been observed on the Proposed Project in limited locations.</p> <p>The other species listed in the text have been observed or have the potential to be present on Alternatives 2, 3, and 6.</p>
142	6-6	<p>2nd paragraph</p> <p>...within the City of Visalia contains valley oak and/or protected landmark trees.</p>	<p>The existing Big Creek-Rector Corridor may contain valley oak and/or landmark trees.</p>
143	B-1	<p>1st paragraph</p> <p>Units of measure are Gauss (G) or milliGauss (mG, 1 1,000 of a Gauss).</p>	<p>Revise to:</p> <p>Units of measure are Gauss (G) or milliGauss (mG, one 1,000th of a Gauss).</p>

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144	B-6	last numerical list 4. Total cost of mitigation measures should not exceed 4 percent of the total cost of the Project.	EMF is not a CEQA issues because impacts from EMF exposures have not been established. Therefore, impacts cannot be “mitigated”. A more appropriate term would be “field reduction measures” rather than “mitigation measures”. Additionally, the CPUC’s 4 percent cost guidelines is not an absolute cap if circumstances are unusual. Revise to: 4. Total cost of field reduction measures should not exceed about 4 percent of the total cost of the Project.
145	B-7	1st numerical item 5. Mitigation measures should have a noticeable reduction in the magnetic field level approximately 15 percent or more.	Revise to: 5. Field reduction measures should have a noticeable reduction in the calculated magnetic field level at the edge(s) of right-of-way approximately 15 percent or more.

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146	B-2 to B-3	Section on Exemption Criteria starting with the last paragraph on B-2 beginning with "Utilities may use the following guidelines to determine those specific types of projects...." And continuing through "The Second type projects are those located in undeveloped areas"	<p>The exemption discussion is not consistent with the EMF Design Guidelines Guidelines for Electrical Facilities developed by investor owned utilities in response to CPUC Decision 06-01-042 and filed with the CPUC. The discussion of exemptions should be replaced by the following text:</p> <p>The following criteria to determine those transmission and substation projects exempted from the requirement for consideration of no-cost and low-cost magnetic field reduction measures:</p> <ol style="list-style-type: none"> 1. Emergency - All work required to restore service or remove an unsafe condition. 2. Operation & Maintenance - Washing and switching operations, Replacing cross-arms, insulators, or line hardware, Replacing deteriorated poles, Maintaining underground cable and vaults, Replacing line and substation equipment with equipment serving the same purpose and with similar ratings, Repairing line and substation equipment. 3. Relocations: - Line relocation of up to 2000 feet, Installation of guy poles or trenching poles only. 4. Minor Improvements - Addition of safety devices, Reconductoring up to 2000 feet, where changing pole-head configuration is not required, Installation of overhead switches Insulator replacement. Modification of protective equipment and monitoring equipment., Intersetting of additional structures between existing support structures. 5. Projects located exclusively adjacent to undeveloped land—including land under the jurisdiction of the National Park Service, the State Department of Parks and Recreation, U.S. Forest Service, or Bureau of Land Management (BLM).

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147	B-3 and B-4	The section on EMF Reduction: All references to "Mitigation Measures".	<p>EMF is not a CEQA issues because impacts from EMF exposures have not been established. Therefore, impacts cannot be "mitigated". A more appropriate term would be "field reduction measures" rather than "mitigation measures".</p> <p>All references to 'mitigation measures' should be revised to "Field reduction measures".</p>
148	8-7	<p>General Reporting Procedures</p> <p>"... SCE shall provide the CPUC with written quarterly reports of the project, which shall include progress of construction, resulting impacts, mitigation implemented, and all other noteworthy elements of the project.</p> <p>Quarterly reports shall be required as long as mitigation measures are applicable."</p>	<p>Requiring SCE to prepare quarterly reports is inconsistent with past CPUC requirements. As has been the case on several other SCE transmission projects approved by the CPUC, the CPUC and its designated mitigation monitor would typically be involved in the review of each mitigation measure to ensure compliance. It has been the CPUC who has issued reports to SCE documenting performance during the construction period (Viejo). In addition, the requirement that quarterly reports be submitted "as long as mitigation measures are applicable" is excessive, particularly for this mitigation measures that are proposed to extend in to perpetuity. Thus SCE requests this requirement be deleted.</p>