

Control-Silver Peak Project Proposed by Southern California Edison

Scoping Summary Report

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ACRONYMS AND ABBREVIATIONS

ACEC	Area of Critical Environmental Concern
APE	Area of Potential Effects
APM	Applicant Proposed Measure
BLM	Bureau of Land Management
BMPs	best management practices
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CHRIS	California Historical Research Information System
CLA	construction laydown area
CPUC	California Public Utilities Commission

CRHR	California Register of Historic Resources
CSSC	California Species of Special Concern
DPS	Distinct Population Segment
EIR	environmental impact report
EIS	environmental impact statement
HAER	Historic American Engineering Record
ITP	Incidental Take Permit
kV	kilovolt
LID	low impact development
LSA	Lake and Streambed Alteration
NAHC	Native American Heritage Commission
NOP	notice of preparation
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
PEA	Proponent's Environmental Assessment
Proposed Project	Control-Silver Peak Project Proposed by Southern California Edison
SCE	Southern California Edison
SHPO	State Historic Preservation Officer
SWPPP	Stormwater Pollution Prevention Plan
TCR	tribal cultural resource
Tribe	Big Pine Paiute Tribe of the Owens Valley
USFS	United States Forest Service
WEAP	Worker's Environmental Awareness Training Program

Scoping Summary

Background and Purpose

“Scoping” refers to the public outreach process used under the California Environmental Quality Act (CEQA) to determine the scope and content of an environmental impact report (EIR). The scoping comment period offers an important opportunity for the public and agencies to review and comment during the early phases of the environmental compliance process. Scoping may contribute to the selection of a range of alternatives to be considered in the EIR and can help to establish methods of analysis, identify the environmental effects that will be considered in detail, and develop mitigation measures to avoid or compensate for adverse effects. In some cases, scoping may also identify issues that do not warrant analysis.

This report describes the scoping process undertaken by the California Public Utilities Commission (CPUC) for the Control-Silver Peak Project (Proposed Project) proposed by Southern California Edison (SCE). It also summarizes agency and public comments received and identifies key issues for EIR analysis. Comment letters received during the scoping period are reproduced in their entirety in **Attachment A** to this report.

Proposed Project Scoping Process

The scoping process is initiated when the lead agency issues a notice of preparation (NOP) announcing the beginning of the EIR process. The NOP for the Proposed Project was submitted to the State Clearinghouse, Office of Planning and Research, and circulated to agencies and interested members of the public on August 17, 2023. The NOP was also filed with the Inyo and Mono County Clerk’s Offices¹, as the Proposed Project spans the two counties. The filing and distribution of the NOP marked the beginning of the scoping period (minimum of 30 days), which initially lasted until September 18, 2023. The scoping period was subsequently extended to October 27, 2023.

As required by CEQA and the CEQA Guidelines, the NOP provided information on the Proposed Project background, goals, and objectives; announced preparation of, and requested public and agency comment on, the EIR; and provided information on the public scoping meeting to be held in support of the EIR. At the same time the NOP was distributed, the CPUC published ads in local newspapers providing information on the Proposed Project, scoping period, and the scheduled scoping meeting. A copy of the NOP, along with the newspaper ad proofs of publication, are included in **Attachment B** of this report.

¹ Due to a filing error at the Inyo County Clerk’s Office, the NOP was returned and then resubmitted. The scoping period was extended to account for the delay in filing at the Inyo County Clerk’s Office.

The CPUC conducted a public scoping meeting for the Proposed Project on August 30, 2023, at 5 p.m. via Zoom. The meeting format consisted of a virtual presentation by CPUC and its consultant followed by opportunities for attendees to ask questions. Attendees had the opportunity to ask questions verbally and through the Zoom Q&A feature. A total of 16 individuals attended the meeting via Zoom. A short summary of questions and answers from the scoping meeting are listed below, in **Table 1**. The meeting presentation slides and Zoom Q&A Report are included in **Attachment C**.

Table 1. Questions and Answers from the Scoping Meeting

Question	Answer ¹
Will the recording be posted?	Eric Chiang from the CPUC to research and address this.
Where will the slide deck be posted?	The PowerPoint presentation will be uploaded to the Project webpage on the CPUC website.
How long has the line over the White Mountains been in place?	The lines have been there since the early 1900s.
Is the current Proposed Project alignment the same as what was provided in the 2021 PEA?	Yes, except for very minor details. There were two deficiency letters which contained a list of questions about details in the PEA and supporting documents. SoCal Edison provided responses to the letters. However, overall Project has not changed.
What kind of coordination is currently being done between the Federal agencies and the CPUC? Is there consideration about doing a joint EIR/EIS?	A decision was made early on that the EIR and EIS processes will happen in parallel rather than jointly. CPUC has been in coordination with the BLM and the Forest Service for many years regarding this Project, and there continues to be coordination meetings between the parties.
Do you have a sense of the timeline for scoping of the EIS?	CPUC cannot speak to that. However, these two processes are running in parallel and are roughly happening on similar timeframes.
What plans do you have for updating studies referenced in the PEA since they were completed more than five years ago?	We will be evaluating information that is provided in the PEA, which includes biological surveys, cultural resource surveys, etc., and deciding if they are still representative of conditions on the ground now, or whether they are outdated. If they are found to be outdated, it might warrant updated surveys.
Where will the stakeholder scoping comments be posted? Will they be docketed or posted through the website?	All the comments received will be uploaded to the Project webpage on the CPUC website. At this point in time, the docket and proceeding are separate from the CEQA process.

Question	Answer ¹
Does SCE provide electricity to entities in Nevada?	SCE provides service to Valley Electric Authority through Fish Lake Metering Site which interconnects with service to Nevada Energy.
How much taller will the new poles be? What will they be made from?	These details will be discussed and determined during the preparation of the draft EIR.

Notes:

BLM = Bureau of Land Management; CEQA = California Environmental Quality Act; CPUC = California Public Utilities Commission; EIR = Environmental Impact Report; EIS = Environmental Impact Statement; PEA = Proponent’s Environmental Assessment; SCE = Southern California Edison

1. Generally, answers were provided by CPUC’s consultant, Montrose Environmental, who ran the meeting; however, in some cases, SCE staff present at the meeting provided answers.

Written Comments Received

The following entities submitted written comments on the Proposed Project:

- Lahontan Regional Water Quality Control Board
- California Department of Fish and Wildlife (CDFW)
- Friends of the Inyo
- Mono County Community Development Department
- Big Pine Paiute Tribe of the Owens Valley (Tribe)

Comment Summary by Topic

To inform the environmental analysis and assist in the preparation of the EIR, the individual comments and concerns received during the scoping period were categorized as follows:

- **CEQA Process:** Comments related to the formal environmental review process, as outlined by CEQA and CEQA Guidelines, such as the length of the public review period.
- **Project Description:** Comments related to specific aspects of the Proposed Project, such as Project design, schedule, or cost.

- **Environmental Impacts:** Comments related to possible impacts on the physical environment from the Proposed Project, such as possible effects on biological resources from Project components.
- **Alternatives:** Comments related to potential alternatives to the Proposed Project, such as utilizing a different subtransmission line route or using alternative technologies or methods.
- **Permitting.** Comments related to permitting requirements that may be relevant to the Proposed Project.

Note that the summaries provided in the following subsections are intended to capture the essence of individual scoping comments with a particular emphasis on the aspects of the comments most germane to the environmental analysis under CEQA. For complete information, please refer to the original comment letters, which are included in Appendix A.

CEQA Process

- Information developed during the EIR preparation should be incorporated into a database that is accessible for the purpose of future determinations.
- A Joint EIR/EIS should be prepared.
- The CPUC should consult with eligible tribes under Public Resources Code Section 21080.3.1 once the application is complete.

Project Description

- The Proposed Project should ensure the use of adequate staging areas to avoid similar issues to those that have occurred at Sierra Business Park in Mono County (i.e., SCE is allegedly staging on private property and does not have approvals or infrastructure to meet County standards).
- The Proposed Project should implement lighting specifications and a lighting plan.
- Scoping information indicates no construction laydown areas (CLAs) are currently proposed in Mono County, and only one staging area is identified at or near the Fish Lake Valley Metering Station – impacts from the staging area and any CLAs, if the Proposed Project changes, should be addressed in the EIR, and not deferred to later ministerial permits.

Environmental Impacts

Aesthetics

- Visual impacts associated with the Proposed Project are of primary concern.
- Any steel poles should have a natina/patina finish to help them blend into the environment and to reduce visual impacts.
- The potential addition of thin optical wiring at the top of the poles on the alignment to the Zack Substation should be evaluated for visual impacts.
- Artificial nighttime lighting has the potential to impact visual resources.
- The EIR should analyze applicable polices from the Mono County General Plan with regards to aesthetics, specifically the objectives, policies, and actions under:
 - Goal 14 and 20 of the Open Space and Conservation Element;
 - Goals 2 and 3 of the Circulation Element, and
 - Goal 26 and Chapter 11 of the Land Use Element.

Air Quality

- The implementation of low impact development (LID) practices could benefit air quality impacts associated with the Proposed Project.

Biological Resources

- The Proposed Project could have impacts on biological resources.
- The EIR should include adequate information on the existing setting for biological resources, including (1) an assessment of the types of habitats present within the Proposed Project area; (2) a general inventory of fish, amphibian, reptile, bird, and mammal species that are present or potentially present within each habitat type; (3) a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas; (4) a thorough, recent, floristic-based assessment of special-status plants and natural communities following CDFW protocols; (5) information on the regional setting, and (6) a full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

- The Proposed Project area should be resurveyed as it has been over five years since the last field surveys (from the Proponent’s Environmental Assessment [PEA]) were completed.
- The biological resources impact analysis should include/consider both California Species of Special Concern and California Fully Protected Species.
- The biological resources impact analysis should include a full discussion of potential direct and indirect project impacts.
- The analysis should include a discussion of potential impacts to biological resources from lighting, noise, human activity, defensible space, and wildlife-human interactions created by project activities adjacent to natural areas, exotic and/or invasive species, and drainage.
- The analysis should evaluate impacts to adjacent open space lands from both the construction of the Proposed Project and any long-term operational and maintenance needs with regards to biological resources.
- Special attention should be paid to the protection of bighorn sheep, bald eagle, and golden eagle with regards to the Proposed Project, as these are California Fully Protected Species. Complete protocol-level surveys must be performed to ensure that take will be avoided to the maximum extent possible.
- California Fully Protected Species may not be taken or possessed at any time; thus, the Project activities should be designed to completely avoid any such species. Potential adverse indirect impacts should also be analyzed and avoidance, minimization, and/or mitigation measures should be prescribed, as appropriate.
- The EIR should analyze potential impacts on the Bi-State Distinct Population Segment (DPS) of greater-sage grouse (whose status has changed since publication of the PEA, as it is now again proposed threatened and also a United States Forest Service [USFS] Sensitive Species) and provide avoidance and minimization measures to avoid take.
- Measures should be included to fully avoid or otherwise protect sensitive plant communities from project-related direct and indirect impacts.
 - The following sensitive plant communities with ranks S-1 or S-2 have the potential to, or have been documented to occur, within or adjacent to the Project area: limestone daisy (*Erigeron uncialis* var. *uncialis*), prairie wedge grass (*Sphenopholis obtusata*), foxtail thelypodium (*Thelypodium integrifolium* ssp. *complanatum*), Dedecker’s clover (*Trifolium dedeckerae*), Owens Valley checkerbloom (*Sidalcea covillei*), Parish’s popcornflower

(*Plagiobothrys parishii*), frog's-bit buttercup (*Ranunculus hydrocharoides*), Inyo County star-tulip (*Calochortus excavates*), coyote gilia (*Aliciella triodon*), slender townsendia (*Townsendia leptotes*), and small-flowered rice grass (*Stipa divaricate*).

- California Species of Special Concern (CSSC) should be considered during the environmental review process.
 - The following CSSC have the potential, or have been documented, to occur within or adjacent to the Project area: pallid bat (*Antrozous pallidus*), Owens Valley vole (*Microtus californicus vallicola*), Townsend's big-eared bat (*Corynorhinus townsendii*), Panamint alligator lizard (*Elgaria panamintina*), yellow-breasted chat (*Icteria virens*), American badger (*Taxidea taxus*), Owens sucker (*Catostomus fumeiventris*), olive-sided flycatcher (*Contopus cooperi*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Setophaga petechia*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), and Owens speckled dace (*Rhinichthys osculus* ssp. 2).
- CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems. Thus, mitigation measures should be included for such impacts to resources.
- Mitigation identified in the EIR should be roughly proportional to the level of impacts.
- Any plans for restoration and revegetation in the Proposed Project area should be prepared by persons with expertise in eastern Sierra Nevada ecosystems and native plant restoration techniques. Plans should include certain types of information, as specified by CDFW, and monitoring should be included over a sufficient time frame to ensure success.
- The Project Proponent is responsible for complying with all applicable laws related to nesting birds and birds of prey.
- The EIR should include the results of avian surveys and specific avoidance and minimization measures to ensure impacts to nesting birds do not occur.
- A CDFW-approved qualified biologist should be retained onsite prior to and during all ground- and habitat-disturbing activities for the Proposed Project.
- CDFW does not support the use of relocation, salvage, or transplantation as mitigation for impacts to rare, threatened, or endangered species.

- The PEA's Applicant Proposed Measure (APM) related to burrowing owl includes buffer distances that are inconsistent with CDFW's recommended buffers for burrowing owls.
- The PEA's APM for desert bighorn sheep is insufficient to avoid adverse impacts to the species, and stronger language should be used.
- Swainson's Hawk is a California Endangered Species Act (CESA)-listed species that has the potential to occur onsite and/or has been reported on-site before.
- Greater-sage grouse are a candidate for listing under CESA that have the potential to occur within the Project area.
- The EIR should include an analysis of impacts to wildlife from Project-related construction noise (e.g., communication, predator-prey relationships, stress, etc.). Appropriate avoidance, minimization, and mitigation measures should be included to reduce impacts to less than significant.
- The direct and indirect impacts of artificial nighttime lighting on biological resources (e.g., migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife) should be analyzed, and appropriate measures should be included to reduce impacts. Artificial nighttime lighting can alter ecological processes in a variety of different ways.

Cultural Resources

- Project activities could disturb cultural resources in the area, especially during and for a period after replacement of the subtransmission line.
- Potentially significant effects on cultural resources include the removal of historic structures and the need to dispose of the old materials.
- Avoidance and preservation of all cultural resources should be implemented.
- Should any cultural resources be discovered during the Project, they should be treated with appropriate dignity, as consulted with the Tribe.
- The cultural resources analysis needs to clarify the Proposed Project area versus the Area of Potential Effects (APE), which are confusingly referenced and inadequately defined in the PEA.
- Additional cultural resources surveys may be necessary depending on the proper definition of the APE.

- The EIR should consider whether ground-disturbing work could occur on excluded slopes (i.e., those not surveyed due to steepness) and outline the measures that would be taken to ensure that cultural resources are not impacted.
- The analysis should better explain the delineation of archaeological sites and built environment resources, as the distinction is not clear in the PEA.
- It is unclear whether State Historic Preservation Officer (SHPO) and tribal consultation was conducted for the sites listed in the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR) tables (Tables 5.5-1 and 5.5-2) in the PEA.
- Impacts to cultural resources associated with the White Mountain City Area of Critical Environmental Concern (ACEC) should be fully addressed in the EIR. The ACEC's 1 percent surface disturbance cap and the "Integrity of Setting and Feeling" should be considered.
- Archaeological testing should occur at Site CA-INY-1384/H, as identified in the PEA, and other sites within the Project area, to determine whether subsurface archaeological deposits including burials could be affected by the Proposed Project. However, archaeological testing itself may result in impacts and mitigation measures should be applied. For sites where testing does not suggest the presence of subsurface archaeological deposits, the surficial impacts to the resource also need to be analyzed and potentially mitigated.
- The APMs (CUL-1, CUL-2, and CUL-5) identified in the PEA for archaeological sites do not constitute effective protection for the resource(s).
- The PEA does not address additional mitigation measures (aside from Historic American Engineering Record [HAER]) to reduce significant impacts to the existing subtransmission lines. This should be corrected in the EIR.

Hydrology and Water Quality

- LID strategies should be implemented to reduce impacts to watersheds from development.
- Stormwater control measures and implementation measures, such as bioretention swales, pervious pavement, and vegetated infiltration basins, should be established/utilized for the Proposed Project.
- The EIR should include a mitigation measure that requires preparation and implementation of a Spill Prevention and Response Plan, which would outline site-

specific monitoring requirements and best management practices (BMPs) to prevent hazardous material spills or to contain and clean up a spill if it should occur.

- A Storm Water Pollution Prevention Plan (SWPPP) should be prepared in accordance with the requirements of National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Water Quality Order 2022-0057-DWQ.

Land Use

- An analysis of applicable policies from the Mono County General Plan should be conducted with regards to land use, specifically the objectives, policies, and actions under:
 - Goal 14 and 20 of the Open Space and Conservation Element;
 - Goals 2 and 3 of the Circulation Element, and
 - Goal 26 and Chapter 11 of the Land Use Element.

Noise

- Project-related construction has the potential to generate a substantial temporary or permanent increase in ambient noise levels (e.g., through road use, equipment, and other activities).
- Analysis should include appropriate avoidance, minimization, and mitigation measures to reduce noise impacts, particularly as it relates to potential impacts on wildlife.

Tribal Cultural Resources

- Tribal monitors should be requested and used throughout construction.
- There should be consistent and continuous consultation with the Tribe regarding potential impacts.
- Sufficient information should be provided to the Tribe, including access to internal data and any results of archaeological surveys and inventories.
- Tribal consultation should identify individuals possessing knowledge of cultural resources within or adjacent to the Proposed Project area.

- Cultural resources sensitivity training (e.g., as proposed in the PEA in APM Worker’s Environmental Awareness Training Program [WEAP]) needs to include participation and presentations by the tribal community.
- Tribal consultation should include in-person meetings and field visits.
- With respect to APMs CUL-1 through CUL-9 in the PEA, provisions for tribal monitoring need to be included in all APMs for any ground-disturbing work that may directly or indirectly affect pre-contact archaeological sites, tribal cultural resources (TCRs), and any other sites identified during tribal consultation as being of tribal interest.
- With respect to APM CUL-1, the word “appropriate” is concerning as it implies this would be determined by the Applicant (i.e., SCE).
- The reporting measures under APM CUL-9, as identified in the PEA, must include tribal notification and consultation for inadvertent finds.
- If the burials referenced in the PEA with regard to Site CA-INY-1384/H are Native American, then tribal consultation must be undertaken regarding the extent of the site and potential impacts.

Recreation

- The EIR should address the potential for increased recreational use of the Proposed Project area and adjoining lands due to improved access routes.

Wildfire

- Fire hazards associated with the Proposed Project are of primary concern.

Other Statutory Considerations

- Given that the Proposed Project would upgrade an existing transmission line, and improve or create new access routes, it could result in growth-inducing impacts.
- The potential for the Control-Silver Peak line to support, or be upgraded to support, utility scale renewable energy development in the region, including Fish Lake Valley, Chalfant Valley, and adjoining areas of Nevada, should be fully addressed.
- The EIR should comprehensively analyze the direct and indirect cumulative impacts of past, present, and reasonably foreseeable activities (and not merely other transmission projects) that adversely impact the region's biological and cultural resources, including habitat connectivity and tribal cultural landscapes.

- The cumulative effects analysis should include/address all potential direct and indirect Project-related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors, wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats.
- The geographic scope and methodology for the cumulative impact analysis should be developed in consultation with state and federal resource agencies. The list of cumulative projects in the PEA is limited to those within 2 miles of the Proposed Project, with no rationale provided.
- General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives

- The Highway 6 routing alternative could have significant impacts. There should be outreach to Mono County and the Tri-Valley communities and a comprehensive assessment of impacts along the alignment.
- The EIR should describe and analyze a range of reasonable alternatives.
- Biological and cultural resource surveys are needed to fully analyze the Highway 6 alternative. These surveys would need to be completed and potential effects to biological and cultural resources analyzed before the alternative can be dismissed for its potential to affect cultural resources.
- An alternative that rebuilds the existing single-circuit pole lines should be considered. Claims in the PEA regarding such an alternative having greater impacts than the Proposed Project appear contradictory and unsupported.
- The Proposed Project or alternatives should prioritize undergrounding utilities where feasible, in accordance with Mono County policy. Overhead lines may be acceptable when the number of poles is reduced, and lines are collocated.
- The EIR should fully assess project alternatives such as rerouting the electric lines around the White Mountains instead of across them.
- The EIR should evaluate an alternative that would take Deep Springs College off the grid.

- The line should be rerouted entirely around the White Mountain City ACEC due to the potential impacts of the Proposed Project that could erode the integrity of cultural resources, and the potential exceedance of the disturbance cap.

Permitting

- The Proposed Project may require a NPDES General Construction Storm Water Permit.
- The Proposed Project may require a Clean Water Act, Section 401 permit.
- An Incidental Take Permit (ITP) may be needed for the Proposed Project in accordance with CESA. Significant modification to the Proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP.
- Depending on how the Project is constructed, the Applicant might need to notify the CDFW per Fish and Game Code section 1602. If CDFW determines that Proposed Project activities may substantially adversely affect existing fish and wildlife resources, a Lake and Streambed Alteration (LSA) Agreement may be needed.

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Attachment A
Comment Letters Received



Lahontan Regional Water Quality Control Board

September 14, 2023

File: Environmental Doc Review
Inyo and Mono Counties

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Request for Early Environmental Consultation, Southern California Edison Control Silver Peak Project, Inyo, and Inyo Counties

Lahontan Regional Water Quality Control Board (Water Board) staff received a Request for Early Environmental Consultation (Request) for the above-referenced project (Project) on August 18, 2023. The Request, which included a brief Project description, was prepared by the California Public Utilities Commission (CPUC/project proponent) to solicit input from federal, State, and local agencies regarding potential environmental concerns associated with the Project and to help determine the appropriate level of environmental review under the California Environmental Quality Act (CEQA). The proposed Project is described as the rebuilding of the existing Control Silver Peak 'A' and 'C' 55 kV sub-transmission lines along with selective replacement of sub transmission structures along portions of the same lines.

Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096. We encourage the project proponent to take this opportunity to integrate elements into the Project that (1) support low-impact development (LID), (2) reduce the effects of hydromodification, and (3) encourage the Project proponent to prepare and implement a comprehensive spill prevention and response plan throughout the life of the Project. Our comments are outlined below.

PROJECT-LEVEL ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act, every development project that requires discretionary governmental approval requires at least some environmental review, unless an exemption applies. **The proposed Project is not exempt from**

PETER C. PUMPHREY, CHAIR | MICHAEL R. PLAZIAK, PG, EXECUTIVE OFFICER

CEQA. Because the project proponent is the primary public agency with discretionary authority to deny or approve the Project, the CPUC, as the lead agency, is responsible for ensuring that the Project complies with CEQA as part of its approval process. The State Water Resources Control Board (State Water Board) or the Lahontan Water Board, acting as a responsible agency, may need to issue discretionary permits for Project implementation, but cannot do so until CEQA has been satisfied.

The project proponent's request for consultation for the proposed Project is the first step in the environmental review process but alone does not fulfill the requirements of CEQA. At a minimum, the project proponent must conduct an Initial Study to evaluate the environmental effects of the Project. Depending on those potential effects, a further and more substantial review may be warranted in the form of a Mitigated Negative Declaration or an Environmental Impact Report. Through the environmental review process, feasible alternatives must be considered, and mitigation measures incorporated into the Project to substantially lessen significant environmental effects of the Project. **We appreciate the project proponent coordinating with Water Board staff early on in the CEQA process so that we can provide you with the scope and content of** the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations, title 14, section 15096.

RECOMMENDED ELEMENTS TO CONSIDER IN THE ENVIRONMENTAL REVIEW

We recommend the following be included as part of the proposed Project and considered in the environmental review.

1. The foremost method of reducing impacts to watersheds from development is LID, the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of non-point source pollutants. LID results in less surface runoff, the principles of which include: maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge; reducing compacted and impervious cover created by development and the associated road network; and managing runoff as close to the source as possible.

LID development practices that maintain aquatic values also reduce local infrastructure requirements and maintenance costs and benefit air quality, open space, and habitat. Vegetated areas for stormwater management and infiltration onsite are valuable in LID. We encourage the project proponent to establish LID implementation strategies that would be applicable to all development and redevelopment projects, including this Project.

2. Because increased runoff from developed areas is a key variable driving a number of other adverse effects, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation. However, traditional methods for managing

stormwater do not adequately protect the environment and tend to treat symptoms instead of causes. Such practices have led to channelization and stream armoring that permanently alter stream habitat, hydrology, and aesthetics, resulting in overall degradation of a watershed.

We encourage the project proponent to establish specific stormwater control measures and implementation strategies for the proposed Project. Examples include the use of bioretention swales, pervious pavement, and vegetated infiltration basins, all of which can effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving waters, and maintain healthy watersheds. Any particular one of these control measures may not be suitable, effective, or even feasible on every site, but the right combination, in the right places, can successfully achieve these goals.

Additional information regarding sustainable stormwater management and LID can be accessed online at:
http://www.waterboards.ca.gov/water_issues/programs/low_impact_development.

The environmental document should include a mitigation measure that requires the preparation and implementation of a comprehensive Spill Prevention and Response Plan. This plan should outline the site-specific monitoring requirements and list the best management practices necessary to prevent hazardous material spills or to contain and clean up a hazardous material spill, should one occur.

3. We recommend that the project proponent require the Project proponent to prepare and implement a Project-specific Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should be prepared in accordance with the requirements of National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Water Quality Order (WQO) 2022-0057-DWQ.
 - a. The SWPPP shall specify the site-specific erosion and sediment control Best Management Practices (BMPs) that will be implemented to reduce potentially significant water quality impacts to a less than significant level.
 - b. The SWPPP should be applicable to all areas of the Project, including construction areas, access roads to and through the site, and staging and stockpile locations.
 - c. Temporary BMPs must be implemented for all components of the Project until such time that permanent BMPs are in place and functioning.
 - d. All excess sediment excavated as part of the Project that is not used onsite should be stockpiled in a location such that it will not be transported

by wind or water into a surface water. An adequate combination of sediment and erosion control BMPs must be implemented and maintained to temporarily stabilize all stockpiled sediment until such time that it is reused and/or permanently stabilized.

PERMITTING REQUIREMENTS

A number of activities if implemented at this site have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include the following:

1. Land disturbance of more than one acre may require a CWA, section 402(p) stormwater permit, including a *National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit*, Water Quality Order (WQO) 2022-0057-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.
2. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board.

Thank you for requesting our consultation. As a responsible agency under CEQA, we look forward to reviewing and providing comments on the environmental document when it is available. If you have any questions regarding this letter, please contact me at (760) 241-7305 (Tiffany.Steinert@waterboards.ca.gov) or Christina Guerra, Senior Engineering Geologist, at (760) 241-7333 (Christina.Guerra@waterboards.ca.gov).

Please send all future correspondence regarding this Project to the Water Board's email address at Lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. and Project name in the subject line.



Tiffany Steinert
Engineering Geologist



State of California – Natural Resources Agency
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 15, 2023
Sent via email

Mr. Eric Chiang
Project Manager
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Subject: Notice of Preparation of a Draft Environmental Impact Report
Southern California Edison's Control-Silver Peak Project
State Clearinghouse No. 2023080399

Dear Mr. Chiang:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the California Public Utilities Commission (CPUC) for the Southern California Edison's Control-Silver Peak Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Proposed Project would be located within unincorporated Inyo and Mono Counties, California. Portions of the existing and proposed 55 kV alignments traverse lands managed by BLM and USFS, as well as lands owned by the Los Angeles Department of Water and Power (LADWP). The Proposed Project would extend from the Owens Valley on the west to Fish Lake Valley on the east and, in between, would cross the intervening White Mountains.

The Proposed Project would consist of a variety of improvements to existing infrastructure, which would serve to correct identified discrepancies with the G.O. 95 standards. This would include rebuilding, replacement, and/or modification of existing subtransmission poles and conductors along portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits. Additionally, SCE proposes to install overhead groundwire (OHGW) and optical groundwire (OPGW) along portions of the subtransmission line alignments, and transfer existing distribution circuitry underbuilt on the subtransmission structures to replacement poles. SCE would install additional telecommunications cables and equipment within and adjacent to existing substations, and would make other improvements within area substations that interconnect with the ControlSilver Peak 'A' and 'C' 55 kV subtransmission lines.

SCE has subdivided the Proposed Project into 5 segments based on the geographic extent and type of work performed within the given segment. These segments are as follows:

- **Segment 1:** This segment consists of portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits (two existing single-circuit pole lines), spanning from the Control Substation located near the City of Bishop to where the Proposed Project alignment intersects U.S. Highway 395 (U.S. 395). This segment is approximately 3.4 miles in length and is located entirely in Inyo County. In Segment 1, existing OHGW that is installed on existing poles along one of the two pole lines found in Segment 1 would be removed and OPGW would be installed on those existing poles.

- Segment 2: This segment consists of portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits (two existing single-circuit pole lines), spanning from the point where the alignment intersects U.S. 395 near the City of Bishop to the point where the two pole lines merge north-northeast of the U.S. 395 crossing. This segment is approximately 1.4 miles in length and located entirely in Inyo County. The work along Segment 2 would include rebuilding of existing subtransmission poles and conductor (maintaining a configuration of two single-circuit pole lines), and installation of OPGW and OHGW on the new poles.
- Segment 3: This segment consists of portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits (two existing single-circuit pole lines), spanning from the eastern end of Segment 2 to the Fish Lake Valley Metering Station located just west of the California-Nevada border, approximately 2 miles east of the community of Oasis. This segment is approximately 37.3 miles in length and is located in both Inyo and Mono counties. The work in Segment 3 would include the removal and rebuilding of existing subtransmission poles and conductor, and installation of OPGW on the new poles. One of the existing single-circuit pole lines along this segment would be removed and the remaining single-circuit pole line would be rebuilt into a new double-circuit pole line.
- Segment 4: This segment consists of that portion of the Control-Silver Peak 'C' 55 kV circuit known as the Zack Tap (one existing single-circuit pole line), which spans from Segment 3 north of the City of Bishop to the Zack Substation. This segment is approximately 16 miles in length and is located in both Inyo and Mono counties. In Segment 4, a select number of poles would be replaced and existing conductor and third-party infrastructure (if present) would be transferred to the replacement poles.
- Segment 5: This segment consists of that portion of the Control-Silver Peak 'A' 55 kV circuit known as the Deep Springs Tap (one existing single-circuit pole line), which spans from Segment 3 south to the Deep Springs Substation. This segment is approximately 2.4 miles in length and is located in Inyo County. In Segment 5, a select number of poles would be replaced and existing conductor and third-party infrastructure (if present) would be transferred to the replacement poles.

The Proposed Project also would require a variety of work at substations that interconnect with the Control-Silver Peak 'A' and 'C' subtransmission lines, as follows:

- Disconnect existing conductor from existing positions at the White Mountain Substation and connect new conductor to existing positions.

- Install new OPGW and OHGW and make minor modifications to the existing terminal racks at White Mountain Substation to accommodate the new OPGW and OHGW.
- Install telecommunication equipment on existing rack structures, install cable in new or existing underground cable raceways, and install new or replacement telecommunications infrastructure within existing cabinets, control buildings, or Mechanical and Electrical Equipment Rooms within the Control Substation and at the Fish Lake Valley Metering Station.
- Update relay settings at Control, Deep Springs, White Mountain, and Zack Substations.
- Install a capacitor bank and circuit breaker at Fish Lake Valley Metering Station.

The work at the Fish Lake Valley Metering Station would require expansion of the station footprint (by approximately 1,000 square feet, or an area measuring 50 feet by 20 feet); however, none of the other substations would need to be expanded. Underground telecommunication cable installation (e.g., at Control Substation and Fish Lake Valley Metering Station) would require ground disturbance (i.e., trenching) outside of the substation footprints.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the CPUC in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

The CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to*

Special Status Native Plant Populations and Natural Communities (CDFW 2018²).

5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).
6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or

² CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would “feasibly attain most of the basic objectives of the Project,” and would avoid or substantially lessen any of the Project’s significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a “no project” alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The CPUC should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time (with the exception of certain projects set forth in SB 147, which was passed on July 10, 2023). Project activities described in the DEIR should generally be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts. Sensitive plant communities with ranks S-1 or S-2 have the potential to or have been documented to occur within or adjacent to the project area, including, but not limited to: limestone daisy (*Erigeron uncialis* var. *uncialis*),

prairie wedge grass (*Sphenopholis obtusata*), foxtail thelypodium (*Thelypodium integrifolium* ssp. *complanatum*), Dedecker's clover (*Trifolium dedeckerae*), Owens Valley checkerbloom (*Sidalcea covillei*), Parish's popcornflower (*Plagiobothrys parishii*), frog's-bit buttercup (*Ranunculus hydrocharoides*), Inyo County star-tulip (*Calochortus excavates*), coyote gilia (*Aliciella triodon*), slender townsendia (*Townsendia leptotes*), and small-flowered rice grass (*Stipa divaricate*).

3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: pallid bat (*Antrozous pallidus*), Owens Valley vole (*Microtus californicus vallicola*), Townsend's big-eared bat (*Corynorhinus townsendii*), Panamint alligator lizard (*Elgaria panamintina*), yellow-breasted chat (*Icteria virens*), American badger (*Taxidea taxus*), Owens sucker (*Catostomus fumeiventris*), olive-sided flycatcher (*Contopus cooperi*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Setophaga petechia*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), and Owens speckled dace (*Rhinichthys osculus* ssp. 2).
4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645

struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in eastern Sierra Nevada ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in advance of project impacts in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of

woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way*: To avoid direct mortality to any non-listed terrestrial wildlife, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to inspect the Project area prior to any Project activities. Any individuals found shall not be harassed and shall be allowed to leave the Project area unharmed. If needed, a qualified biologist may guide, handle, or capture an individual non-listed, non-special-status wildlife species to move it to a nearby safe location within nearby refugium, or it shall be allowed to leave the Project site of its own volition. Capture methods may include hand, dip net, lizard lasso, snake tongs and snake hook. If the wildlife species is discovered or is caught in any pits, ditches, or other types of excavations, the qualified biologist shall release it into the most suitable habitat nearby the site of capture. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Only

biologists with appropriate authorization by CDFW shall move CESA-listed or other special-status species. Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the project. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. CDFW must comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specify a mitigation monitoring and reporting program that will meet the requirements of CESA.

Based on review of CNDDDB, and/or knowledge of the project site/vicinity/general area, CDFW is aware that the following CESA-listed species has the potential to occur onsite/has previously been reported onsite: Swainson's hawk (*Buteo swainsoni*). Additionally, CDFW is aware that the following candidate species for listing under CESA has the potential to occur onsite/has previously been reported onsite: greater sage-grouse (*Centrocercus urophasianus*).

Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography, the Owens River and multiple other drainage features traverse the site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed,

channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification package, please go to <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Construction Noise

Project-related construction has the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project. CDFW recommends that the DEIR include an analysis of impacts to wildlife from Project-related construction noise, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant.

Construction may result in substantial noise through road use, equipment, and other Project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 dB³. Anthropogenic noise can disrupt the communication of many wildlife species including

³ Barber, J. R., K. R. Crooks, and K. M. Fristrup. 2009. The costs of chronic noise exposure for terrestrial organisms. *Trends in Ecology and Evolution* 25:180-189.

frogs, birds, and bats^{4,5,6,7}. Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cues (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise^{8,9}. Noise has also been shown to reduce the density of nesting birds¹⁰ and cause increased stress that results in decreased immune responses¹¹. The CPUC should include measures in the DEIR to ensure the following: restricting the use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning); restricting the use of generators except for temporary use in emergencies; provide power to sites by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems; ensure the use of noise suppression devices such as mufflers or enclosure for generators; and sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

Artificial Nighttime Lighting

The Project will involve the use of artificial lighting during construction. CDFW recommends that the DEIR include lighting plans and specifications, as well as an analysis of the direct and indirect impacts of artificial nighttime lighting on biological resources, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant. The direct and indirect impacts of artificial nighttime lighting on biological resources including migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife should be analyzed, and appropriate avoidance and minimization measures should be included in the DEIR.

Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and

4 Sun, J. W. C., and P. M. Narins. 2005. Anthropogenic sounds differentially affect amphibian call rate. *Biological Conservation* 121:419–427.
5 Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. *Auk* 123:639–649.

6 Gillam, E. H., and G. F. McCracken. 2007. Variability in the echolocation of *Tadarida brasiliensis*: effects of geography and local acoustic environment. *Animal Behaviour* 74:277–286.

7 Slabbekoorn, H., and E. A. P. Ripmeester. 2008. Birdsong and anthropogenic noise: Implications and applications for conservation. *Molecular Ecology* 17:72–83.

8 Rabin, L. A., R. G. Coss, and D. H. Owings. 2006. The effects of wind turbines on antipredator behavior in California ground squirrels (*Spermophilus beecheyi*). *Biological Conservation* 131:410–420.

9 Quinn, J. L., M. J. Whittingham, S. J. Butler, W. Cresswell, J. L. Quinn, M. J. Whittingham, S. J. Butler, W. Cresswell, and W. Noise. 2017. Noise, predation risk compensation and vigilance in the chaffinch *Fringilla coelebs*. *Journal of Avian Biology* 37:601–608.

10 Francis, C. D., C. P. Ortega, and A. Cruz. 2009. Noise pollution changes avian communities and species interactions. *Current Biology* 19:1415–1419.

11 Kight, C. R., and J. P. Swaddle. 2011. How and why environmental noise impacts animals: An integrative, mechanistic review. *Ecology Letters* 14:1052–1061.

natural enemies; and navigation¹². Many species use photoperiod cues for communication (e.g., bird song¹³), determining when to begin foraging¹⁴, behavioral thermoregulation¹⁵, and migration¹⁶. Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it⁸. The CPUC should include measures in the DEIR to ensure the following: eliminate all nonessential lighting throughout the Project area; avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active; lighting for Project activities is fully shielded, cast downward, reduced in intensity to the greatest extent, and does not result in spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>); the use of LED lighting with a correlated color temperature of 3,000 Kelvins or less; proper disposal of hazardous waste; and recycling of lighting that contains toxic compounds with a qualified recycler.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination

¹² Gatson, K. J., Bennie, J., Davies, T., Hopkins, J. 2013. The ecological impacts of nighttime light pollution: a mechanistic appraisal. *Biological Reviews*, 88.4: 912-927.

¹³ Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor* 108:130–139.

¹⁴ Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology* 19:1123–1127.

¹⁵ Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. *Ecology* 58:98–108.

¹⁶ Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. *Frontiers in Ecology and the Environment* 2:191–198.


Eric Chiang, Project Manager
California Public Utilities Commission
September 15, 2023
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by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Southern California Edison's Control-Silver Peak Project (SCH No. 2023080399) and recommends that the CPUC address CDFW's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Kyle Maxwell, Environmental Scientist, at (909) 229-0762 or at Kyle.Maxwell@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Kim Freeburn
Environmental Program Manager

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REFERENCES

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<http://vegetation.cnps.org/>



September 15, 2023

Patrick Donaldson
Montrose Environmental
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Oakland, CA 94612

Via email: control-silverpeak@montrose-env.com

Re: Notice of Preparation of an Environmental Impact Report for the Control-Silver Peak Project Proposed by Southern California Edison (SCH 2023080399)

Friends of the Inyo, on behalf of our over 1,000 members, submits these comments in response to the California Public Utilities Commission's (CPUC) notice of preparation (NOP) of an environmental impact report (EIR) for Southern California Edison's (SCE) proposed Control-Silver Peak Project (Project). Friends of the Inyo is a grassroots non-profit organization based in Bishop, California. Our mission is to protect and care for the land and water of the Eastern Sierra. Over our 36-year history, we have actively engaged with land and water management agencies in the Eastern Sierra, including the Bureau of Land Management (BLM), United States Forest Service (USFS), and the project applicant, SCE.

SCE proposes to rebuild portions of two existing single-circuit 55 kilovolt (kV) subtransmission lines (Control-Silver Peak 'A' and 'C' circuits). The Project would also include replacing some subtransmission structures and related actions at interconnected facilities "to remediate identified discrepancies as part of SCE's Transmission Line Rating and Remediation (TLRR) program."¹ The proposed Project is located in Inyo and Mono counties on private lands, lands owned by the Los Angeles Department of Water and Power, and lands managed by the Inyo National Forest and

¹ August 2023 CPUC Notice of Preparation of an Environmental Impact Report for the Control-Silver Peak Project Proposed by Southern California Edison

BLM's Bishop Field Office and Ridgecrest Field Offices. The CPUC is the California Environmental Quality Act (CEQA) lead agency.

Based on the geographic extent and type of work proposed, SCE divided the Project into five segments. From the NOP, the segments are:

- Segment 1: This segment consists of portions of the existing Control-Silver Peak 'A' and 'C' 55 kV circuits, spanning from the Control Substation near the City of Bishop to where the Proposed Project alignment intersects U.S. Highway 395 (U.S. 395). This segment is approximately 3.4 miles long and located entirely in Inyo County. In Segment 1, the existing overhead groundwire (OHGW) installed on poles along one of the two pole lines would be removed and optical groundwire (OPGW) would be installed on those existing poles.
- Segment 2: This segment consists of portions of the existing Control-Silver Peak 'A' and 'C' 55 kV circuits, spanning from the point where the alignment intersects U.S. 395 near the City of Bishop to the point where the two pole lines merge north-northeast of the U.S. 395 crossing. This segment is approximately 1.4 miles long and located entirely in Inyo County. The work along Segment 2 would include rebuilding the existing subtransmission poles and conductor (maintaining a configuration of two single-circuit pole lines) and installation of OPGW and OHGW on the new poles. Per SCE's 2021 Proponent's Environmental Assessment (PEA), 49 poles would be removed and 25 new ones would be installed.
- Segment 3: This segment consists of portions of the existing Control-Silver Peak 'A' and 'C' 55 kV circuits spanning from the eastern end of Segment 2 to the Fish Lake Valley Metering Station just west of the California- Nevada border and approximately 2 miles east of the community of Oasis. This segment is approximately 37.3 miles long and is located in both Inyo and Mono counties. Work in Segment 3 would include removing and rebuilding existing subtransmission poles and conductors and installing OPGW on the new poles. One of the existing single-circuit pole lines along this segment would be removed and the remaining single-circuit pole line would be rebuilt into a new double-circuit pole line. Per SCE's 2021 PEA, 1,505 poles that are 24 to 63 feet tall would be replaced with 674 new poles that would be up to 82 feet taller. Depending on location, the poles would be a mix of "equivalent" wood poles, tubular steel poles (TSP), and H-frame TSPs.

- Segment 4: This segment consists of the Zack Tap portion of the existing Control-Silver Peak 'C' 55 kV circuit, which spans from Segment 3 north of the City of Bishop to the Zack Substation. This segment is approximately 16 miles long and is located in both Inyo and Mono counties. In Segment 4, two poles would be replaced and the existing conductor and third-party infrastructure (if present) would be transferred to the replacement poles that would be up to 16 feet taller.
- Segment 5: This segment consists of the Deep Springs Tap of the existing Control-Silver Peak 'A' 55 kV circuit, which spans from Segment 3 south to the Deep Springs Substation. This segment is approximately 2.4 miles long and is located in Inyo County. In Segment 5, eight poles would be replaced and the existing conductor and third-party infrastructure (if present) would be transferred to the replacement poles that would be up to 16 feet taller.

The proposed Project includes approximately 38 staging and construction laydown areas (CLA) that would be used for vehicle and equipment parking, helicopter landing zones, materials storage, construction trailers, construction equipment, portable sanitation facilities, and storage of steel/wood poles, reels of wire, hardware, insulators, cross arms, signage, fuel, and waste materials for salvaging, recycling, or disposal. The staging areas may have nighttime security lighting. SCE proposes to return staging and CLAs to their preconstruction condition at the completion of the project.

Construction work areas would be accessed via existing dirt and paved roads and/or approximately 7.5 miles of 14± feet wide overland access routes. Some existing roads may be improved to facilitate access.

Per the NOP, the CPUC has identified the following objectives for the proposed Project:
Objective 1: Remediate or otherwise address identified discrepancies in SCE's Control-Silver Peak 'A' and 'C' 55 kV circuits, such that these facilities meet the clearance standards in CPUC's General Order (G.O.) 95 and meet North American Electric Reliability Corporation Facility Ratings.

Objective 2: Eliminate or reduce any safety hazards (e.g., wildfire) posed by SCE's existing infrastructure that does not meet standards in G.O. 95.

Objective 3: Maintain existing interconnections between SCE, Valley Electric Authority, and NV Energy, providing system redundancy, reliability, and operational flexibility.

Objective 4: Maintain acceptable service reliability for customers served through area substations interconnected with Control-Silver Peak 55 kV circuits 'A' and 'C' (e.g., Control, Zack, White Mountain, and Deep Springs substations).

Comments

We have reviewed the NOP and SCE's 2021 PEA and offer the following comments and recommendations for the preparation of the draft Environmental Impact Report (DEIR):

Coordinated CEQA and NEPA

The proposed Project will require permits, consultation, special use authorizations, and right-of-way grants from the US Army Corps of Engineers (USACE), US Fish and Wildlife Service (USFWS), USFS, and BLM. These actions all require National Environmental Policy Act (NEPA) review and the preparation of an environmental impact statement (EIS). The proposed Project will also require permits or review from the California State Water Resources Control Board and Regional Water Quality Control Board, California Department of Fish and Wildlife (CDFW), the California State Historic Preservation Officer (SHPO), and the tribal communities whose traditional lands are crossed by the Project.

Due to the intertwined nature of the required permits for the implementation of the proposed Project that are subject to both CEQA and NEPA, we strongly recommend a joint EIR/EIS be prepared for the proposed Project. A joint EIR/EIS will provide a streamlined approach for the CEQA/NEPA review and enable a coordinated and cohesive approach to agency consultation, impact analysis, and development of mitigation measures. A joint EIR/EIS will benefit tribal governments, state and federal agencies, and stakeholders engaged in the project by reducing duplicative review efforts that separate siloed CEQA and NEPA reviews would require.

Biological Resources

The proposed Project ranges from the Eastern Sierra to the western Great Basin. The Segments span from Owens Valley, north up the Chalfant Valley, and east over the White Mountains to the Fish Lake Valley at the California/Nevada border. Elevations range from around 4,000 feet in the valleys to over 10,000 feet in the White Mountains. Ecosystems within the Project area run the gamut from the iconic Mountain Big Sagebrush Shrubland in the valleys to montane woodland forests, including Bristlecone pines. The project crosses several riparian corridors, including the Owens River, Silver Creek, and Wyman Creek.

Biological resource surveys for sensitive plant and wildlife resources were conducted in May and June 2017 and 2018 by Arcadis U.S.² Additional fieldwork for summer blooming sensitive plant species was done in September 2017 and 2018. A 100-foot radius was surveyed around each pole location and a 150-foot wide corridor (75-foot wide on each side of the centerline) was surveyed for the entire alignment. The proposed Project has the potential to have significant adverse impacts to:

- Candidate, sensitive, and special status species
- Riparian and sensitive natural communities
- State or federally protected wetland
- Resident native and migratory species movements and migratory corridors and use of nursery sites

Given that the proposed Project has the potential to adversely impact special-status species, the biological resources surveys must adhere to wildlife agency-approved, species-specific protocols to provide thorough and accurate results that support impact analysis and identification of appropriate mitigation measures for each species. The DEIR must address both direct impacts from the proposed Project and cumulative impacts on special-status species, sensitive habitats, and connectivity. The DEIR must, at a minimum, include avoidance, minimization, and compensatory mitigation measures for species and habitats the Project will adversely impact. The biological resource best management practices and mitigation measures contained in the DEIR must be fully compliant with CDFW, USFWS, BLM, USFS, and USACE recommendations to ensure consistency with all permitting requirements. We recommend avoidance and minimization measures be exhausted, with concurrence by trustee and responsible wildlife agencies, before compensatory mitigation options are considered.

Resurvey Required

Over five years have passed since the field surveys were completed. During the intervening years, the project area has experienced years of drought followed by record-breaking winter precipitation. The pandemic brought intensified recreational use including off-highway vehicle (OHV) use and distributed camping. Further, the past year's extreme weather conditions have damaged roads and caused mass surface disturbances, which may require more intensive access road development and construction site preparation than was contemplated by SCE when they filed their application in 2021. These climatic, geomorphologic, and use changes to the area can reasonably be expected to impact species occurrence and status. For these reasons, we recommend the

² Arcadis U.S., Inc (Arcadis). 2019a. TLRR Sensitive Species and Habitat Report: Control-Silver Peak 55 kV Subtransmission Line Project. Prepared for SCE. June.

biological resource field surveys be completed again to reconfirm the 2017 – 2018 results and to identify any changes in the status and distribution of sensitive biological resources.

Senate Bill 149 - Fully Protected Species

Senate Bill 149 recently revised California's statute for fully protected species and requires that take must be avoided to the maximum extent possible. If take cannot be avoided to the maximum extent possible, then a project applicant must fully mitigate that take, ensure that all further measures necessary to satisfy the conservation standard of Section 2805(d) of the Fish and Game Code are in place, and provide for monitoring and adaptive management.

Desert bighorn sheep, bald eagle, and golden eagle are CDFW fully protected species that have the potential to occur in the proposed Project area. Desert bighorn sheep have been observed in the proposed Project site and Silver Canyon and surrounding area provides suitable habitat. Given that the Project site provides suitable habitat for these fully protected species, complete protocol-level surveys must be performed to ensure that take will be avoided to the maximum extent possible.

Bi-State Distinct Population Segment (DPS)

The Bi-State DPS discussion and analysis in the 2021 PEA is outdated. In 2022, the federal court ordered the U.S. Fish and Wildlife Service to reinstate the 2013 proposal to list the Bi-State DPS as threatened and to issue a new final listing decision.³ The Bi-State sage-grouse is also a USFS Region 4 Sensitive Species and the proposed Project traverses proposed critical habitat for the Bi-State DPS greater sage-grouse.⁴ The DEIR must include an analysis of potential impacts from the proposed Project to Bi-State DPS of greater-sage grouse and provide avoidance and minimization measures to avoid take.

Applicant Proposed Measures

SCE has included Applicant Proposed Measures (APM) in their 2021 PEA. We recommend the following:

³ <https://www.federalregister.gov/documents/2023/04/27/2023-08848/endangered-and-threatened-wildlife-and-plants-threatened-status-for-the-bi-state-distinct-population>

⁴ <https://cecgis-caenergy.opendata.arcgis.com/datasets/CAEnergy::critical-habitat/explore?location=37.702850%2C-118.322490%2C11.74>

BIO-Gen-1 General

We caution against relying on translocation as an appropriate mitigation approach. CDFW is on the record for not generally supporting the use of "relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally experimental in nature and largely unsuccessful."⁵

BIO-AVI-5 Burrowing Owl

The APM proposed disturbance buffers of 300 feet (91.4 meters) are inconsistent with CDFW's recommended buffers for burrowing owls.⁶

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

The Nesting Bird Management Plan must be consistent with CDFW guidelines.

BIO-MAM-1 Desert Bighorn Sheep

The proposed "Limited Operation Period" is insufficient to avoid adverse impacts to this fully protected species. We request the following revision:

Limited Operating Period. ~~SCE shall avoid construction~~ Construction activities are prohibited within one-mile of bighorn sheep lambing areas during the lambing period February 1 – May 30, and from identified water sources during the dry summer months, between May 1 – Sept 30, ~~in specific project areas~~ (63 FR 13135 and USFWS 2000). This measure does not apply to emergencies.

Cultural Resources

The proposed Project spans an extremely diverse natural setting from Bishop Creek to Fish Lake Valley including extremely rugged terrain as it ascends and descends the White Mountains. In terms of cultural resources, the Project is similarly diverse, spanning a wide range of cultural groups ranging from the Holocene, some 7,500 years

⁵ <https://ceqanet.opr.ca.gov/2022010271/Attachment/S94hFW>

⁶ California Department of Fish and Game. 2012. *Staff Report on Burrowing Owl Mitigation*.

ago, to the Owens Valley Paiute, to the miners and ranchers of the 19th and 20th centuries.

Cultural Resources studies were conducted between November 27, 2018 and July 18, 2019. The PEA states, "the APE was surveyed using transects spaced no greater than 15 meters apart. Transect spacing was reduced to between 3 and 5 meters when archaeological sites or isolates were observed in order to adequately define the character of the cultural material." Slopes greater than 40% were excluded from the survey, as were scattered areas such as gravel pits, which were heavily disturbed. The PEA states that the proposed Project has the potential to pose significant adverse impacts to cultural resources. Our areas of concern with the cultural resources analysis include the following:

- CSP Project Area / Area of Potential Effects
- Field Survey
- Resource Definitions
- National Register of Historic Places / California Register of Historic Resources Eligibility
- Applicant Proposed Measures
- White Mountain City Area of Critical Environmental Concern
- Site CA-INY-1384/H
- Tribal Consultation for the Cultural Resources Analysis
- Effects Analysis

CSP Project Area / Area of Potential Effects

The cultural resources section in Chapter 5 confusingly mixes references to the Project Area and the Area of Potential Effects (APE), neither of which are adequately defined. The Cultural Resources APE map (Figure 5.5-1) includes polygons labeled as "previously surveyed," "surveyed for SCE project," "other," and "unknown." The scale of the map is such that only the "Surveyed for SCE Project" polygon is visible. It is entirely unclear what is meant by "unknown" relative to the project APE and the map also depicts portions of the APE that diverge from the transmission line itself which adds to the confusion. The cultural resources analysis needs to better define the CSP project area and clarify whether the direct and indirect areas of potential effect occupy the same footprint of the CSP project area.

The cultural resources analysis refers to both a Direct Area of Potential Effects and an Indirect Area of Potential Effects. Neither area is defined other than in terms of geographical extent. Section 5.5.1.7.1 states that "the direct APE for archeological resources for the Project measured 1,588.8 acres". In contrast, Section 5.5.1.7.2.1.1 states that "a ½-mile radius was established from the outside edge of the Project corridor to form the Indirect APE." The description of the cultural resources survey coverage does not add any clarity as Section 5.5.1.7.1.2.2 states that the cultural

resources survey covered 1,917.9 acres. The document does not explain why the cultural resources survey covered an area larger than the direct APE. The 329.1 acre discrepancy between the survey and the direct APE is too small to represent any significant portion of the indirect APE.

It is difficult to assess whether those areas adequately encompass the scope of where direct and indirect effects could occur without a clear definition of direct and indirect areas of potential effects. In 2019, the D.C. circuit court ruled in *National Parks Conservation Association v. Semonite* that direct effects, as described in Section 110(f) of the National Historic Preservation Act (NHPA), are not limited to physical effects⁷ but rather are the product of causality rather than physicality: "this means that if the effect comes from the undertaking at the same time and place with no intervening cause it is considered 'direct' regardless of its specific type (e.g., whether it is visual, physical, auditory, etc.)" (see attached Advisory Council on Historic Preservation Memo). Further, in response to *National Parks Conservation Association v. Semonite*, the Office of Government Counsel (OGC) redefined indirect effects as those "caused by the undertaking that are later in time or farther removed in distance but are still reasonably foreseeable (ACHP Memo). The cultural resources analysis for the DEIR needs to consider direction from the courts, the Office of Government Counsel, and the Advisory Council on Historic Preservation in defining areas of direct and indirect effects. Tribal consultation should also be undertaken to further define areas of direct and indirect effects. Additional cultural resources surveys may be necessary to fully cover the direct APE and provide the data necessary to prepare the DEIR.

Field Survey

A total of 1,917.9 acres were subject to pedestrian survey for the Project. Of these, 1,830.1 acres (95%) were surveyed using standard transects. A total of 65.3 acres (3%) could not be surveyed within the White Mountains, primarily due to slope exclusion. The presence of slope exclusions from cultural resources surveys is concerning. While slope exclusions are a safety issue, they are also predicated upon the notion that cultural resources are uncommon on steep slopes. That notion is less accurate in historic mining areas such as the White Mountains where historic-period mining sites are regularly encountered on slopes greater than 40%. The DEIR will need to consider whether ground-disturbing work could occur on those excluded

⁷ Advisory Council on Historic Preservation (2019) Memorandum RE: Recent Court Decisions regarding the meaning of "direct" in Sections 106 and 110(f) of the National Historic Preservation Act.

slopes and outline the measures that would be taken to ensure that cultural resources are not impacted.

Resource Definitions

The cultural resources analysis is broken down into archaeological sites and built environment resources. Neither resource type is effectively defined. While Tables 5.5-1 and 5.5-2 provide thumbnail descriptions of the cultural resources analyzed for the Project, those descriptions do not clarify the difference between archaeological sites and built environment sites. For example, Table 5.5-1 includes White Mountain City, a mixed component site that includes remnants of 20+ buildings and structures including cabins, a mill, a possible smelter or ore roasting furnace, and arrastras) and FS Site 05045302546, a site described as a cabin and refuse scatter. Table 5.5-2, while mostly depicting linear features such as roads and transmission lines, also includes Roberts Ranch (CA-INY-6725), a site that includes a cabin and remnants of a smelter. The analysis must better explain the delineation of archaeological sites and built environment resources.

National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR) Eligibility and Evaluations

Section 5.5.3 states, "Management of cultural resources not eligible for listing in the NRHP or CRHR is not required (36 CFR 800 and Section 15065.5[c][4] of the CEQA Guidelines [as amended])." CUL-1 similarly states the Cultural Resources Management Plan (CRMP) "shall define and map all known NRHP and CRHR-eligible properties within 100 feet of the project Area of Potential Effects." These statements are a throwback to the early 1970s when the National Historic Preservation Act was deemed to apply only to sites eligible to or already listed on the National Register of Historic Places. Following the issuance of Executive Order 11593 in 1973, "the principle that agencies must treat unevaluated sites as being potentially eligible for the National Register has become a fundamental pillar of historic preservation practice in the United States" (nps.gov). It is well understood in the CRM community that the NHPA and its regulations do not only apply to properties determined to be eligible for the NRHP.

Tables 5.5-1 and 5.5-2 include columns for NRHP/CRHR Eligibility Recommendation. The abbreviations in these tables (RNE and A/1) are not defined. Presumably, "RNE" stands for "Recommended Not Eligible." The tables do not address whether these findings have been concurred upon by SHPO. It is established cultural resources practice that ground-disturbing work (other than archaeological testing) requires SHPO consultation and concurrence on findings of Not Eligible to the National Register of Historic Places or agreed upon avoidance and/or mitigation measures. Tribal consultation too is an important part of eligibility

determinations for pre-contact sites. Did SHPO and tribal consultation occur for the sites listed in these tables?

Applicant Proposed Measures

WEAP

Cultural resources sensitivity training needs to include participation and presentations by the tribal community.

CUL-1 thru CUL-9

Provisions for tribal monitoring need to be included in all Applicant Proposed Measures for any ground-disturbing work that may directly or indirectly affect pre-contact archaeological sites, tribal cultural resources, and any other sites identified during tribal consultation as being of tribal interest. A childcare stipend should be included for tribal monitors who are also parents.

CUL-1

This measure states, "Mitigation and treatment plans for unanticipated discoveries would be reviewed by the appropriate Native Americans and approved by the BLM, and the Office of Historic Preservation (OHP) prior to implementation." The word "appropriate" here is concerning as it begs the question of who gets to define appropriate? The sentence also excludes the Inyo National Forest from review. Agencies need to undertake tribal consultation per their established protocols and agreements without consideration of the Applicant's sense of who is or isn't appropriate.

CUL-9

This measure states "If the qualified archaeologist determines that the find may be significant, and if avoidance of the find is determined to be infeasible, the archaeologist shall notify the lead agencies and shall follow the procedures established for the treatment and mitigation of unanticipated discoveries in the Cultural Resource Management Plan (CRMP), in consultation with the lead federal and state agencies." CUL-1 makes clear that CRMP procedures for inadvertent discoveries would be developed through tribal consultation. The reporting measures under CUL-9 must include tribal notification and consultation for inadvertent finds.

White Mountain City Area of Critical Environmental Concern (ACEC)

Section 5.11.1.2.1.6 describes the White Mountain City ACEC as encompassing 820 acres in Deep Springs Valley and being designated to "protect prehistoric cultural resource values along Wyman Creek, and the ruins of the historic White Mountain City." Cultural resources in the ACEC range from pre-contact sites to the remnants

of White Mountain City, a mining camp from the 1860s, and the irrigation ditch that provides water to Deep Springs College. The Project would bisect the ACEC from west to east.

Other than mentioning its presence and acreage, the document does not address the proposed Project's consistency with the ACEC or potential Project impacts to the ACEC. The ACEC has a 1% surface disturbance cap. Given the existing road network through the ACEC and the myriad SCE poles located in it, that cap would appear to have already been exceeded. Nor does the document address direct visual effects to both the pre-contact and historic period sites of the ACEC. National Register Bulletin 42 states that Integrity of Setting and Feeling are critical elements in the Criterion A historical significance of mining sites.

Regarding Integrity of Feeling, Bulletin 42 states, "the sites of historic mining activity often evoke a strong sense of feeling when viewed by contemporary observers . . . The feeling of a deserted historic mine can help reflect the character of the boom and bust cycles of mining regions. The loss of this feeling of isolation and abandonment due to encroaching modern development can diminish the integrity of a mining property" (NPS Bulletin 42: 21). Further, tribal consultation needs to be undertaken to identify the potential for direct and indirect adverse effects to the pre-contact sites of the ACEC. Given the "potentially significant" impacts described in Table 5.3-1, the potential that the visual and audible impacts of the Project could erode the integrity of cultural resources, and the potential exceedance of the disturbance cap, the line should be rerouted entirely around the ACEC. These potential impacts and inconsistencies with the ACEC must be addressed in the DEIR.

Site CA-INY-1384/H

Section 5.5.4.1.3.1 states that two burials have been identified at site CA-INY-1384/H at a relatively shallow depth of 60-90 cm. Effects to the site are described as "significant and unavoidable." The Section does not explain why the line cannot simply be rerouted to avoid the site. The PEA does not state whether these burials are Native American or Euro-American, nor for that matter, whether they are human. The "/H" at the end of the site's trinomial suggests that the site is a mixed component with both pre-contact and historic period elements.

We recommend archaeological testing to determine whether subsurface archaeological deposits including burials could be affected by the proposed Project. If subsurface deposits are not present, the Section argues that "impacts to 14-001384/CA[1]INY-1384/H will be less than significant" with the application of

Applicant Protection Measures laid out in CUL-1, CUL-2, and CUL-5. CUL-1 and CUL-2 lay out a program of archaeological monitoring and sensitivity training, while CUL-5 simply repeats the notion that if subsurface deposits are absent, the Project can proceed without effect. These measures do not add up to effective protection for the resource. Archaeological testing is itself an impact to archaeological sites and requires mitigation measures. If the burials are Native American, then tribal consultation must be undertaken regarding the extent of the site, the effects of the proposed construction, the potential for adverse visual or audible effects, and the scope of necessary tribal monitoring.

Tribal Consultation for the Cultural Resources Analysis

Tribal consultation for the cultural resources survey and analysis for the Project needs to directly engage with the tribes to identify individuals possessing "knowledge of cultural resources within or adjacent to the proposed area." Additionally, tribal consultation must be undertaken across the board regarding areas of potential effects, effective buffering around archaeological and tribal cultural resources, and the potential for the Project to adversely affect archaeological and tribal cultural resources.

Effects Analysis

Table ES-1 includes two lines that note significant impacts to cultural resources despite the application of the Applicant's Proposed Measures. Section 5.5.4.1.1.1 states that a combination of project redesign and archaeological monitoring for eight resources would reduce impacts to "less than significant." For five resources, the Section hopefully states that negative results from proposed archaeological testing may potentially reduce impacts to less than significant. For two resources (historic period transmission lines), the Section stipulates Historic American Engineering Record (HAER) documentation, presumably as a mitigation measure. However, the Section notes that "HAER documentation would not reduce impacts to less than significant and impacts would be significant and unavoidable." The document does not address additional measures to mitigate impacts to the transmission line, an omission that must be addressed in the DEIR.

As noted above, archaeological testing is itself an impact to an archaeological site. Simple testing is not an effective mitigation for any impacts other than the actual test units. For sites where testing does not suggest the presence of subsurface archaeological deposits, the surficial impacts to the resource also need to be analyzed and potentially mitigated. That analysis must be addressed in the DEIR.

Tribal Cultural Resources (TCRs)

Section 5.18.1.1 states, "On November 12, 2019, SCE sent letters of inquiry to the nine Native American individuals and organizations that the Native American Heritage Commission identified as contacts who may have knowledge of cultural resources within or adjacent to the proposed area. As of April 2, 2020, no responses have been received." The NAHC is only one source of information regarding potential tribal consultants. As noted above, the NAHC's tribal contact list is, at best, incomplete and is often out of date – for example, Monty Bengochia, the THPO of the Bishop Paiute Tribe included as one of those nine consultants, has passed away since the Tribal Cultural Resources Section was drafted.

Section 5.18.1.2. claims "there are potential TCRs within the CSP Project area" though "formal consultation has not yet confirmed nor identified these resources." The lack of that consultation is reflected both in the impact questions which are drawn from the CEQA Environmental Checklist without being informed by tribal consultation, as well as in the responses to those which simply state, "impact to be determined by CPUC. The CPUC will consult with eligible tribes under PRC Section 21080.3.1 once the application is complete. Impacts on TCRs are not addressed in this PEA because under AB 52, the CPUC must identify these resources during consultation." Impacts cannot be adequately addressed absent tribal consultation. For the preparation of the DEIR, more effective tribal consultation including in-person meetings and field visits is a vital necessity.

Cumulative Impacts

The DEIR must comprehensively analyze the direct and indirect cumulative impacts of past, present, and reasonably foreseeable activities that adversely impact the region's biological and cultural resources. The analysis must also include the cumulative impacts to habitat connectivity and tribal cultural landscapes. The DEIR must provide mitigation measures for any adverse impacts. Furthermore, this analysis should not be limited to examining just other transmission projects, such as SCE's Ivanpah Control transmission project, but should analyze the cumulative impacts of other regional land development projects including highway improvements. We note the PEA list of cumulative projects in Section 7.1.1 is limited to those within just 2 miles of the proposed Project and does not provide a rationale for that limited distance. Per CEQA Guidelines Section 15130(b)(2), we request the DEIR define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used. We recommend the geographic scope and methodology for the cumulative impact analysis be developed in consultation with state and federal resource agencies.

Growth Inducing Impacts

If implemented, the proposed Project would upgrade an existing transmission line, improve existing access roads, clear construction staging areas and CLAs, and create some temporary access routes. Both the modernized transmission poles and the construction access have the potential to result in growth inducing impacts.

The rapid renewable energy development on public lands and the pervasive need for transmission in California and Nevada raises questions about the future use and expansion of the Control Silver Peak line given its proximity to areas potentially suitable for utility scale renewable energy development. The capacity of existing substations should not be considered a limitation for future growth since it is common for utility scale generation projects to build or upgrade substations. The DEIR should fully address the potential for the Control Silver Peak line to support or be upgraded to support utility scale renewable energy development in the region, including Fish Lake Valley, Chalfant Valley, and adjoining areas of Nevada.

These roads and construction areas will be attractive to recreational OHV users, which can cause short and long-term harm to biological and cultural resources. The proposed Project area is vulnerable to surface disturbances, and post-construction restoration of these areas can be challenging. The DEIR should address the potential for increased recreational use of the proposed Project area and adjoining lands due to improved access routes.

Alternatives Analysis

Highway 6 Route Alternative

Sections 6.1.1.4.1 and 6.1.1.7.1 argue that this Alternative could have greater short term potential impacts to biological and cultural resources compared with the CSP Project due to the greater distance that would occur under the Alternative and thus the greater number of surface disturbances and construction duration. That claim is at best hypothetical. Nowhere in the document is any information given regarding biological or cultural resources surveys in support of the Highway 6 alternative. Those surveys would need to be completed and potential effects to biological and cultural resources analyzed before the Alternative can be dismissed for its potential to affect cultural resources. If anything, the Highway 6 alternative would benefit biological and cultural resources by removing lines and future resources impacts to sensitive species and the White Mountain City ACEC.

Rebuild Existing Single-Circuit Pole Lines Alternative

Table 6.2.1 claims this alternative "would have more widespread impacts to biological and cultural resources than the proposed action. Chapter 6 argues that O&M work would be more prevalent under this alternative but then states, "The impacts would be no more localized or widespread." The analysis appears contradictory and designed in favor of the proposed action. SCE already has biological and cultural resources BMPs in place for work on existing transmission lines and the alternatives analysis itself states that the work would not be more widespread than the current condition. Additional consideration must be given to developing alternatives and their potential impacts and benefits to biological and cultural resources in the DEIR.

Conclusion

Thank you for the opportunity to provide comments on the NOP for the DEIR for SCE's proposed Control-Silver Peak Project. Please notify us of any stakeholder meetings and when the DEIR is available. We look forward to continued engagement in this proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Wendy Schneider".

Wendy Schneider
Executive Director

Mono County Community Development Department

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September 18, 2023

Patrick Donaldson
Montrose Environmental
1 Kaiser Plaza, Suite 340
Oakland, CA 94612
Control-silverpeak@montrose-env.com

RE: COMMENTS ON THE CONTROL-SILVER PEAK PROJECT

Thank you for the opportunity to comment on the proposed Environmental Impact Report (EIR) for the Southern California Edison (SCE) Control-Silver Peak Project. We understand the Proposed Project would consist of a variety of improvements to existing infrastructure, which would serve to correct identified discrepancies with the GO 95 standards. This would include rebuilding, replacement, and/or modification of existing subtransmission poles and conductors along portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits. Additionally, SCE proposes to install overhead groundwire (OHGW) and optical groundwire (OPGW) along portions of the subtransmission line alignments, and transfer existing distribution circuitry underbuilt on the subtransmission structures to replacement poles. SCE would install additional telecommunications cables and equipment within and adjacent to existing substations, and would make other improvements within area substations that interconnect with the Control-Silver Peak 'A' and 'C' 55 kV subtransmission lines.

The Proposed Project would be located within unincorporated Inyo and Mono counties, with two of the five project segments (Segments 3 and 4) containing areas of Mono County. Mono County previously shared project concerns in a 1/16/2020 meeting with CPUC staff and environmental consultants Horizon Water and Environmental. These concerns include:

- Ensuring adequate staging areas to avoid a repeat of the current situation at Sierra Business Park in Mono County. (SCE staging on private property without proper approvals or infrastructure improvements to meet County standards.)
- Using a natina/patina finish on any steel poles to help the poles blend into the environment and reduce visual impacts.
- County policy prioritizes undergrounding utility lines as much as possible; overhead lines may be acceptable when number of poles are reduced and lines are collocated.
- The potential addition of thin optical wiring at the top of the poles on the alignment to the Zack Ranch Substation should be evaluated for visual impacts.
- Visual impacts and fire hazards are of primary concern.

In reviewing the most recent project information and in viewing materials covered in the scoping meeting, we have the following additional concerns:

- Scoping information indicates no construction laydown areas are currently proposed in Mono County, and only one staging area is identified at or near the Fish Lake Valley Metering Station. Impacts from the staging area and any construction laydown areas, if project changes, should be addressed in the EIR, and not deferred to later ministerial permits.
- Under Aesthetics and the Land Use and Planning topics of the CEQA Draft EIR, a thorough analysis of applicable policies from the Mono County General Plan should be conducted. Sections of applicability include the objectives, policies, and actions under Goal 14 and 20 of the Mono County General Plan Open Space and Conservation Element, under Goals 2 and 3 of the Circulation Element, and under Goal 26 and Chapter 11 of the Land Use Element. (See attachments.)
- The Hwy 6 routing alternative identified in the Project Environmental Assessment (PEA) could have its own set of significant issues and potential impacts. If this alternative is identified as a preferred alternative, it is requested that substantial public outreach to Mono County and the Tri-Valley communities be undertaken early in the process, and a comprehensive assessment of impacts along the alignment occur.

The opportunity to comment provided by the CPUC during this scoping process and earlier as noted is appreciated. Please let us know if you have any questions concerning these comments.

Regards,

Wendy Sugimura

Wendy Sugimura
Director

Attachments:

1. Excerpts from the Mono County General Plan Conservation/Open Space Element
2. Excerpts from the Mono County General Plan Circulation Element
3. Excerpts from the Mono County General Plan Land Use Element

Cc: Mono County Administrative Officer, Sandra Moberly
Mono County Board of Supervisors

GOAL 13. Regulate use of other energy resources for power generation to ensure that environmental impacts and impacts to public health and safety are minimal.

Objective 13.A.

During the course of evaluating any power generation project under the jurisdiction of Mono County, the California Energy Commission shall be consulted.

Policy 13.A.1. Mono County Community Development Department shall solicit assistance from the CEC for the purposes of reviewing proposed power generation facilities.

Objective 13.B.

Power generation facilities shall not adversely impact the visual resources, recreational resources, and noise environment in Mono County.

Policy 13.B.1. Project conditions shall require compliance with all applicable provisions of the Conservation/Open Space Element and the Noise Element.

Objective 13.C.

Emissions from the operation of power plants shall not adversely impact wildlife habitat, residents, or visitors and shall not constitute a hazard to public health and safety.

Policy 13.C.1. Project conditions shall require compliance with all applicable provisions of the Conservation/Open Space Element and the Safety Element.

GOAL 14. Minimize the visual, environmental, and public health and safety impacts of electrical transmission lines and fluid conveyance pipelines.

Objective 14.A.

Electrical transmission and distribution lines and fluid conveyance pipelines shall meet the utility needs of the public and be designed to minimize disruption of aesthetic quality. See also Chapter 11 of the Land Use Element.

Policy 14.A.1. New major steel-tower electrical transmission facilities shall be consolidated with existing steel-tower transmission facilities except where there are technical or overload constraints or where there are social, aesthetic, significant economic, or other overriding concerns.

Action 14.A.1.a. Require selection of rights of way to preserve the natural landscape and minimize conflict with present and planned uses of land on which they are to be located.

Action 14.A.1.b. Encourage the joint use of transmission and pipeline corridors to reduce the total number of corridors and service and access roads required.

Action 14.A.1.c. Require the coordination of siting efforts so that other comparable utility uses can share rights of way in a common corridor where feasible.

Action 14.A.1.d. The County shall adopt a proactive position in the future siting of transmission and pipeline corridors by working with utilities and project proponents to specify those locations where transmission corridors are acceptable.

Action 14.A.1.e. Cooperate with the USFS and BLM in planning the use of utility corridors.

Policy 14.A.2. At the expense of the project proponent, comprehensive and detailed planning studies, including review of all feasible alternatives, shall demonstrate a clear need for new transmission lines or fluid conveyance pipelines, prior to the siting of these facilities.

Policy 14.A.3. New transmission or distribution lines or fluid pipelines shall be buried when such burial does not create unacceptable environmental impacts or the potential to contaminate shallow groundwater resources.

Policy 14.A.4. Where burial is not possible, transmission facilities and fluid pipelines shall be located in relation to existing slopes such that topography and/or natural cover provide a background where possible.

Policy 14.A.5. Transmission line rights of way shall avoid crossing hills or other high points at the crests. To avoid placing a transmission tower at the crest of a ridge or hill, space towers below the crest or in a saddle to carry the line over the ridge or hill. The profiles of facilities should not be silhouetted against the sky.

Policy 14.A.6. Where transmission line rights of way cross major highways or rivers, the transmission line towers shall be carefully placed for minimum visibility.

Policy 14.A.7. Avoid diagonal alignments of transmission lines through agricultural fields to minimize their visibility.

Policy 14.A.8. Require location of access and construction roads so that natural features are preserved and erosion is minimized. Use existing roads to the extent possible.

Policy 14.A.9. Require that materials used to construct transmission towers harmonize with the natural surroundings. Self-protecting bare steel and other types of non-reflective surfaces are appropriate in many areas. Towers constructed of material other than steel, such as concrete, aluminum, or wood should be considered. Coloring of transmission line towers to blend with the landscape should be considered.

Policy 14.A.10. Above-ground transmission lines shall be non-specular wire construction.

Objective 15.B.

Transmission and distribution lines shall not adversely impact wildlife, fisheries, or public health and safety.

Policy 15.B.1. New transmission or distribution lines shall avoid open expanses of water, wetland, and sagebrush steppe, particularly those heavily used by birds. They shall also avoid nesting and rearing areas.

Policy 15.B.2. Avoid the placement of transmission or distribution lines through crucial wildlife habitats such as deer fawning and migration areas, and sage grouse lekking and brood-rearing habitat.

Policy 15.B.3. Design transmission lines to minimize hazards to raptors and other large birds, and require the installation of anti-perching devices when overhead placement in sensitive habitat is unavoidable.

Policy 15.B.4. Where burial is not possible, overhead transmission lines shall provide a maintenance and fire safety plan.

GOAL 15. Encourage the prudent use of energy and to allow substitution of alternative energy sources for conventional energy when such substitution would result in minimal environmental impacts.

Objective 15.A.

Promote the direct use of geothermal, biomass and other heat sources provided that such use does not conflict with recreational uses and does not create unmitigatable environmental impacts.

Policy 15.A.1. Support the use of direct alternative heat sources in Mammoth Lakes, Bridgeport, and other communities where such resources are available.

Action 15.A.1.a. Identify applications for the direct use of alternative heat sources, in addition to space heating, which could support environmentally compatible light industry (such as greenhouses, aquaculture, vegetable dehydration, etc.).

Action 19.A.2.b. Encourage paper use reduction through activities such as:

- Promoting a “think before you print” campaign.
- Reducing margins and logos on County templates, letterhead, and memos.
- Setting printer default options to print double-sided pages.
- Using computer software that removes blank pages and images from documents.
- Using “e-copy” machines that allow users to scan and distribute documents via e-mail.
- Uploading bid documents using online resources.
- Requiring fewer or smaller-sized copies of project plans or submittals, and allowing digital submittals.
- Using electronic devices for agendas and notes at public meetings.

Action 19.A.2.c. Review and implement the adopted procurement policy to establish purchasing standards for climate-friendly products.

Policy 19.A.3. Partner with other agencies, such as the Town of Mammoth Lakes, on green procurement, waste reduction, and recycling activities.

Objective 19.B. Reduce greenhouse gas emissions from County solid waste operations.

Policy 19.B.1 Reduce or offset methane generation from County landfills.

Action 19.B.1.a. Investigate new technologies available to capture methane at County landfills.

Action 19.B.1.b. Identify opportunities to install renewable energy systems at County landfills.

VISUAL RESOURCES

GOAL 20. Protect and enhance the visual resources and landscapes of Mono County.

Objective 20.A.

Maintain and enhance visual resources in the county.

Policy 20.A.1. In order to protect and enhance important scenic resources and scenic highway corridors as identified in the **MEA**, designate such areas throughout the county for Open Space, Agriculture, Resource Management, or similar low intensity uses.

Action 20.A.1.a. Identify important scenic resources, including scenic highway corridors, in the **MEA**.

Policy 20.A.2. Coordinate county visual resource policies with federal and state visual policies and objectives.

Action 20.A.2.a. Work with federal, state, local, and other appropriate organizations to review and coordinate the protection and enhancement of the county's scenic resources.

Policy 20.A.3. Preserve the visual identity of areas outside communities.

Action 20.A.3.a. Concentrate future development in or adjacent to existing communities.

Action 20.A.3.b. Retain the rural character of areas outside existing communities by restricting development to low-intensity uses; high-intensity uses outside communities should be permitted only through the Specific Plan process.

Action 20.A.3.c. Avoid the inclusion of scenic areas within spheres of influence for urban service providers.

Action 20.A.3.d. Consider providing opportunities for development in scenic areas in exchange for permanent open-space preservation.

Policy 20.A.4. Protect significant scenic areas by maintaining land in those areas in public ownership.

Action 20.A.4.a. Encourage the use of federal and state designations that recognize significant scenic areas.

Action 20.A.4.b. Encourage the transfer of ownership of visually significant private land to public land management agencies or land conservation organizations for the purpose of preserving scenic resources.

Action 20.A.4.c. Encourage private landowners with visually significant property to grant or sell a conservation easement to a land conservation organization to protect the land as open space, including continued agricultural uses.

Action 20.A.4.d. Continue to use land use regulations and subdivision regulations to preserve open space for scenic purposes.

Action 20.A.4.e. Conserve scenic highway corridors by maintaining and expanding large-lot land use designations in areas within view of scenic highways.

Policy 20.A.5. Restore visually degraded areas when possible.

Action 20.A.5.a. Promote reclamation of existing quarry sites to natural conditions following exhaustion of the mineral resource or abandonment of operations.

Action 20.A.5.b. Work with existing uses to mitigate the adverse visual impacts of those uses; e.g., by painting, landscaping, or otherwise screening the use.

Action 20.A.5.c. Encourage private restoration of disturbed sites.

Action 20.A.5.d. Consider visual impacts during the Grading Permit Process.

Action 20.A.5.e. Require the restoration of disturbed sites following construction, but prior to issuance of a Certificate of Occupancy.

Policy 20.A.6. Restore abandoned roadway sections and/or improvements along scenic highways.

Action 20.A.6.a. Require the governmental entity responsible for the roadway abandonment to restore the road bed and adjacent area to a condition comparable to surrounding lands.

Objective 20.B.

Maintain a countywide system of state and County-designated scenic highways⁴. (See RTP for designated roads.)

Policy 20.B.1. Maintain existing State-designated scenic highways.

Action 20.B.1.a. Enforce required regulations for protection of roadways designated as state scenic highways.

⁴**Scenic Highway** - Any freeway, highway, road, street, boulevard, or other public right of way that traverses an area of unusual scenic quality and has been designated as a Scenic Highway by the county Board of Supervisors and/or the State of California.

Action 20.B.1.b. Work with appropriate agencies to protect visual resources within existing designated scenic highway corridors⁵.

Action 20.B.1.c. Work with Caltrans to ensure that state scenic highways are properly signed.

Policy 20.B.2. Seek state scenic highways designation for additional mileage in Mono County.

Action 20.B.2.a. Apply to Caltrans for designation of additional Mono County roadways as state scenic highways.

Policy 20.B.3. Maintain existing County-adopted scenic highways.

Action 20.B.3.a. Study the feasibility and desirability of a County signing program for County-adopted scenic highways.

Policy 20.B.4. Designate additional mileage for the County-adopted scenic highway system.

Action 20.B.4.a. Identify appropriate new road segments for designation.

Policy 20.B.5. Seek state designation of County-adopted scenic highways as official County scenic highways.

Action 20.B.5.a. Apply to Caltrans for designation of County-adopted scenic highways as official County scenic highways.

Policy 20.B.6. Support designation of appropriate highways as National Scenic Byways.

Objective 20.C.

Ensure that development is visually compatible with the surrounding community, adjacent cultural resources, and/or natural environment.

Policy 20.C.1. Future development projects shall avoid potential significant visual impacts or mitigate impacts to a level of non-significance, unless a statement of overriding considerations is made through the EIR process.

Action 20.C.1.a. Future development projects with the potential to have a substantial, demonstrable negative aesthetic effect shall provide a visual impact analysis prior to project approval. Examples of a substantial, demonstrable negative aesthetic effect include:

- a. Reflective materials;
- b. Excessive height and/or bulk;
- c. Standardized designs that are utilized to promote specific commercial activities and that are not in harmony with the community atmosphere;
- d. Architectural designs and features that are incongruous to the community or area and/or that significantly detract from the natural attractiveness of the community or its surroundings;
- e. Dust or steam plumes; and

⁵**Scenic Highway Corridor** - The area of land generally adjacent to (within 1,000 feet) and visible from the highway, which requires protective measures to ensure perpetuation of its scenic qualities. Scenic Highway Routes consist of both the public right of way and the scenic corridor.

- f. Excessive night lighting.

The analysis shall:

- a. be funded by the applicant;
- b. be prepared by a qualified person under the direction of Mono County;
- c. assess the visual environment in the general project vicinity;
- d. describe the impacts of the proposed development upon views and scenic qualities within the project site and on surrounding areas; and
- e. recommend project alternatives or measures to avoid or mitigate visual impacts.

Mitigation measures shall be included in the project plans and specifications and shall be made a condition of approval for the project.

Policy 20.C.2. Future development shall be sited and designed to be in scale and compatible with the surrounding community and/or natural environment,

Action 20.C.2.a. Utilize the General Plan design guidelines (see appendices) for residential, commercial, and industrial development projects. At a minimum, the following development standards shall apply:

- a. Projects should not dominate the natural environment, and should complement existing community character; the scale, design, and siting of a project should be appropriate for the setting;
- b. Building mass should be varied and should be appropriate for the surrounding community or area. Facades in commercial districts should be varied;
- c. Project siting and structural design should be sensitive to the climate, topography, and lighting of the surrounding environment;
- d. The design, color, and building materials for structures, fences, and signs shall be compatible with the natural environment and/or surrounding community;
- e. Visually offensive land uses shall be adequately screened through the use of landscaping, fencing, contour grading, or other appropriate measures;
- f. The visual impacts of parking areas shall be minimized through the use of landscaping, covered parking, siting that screens the parking from view, or other appropriate measures;
- g. Signs shall comply with the county's Sign Ordinance;
- h. Standardized commercial structures, design, and materials shall not be allowed (e.g., a chain franchise shall be designed with materials and finishes that harmonize with the surrounding area);
- i. Industrial areas shall be as compact as possible;
- j. Exterior lighting shall be shielded and indirect, shall be minimized to that necessary for security and safety, and shall comply with the Dark Sky Regulations where applicable;
- k. All new utilities shall be installed underground, in conformity with applicable provisions of the Mono County General Plan (see Chapter 11 of the Land Use Element);

- l. Existing roads shall be utilized whenever possible. Construction of new roads should be avoided except where essential for health and safety;
- m. Earthwork, grading, and vegetative removals shall be minimized; and
- n. All site disturbances shall be revegetated with a mix of species native to the site and shall control for the establishment of invasive, non-native plants including annual grasses. A landscaping plan shall be submitted and approved for all projects.

Action 20.C.2.b. County staff may require project modifications as necessary to implement Policy 2 and Action 2.1 above.

Action 20.C.2.c. Encourage the establishment of Design Review Districts within community areas, in order to provide design guidelines that are more specific to each community.

Action 20.C.2.d. Apply the Scenic Combining District designation in order to minimize the impacts of development in scenic areas outside communities, including in scenic highway corridors.

Action 20.C.2.e. Require the establishment of building envelopes during the subdivision process, where appropriate, to mitigate visual impacts.

Action 20.C.2.f. Work with federal and state agencies on development projects on their lands to ensure that potential adverse visual impacts are fully mitigated.

Action 20.C.2.g. Existing visually offensive land uses located within scenic highway corridors should be adequately landscaped or otherwise screened.

Action 20.C.2.h. Require any expansion of existing visually offensive land uses within scenic highway corridors to be adequately landscaped or otherwise screened.

Action 20.C.2.i. Require visually compatible drainage improvements in scenic highway corridors, and comply with the requirements of applicable agencies such as the CDFW, Lahontan Regional Water Quality Control Board, and Army Corps of Engineers. When feasible, do not place streams in underground drainage structures.

Action 20.D.2.j. Reconsider development impact fees and other funding to improve new drainage systems in communities, and consider a requirement for development to fully mitigate drainage impacts.

Policy 20.C.3. Proposed transmission and distribution lines shall be designed and sited to minimize impacts to natural and visual resources.

Action 20.C.3.a. Install utilities underground in conformity with Chapter 11 of the Land Use Element and the Mono County Code.

Action 20.C.3.b. Require that utilities for all new subdivisions be installed underground, unless specific hardships can be demonstrated in conformity with the Mono County Code.

Action 20.C.3.c. Pursue the establishment of underground utility districts within scenic highway corridors as a mechanism to place existing overhead lines underground.

Action 20.C.3.d. Apply to SCE for financial support to convert eligible overhead lines to underground utilities.

Action 20.C.3.e. Enforce the policies in the Energy section of the Conservation/Open Space Element pertaining to the siting and design of transmission lines and fluid conveyance pipelines.

Action 20.C.3.f. Avoid siting cellular towers in Bi-State sage grouse habitat to the extent possible; if no alternatives exist, site towers in lowest quality habitat possible.

Policy 20.C.4. Promote revegetation and reforestation programs along County roads, including designated scenic highways.

Action 20.C.4.a. Seek funding and work with appropriate agencies to develop and implement revegetation and reforestation programs along County roads, including scenic highways.

Action 20.C.4.b. Revegetation plans should include measures to ensure the control of invasive, non-native plants including annual grasses.

Action 20.C.4.c. Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

Action 20.C.4.d. Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

Policy 20.C.5. Minimize the visual impact of signs within designated scenic highway corridors.

Action 20.C.5.a. Prohibit billboards and off-premises advertising signs within scenic highway corridors.

Action 20.C.5.b. Amend the Sign Ordinance to regulate the number, type, size, height, design, materials, color and texture of on-premise attached signs within scenic highway corridors.

Action 20.C.5.c. Require a use permit for all on-premise freestanding signs in scenic highways corridor.

Action 20.C.5.d. Amend the Sign Ordinance to clarify the amortization procedures for non-conforming signs.

Policy 20.C.6. Establish and implement roadway improvement standards for designated scenic highways.

Action 20.C.6.a. Make every effort to work within existing rights of way rather than constructing new roads through scenic areas.

Action 20.C.6.b. Ensure that aesthetics is a major consideration in the design of any new roads through scenic areas.

Action 20.C.6.c. In order to minimize the disruption that can result from the construction of a new road through a scenic area, clear cutting and hillside cuts should be avoided whenever possible.

Objective 20.D.

Heighten awareness of Mono County's unique visual environment.

Policy 20.D.1. Tourist facilities should be located to take advantage of scenic views. (Also see RTP policies.)

Action 20.D.1.a. Work with federal, state, and local agencies to construct roadside turnouts with interpretive information for scenic vistas.

Action 20.D.1.b. Work with federal, state, and local agencies to develop a scenic vista signing program that marks scenic viewpoints from roadways.

Policy 20.D.2. Provide roadside improvements for designated county and state scenic highways. (Also see RTP policies.)

Action 20.D.2.a. Work with appropriate agencies and individuals to develop scenic view areas and roadside stops whenever feasible within scenic highway corridors.

Action 20.D.2.b. Install bicycle lanes, equestrian trails, and foot trails where appropriate along scenic highways.

Action 20.D.2.c. Protect and enhance all historical structures and points of interest and the visual state of their surroundings whenever possible within and adjacent to scenic highway corridors.

Action 20.D.2.d. Encourage the USFS, the BLM, and Caltrans to provide funding for roadside improvements.

Policy 20.D.3. Continue to conduct an anti-litter campaign along County roadways.

Action 20.D.3.a. Continue to place garbage cans at pullouts where appropriate along roadways.

Action 20.D.3.b. Encourage participation in Caltrans' Adopt-A-Highway Program.

Action 20.D.3.c. Continue to enforce litter abatement laws, including fines.

OUTDOOR RECREATION

GOAL 21. Provide opportunities for outdoor recreation to meet the needs of residents and visitors in a manner that conserves natural and cultural resources.

Objective 21.A.

Provide sufficient recreational facilities and opportunities for residents.

Policy 21.A.1. Each community should have a community center, when supported by local residents, and a full range of community recreation facilities.

Action 21.A.1.a. Maintain existing community recreation facilities first, and then seek to improve and expand.

Action 21.A.1.b. Work with communities and other groups as feasible to operate and maintain parks.

Policy 21.A.2. Plan, design, and construct parks and recreation facilities to coincide with projected growth.

Action 21.A.2.a. Provide new park facilities and outdoor recreation amenities to accommodate growing populations.

Action 21.A.2.b. County park facilities should be accessible to all segments of the population, including persons with disabilities, young, and elderly, where feasible.

Action 21.A.2.c. Encourage the formation of a self-supporting park system by employing user fees (where appropriate), concessionaire revenues, soliciting grants and private contributions, requesting volunteer help, and by other means that further cost-effective park operations.

Action 21.A.2.d. Continue working with the Town of Mammoth Lakes to provide joint use park and recreation facilities. Ensure equitable support by the Town for the provision of these services.

Action 21.A.2.e. Identify, designate and acquire sites for parks and other recreation facilities of sufficient size and location for future development.

Action 21.A.2.f. Prioritize site acquisitions.

Objective 2.A. Minimize the impact on the environment and scenic resources of communications projects and infrastructure.

Policy 2.A.1. Providers shall utilize distribution practices that cause the least amount of long-term/significant environmental and visual impacts, including the use of design and screening tactics (also see Mono County Design Guidelines).

Action 2.A.1.a. Projects shall comply with requirements in Chapter 11, Section 11.010, of the Land Use Element.

Action 2.A.1.b. To support utilization of existing infrastructure and co-location, the County should maintain a database of existing communications infrastructure that can be referenced when evaluating projects and prior to permitting, and that is available to providers.

Action 2.A.1.c. Encourage placement of towers outside community areas.

Policy 2.A.2. Underground existing overhead infrastructure when possible.

Action 2.A.2.a. Seek and utilize Rule 20, grant funds, public-private partnerships, or other creative funding opportunities, such as loans or mortgages, to underground infrastructure.

Action 2.A.2.b. Utilize a community-based public planning process to help identify and prioritize future undergrounding projects; review area plans for existing community direction.

Action 2.A.2.c. Establish an inventory and set of priorities for each community for future undergrounding projects based on areas of high preference or priority, as driven by public safety, reliability, community benefit (commercial cores, downtowns, etc.), or visual blight issues.

Action 2.A.2.d. Maintain an inventory of all underground districts and past funded projects in the county.

Policy 2.A.3. Utilize existing permit-review procedures, such as the Land Development Technical Advisory Committee, to ensure project compliance and engage interested County departments, including Information Technology (IT), and other stakeholders.

Objective 2.B. Develop and manage underground infrastructure as “basic infrastructure” that adheres to standards, is available for public use, and is managed as an asset in line with other public property.

Policy 2.B.1. Underground infrastructure shall be installed in accordance with standards specified in Chapter 11, 11.010, regarding placement, material, and method, and should adhere to other best practices.

Action 2.B.1.a. Conduit in public streets should be placed a minimum depth of three feet.

Action 2.B.1.b. Conduit installed for the purposes of Middle-Mile or long-haul routes, or that is installed in major streets or arterials, should be the equivalent minimum of 4" in diameter.

Action 2.B.1.c. Conduit installed for the purposes of Last-Mile or distribution routes should be a minimum of 1½" in diameter.

Action 2.B.1.d. Conduit should be installed at the intersection of streets that is the equivalent of at least 4" in diameter and made accessible via vaults or similar appropriate means.

Action 2.B.1.e. Encourage the use of micro duct or similar technology in conduit installations so as to segregate providers.

Action 2.B.1.f. A reasonable amount of space shall be retained by the owner of the underground infrastructure for the purpose of potential future use.

Action 3.B.1.g. Allow developers who install conduit to recover their costs through renting or leasing space in conduit at a fair and competitive price until the point that the cost of installation is paid off.

Strategic Planning for Communications Infrastructure

Goal 3. Plan for the improvement and expansion of the communications infrastructure network by seeking cost-effective and efficient solutions.

Objective 3.A. Utilize County property and rights of way, or other public spaces and resources, for communication sites or infrastructure.

Policy 3.A.1. The County shall provide sites or space for communication facilities, including cabinet structures, pedestals, antennas, etc. where appropriate and feasible.

Action 3.A.1.a. Develop and maintain an inventory of viable sites, permissible uses, associated costs, power and backhaul access, and other relevant information on County property and rights of way.

Action 3.A.1.b. Consolidate and co-locate facilities on County property or rights-of-way without interfering with County infrastructure, and design new facilities and projects taking into consideration future communication infrastructure.

Action 3.A.1.c. Review locations of Digital 395 Fiber Access Points (FAPs) within County rights of way and determine how providers may utilize or access FAP and install necessary infrastructure in right of way.

Policy 3.A.2. Projects conducted on County property, including rights of way, shall follow a 'Dig Once' objective.

Action 3.A.2.a Install conduit in public streets during construction/re-construction for future communications infrastructure use.

Action 3.A.2.b. Accommodate construction of conduit laterals leading to private property for potential future use.

Policy 3.A.3. Interested parties shall be notified of any opportunity for installing additional conduit or infrastructure in open trenches in County right of way.

Action 3.A.3.a. Look for opportunities to place new conduit through joint utility trenches.

Action 3.A.3.b. Require formal notification of utilities and interested parties of a joint trench opportunity prior to issuance of permit for construction work.

Action 3.A.3.c. Require installation of secondary or tertiary conduit whenever new conduit is being installed in public rights of way to accommodate future use/growth.

Policy 3.A.4. Underground infrastructure in County rights-of-way shall be accessible and remain available for use by qualified providers.

Action 3.A.4.a. Accept offers of dedication for underground infrastructure from private developers and maintain conduit in the public's interest.

Action 3.A.4.b. Work with special districts, quasi-public entities, or third-party companies and vendors for long-term ownership or management of underground conduit, so long as the infrastructure remains available to the public at a fair price and in an open and competitive manner.

Policy 3.A.5. Leverage existing broadband infrastructure, including Digital 395, before constructing new infrastructure.

Action 3.A.5.a. Lease existing bandwidth, dark fiber, or conduit space from California Broadband Cooperative when network routes parallel Digital 395 infrastructure.

Policy 3.A.6. Collaborate with public land managers and other agencies to provide infrastructure locations consistent with Mono County's policies and regulations.

Action 3.A.6.a. Encourage use of public land for site location and pursue opportunities with federal agencies, special districts, or local agencies.

Action 3.A.6.b. Work with land management agencies to ensure knowledge and understanding of future development plans, county General Plan policies and guidelines, and find opportunities to synchronize policies and objectives between entities.

Objective 3.B. Design communication infrastructure for future use into County projects.

Policy 3.B.1. Communication projects shall be added to the county Comprehensive Capital Facilities Plan for consideration through the established process for prioritization and funding.

Policy 3.B.2. The County shall consider communications conduit as a standard aspect of a street and shall take advantage of opportunities to install infrastructure when appropriate.

Action 3.B.2.a. Conduit shall be incorporated in the design and cost estimate phases of new street, sidewalk, or other related transportation projects.

Action 3.B.2.b. Establish dedicated revenue account(s) to be funded through leases or rents of County property for communications infrastructure, and to be made available for future conduit development and maintenance projects.

Action 3.B.2.c. When funding is not available for conduit, look for alternative sources including grants, special districts, public-private partnerships, private funding, or improvement district(s) in advance of actual construction effort.

Objective 3.C. Evaluate opportunities and establish a plan for future communications infrastructure needs and development opportunities.

Policy 3.C.1. Utilize existing committees, such as the Collaborative Planning Team, to coordinate and review communication development projects in neighboring jurisdictions or with a regional perspective.

Action 3.C.1.a. Work to develop a common set of standards and protocols for permitting, design, etc. that ensure consistency for providers and ensure the best delivery of service to our constituents.

Action 3.C.1.b. Evaluate Capital Improvement Plans (CIPs) for potential integration of broadband/communication projects.

Policy 3.C.2. Work with the private sector to identify future projects.

Action 3.C.2.a. Work with cellular providers and third-party tower developers to gain an understanding of future development intentions.

Objective 3.D. Develop and maintain a comprehensive inventory of communications, and related infrastructure for planning purposes.

Policy 3.D.1. The County shall establish and maintain a GIS database containing information and data on existing infrastructure (basic infrastructure information is also located in the Master Environmental Assessment [MEA]).

Action 3.D.1.a. Develop and maintain an inventory of communication infrastructure, capacity, and relevant characteristics for underground conduit, cell tower sites, and other facilities, with a focus on County properties and rights of way.

Action 3.D.1.b. Develop and maintain a list of priority “unserved” and “underserved” areas throughout Mono County in need of broadband and engage Last-Mile Providers with the intent of developing projects in those areas.

Action 3.D.1.c. Develop and maintain an inventory of cell phone coverage gaps, shadow areas, and potential locations (if identified).

Action 3.D.1.d. Catalog potential projects and future development plans in a GIS database for internal reference purposes and planning efforts.

Action 3.D.1.e. Acquire maps, data, and other relevant information from special districts and service districts throughout the county that provide service to local residents.

Action 3.D.1.f. Inventory and develop a publicly accessible dataset that contains the best known locations for infrastructure that may be used by future providers, as well as public sites anticipated to be problematic.

Objective 3.E. Improve and expand the communications network to meet critical public needs, improve government services, and support vibrant communities and local economies.

Policy 3.E.1. Leverage Digital 395 and other broadband and communications resources to improve public safety.

Action 3.E.1.a. Implement an Emergency Services Network using Digital 395 that connects the satellite facilities of emergency services personnel within Mono County, as well as surrounding jurisdictions with the intent of improving the exchange of information among all parties.

Action 3.E.1.b. Utilize the Emergency Services Network to improve Enhanced 911 services by coordinating information shared between dispatch and responders.

Policy 3.E.2. Improve cellular coverage area and establish redundant communications in communities.

Action 3.E.2.a. Direct future providers to key transportation corridors and community areas without cellular service due to coverage gaps or shadow areas. (See Action 3.D.1.c.)

Policy 3.E.3. Utilize Digital 395 and technology as a whole to improve government accountability and accessibility, improve efficiency, and reduce environmental and fiscal impacts.

Action 3.E.3.a. Develop and/or promote use of video conferencing, virtual meetings, a ride-share program, and other methods to reduce trips between County offices and to non-county locations.

Action 3.E.3.b. Budget for, install, and make available video conferencing equipment at County locations, such as community centers, libraries, and satellite offices.

Action 3.E.3.c. Utilize mobile data terminals or other similar computing devices to provide service to customers in the field.

Action 3.E.3.d. Explore and utilize paperless approaches for meetings, public information, and publication of reports, etc.

Action 3.E.3.e. Develop policies and guidelines for County staff to work remotely or telecommute when appropriate.

Action 3.E.3.f. Utilize the Internet, including websites, emails, and other similar communication vehicles to disseminate information to constituents and the general public.

Action 3.E.3.g. Provide access to public meetings via the Internet, "Public, Education, and Government (PEG) Access Channels", or other similar communication vehicles.

Policy 3.E.4. Develop a broadband economic development strategy for Mono County.

Action 3.E.4.a. Develop information and products including marketing collateral, white papers, case studies, and other relevant materials that can assist with the promotion of technology-focused business in Mono County.

Action 3.E.4.b. Develop a strategic outreach and marketing plan utilizing the developed materials and targeting technology-focused businesses.

Action 3.E.4.c. Promote telecommuting as a viable method allowing visitors to stay in the region longer and work remotely, and attract new permanent residents to relocate to the area and work from Mono County.

Action 3.E.4.d. Promote workforce development and educational opportunities to train local residents and stakeholders about benefits and uses of technology, focused on the expansion of existing business and development of new business ventures.

Action 3.E.4.e. Utilize the broadband network to attract new businesses and promote business development.

Policy 3.E.5. Perform a business opportunity analysis study.

Action 3.E.5.a. Evaluate locations in the county that would be viable for various types and sizes of new technology businesses.

Action 3.E.5.b. Evaluate issues, opportunities, and constraints pertaining to business development in various locations of the county.

Action 3.E.5.c. Consider changes to policies that may hinder or otherwise complicate development of technology or green business development, including waiving of permit or licensing fees.

Action 3.E.5.d. Evaluate broadband adoption and digital literacy programs and initiatives to support business retention and expansion.

Objective 3.F. Build support and funding for improving and expanding the communication infrastructure system through collaboration.

Policy 3.F.1. Support programs and initiatives that improve broadband adoption and digital literacy.

Action 3.F.1.a. Work with regional broadband consortia, state and national initiatives, and local service providers to offer broadband to low-income, at-risk, and under-/unserved populations.

Policy 3.F.2. Leverage and support the California Broadband Cooperative, Eastern Sierra Connect Regional Broadband Consortium, and other similar not-for-profit broadband organizations to help achieve County goals and objectives.

Action 3.F.2.a. Maintain a County seat on the Eastern Sierra Connect Regional Broadband Consortium and maintain the County's interest in regional broadband development and adoption programs.

Action 3.F.2.b. Appoint a non-elected representative to the Board of Directors for the California Broadband Cooperative.

Policy 3.F.3. Seek grants and other funding opportunities for communication infrastructure projects consistent with these General Plan policies.

COUNTY FACILITIES AND COMMUNITY SERVICES INFRASTRUCTURE

Goal 4. Develop and maintain County facilities and infrastructure meeting the needs of employees, communities, and the public.

Objective 4.A. Develop a system to inventory potential County facilities projects and select projects for implementation.

Policy 4.A.1. A county Comprehensive Facilities Plan (CCFP) shall be developed to inventory potential projects.

Action 4.A.1.a. The CCFP shall contain capital improvement and maintenance projects, with provisions for addressing emergency projects.

Action 4.A.1.b. Transportation projects identified by the Local Transportation Commission and in the Regional Transportation Plan shall be included in the CCFP.

Action 4.A.1.c. All proposed projects with sufficient information shall be added to the CCFP for future implementation consideration (see the "Public Works Project Approval Policy").

Policy 4.A.2. The "Public Works Project Approval Policy" shall be applied to select CCFP projects for implementation using approved criteria to ensure limited resources are utilized for the highest-priority projects.

Action 4.A.2.a. Projects not selected shall remain in the CCFP for future consideration.

Action 4.A.2.b. The highest-priority capital facilities projects, including transportation projects, should be incorporated into a multi-year Capital Improvement Plan (CIP) that includes funding allocations to respond to long-range infrastructure needs.

Policy 4.A.3. Address the need for accessibility compliant with the Americans with Disabilities Act (ADA) through the County's multi-departmental ADA Task Force.

Action 4.A.3.a. Participate in ADA Task Force meetings and the development of projects.

Action 4.A.3.b. ADA projects shall be added to the CCFP and subject to the selection process.

Policy 4.A.3. Seek funding sources such as grants, public-private partnerships, cooperative agreements, etc. to implement projects in the CCFP.

Objective 25.C.

Provide appropriate infrastructure and requirements to ensure public safety and service capacity.

Policy 25.C.1. Support the protection of water quality and supply by collaborating with the Lower Rock Creek Mutual Water Company.

Policy 25.C.2. Protect local air quality consistent with the Conservation/Open Space Element.

Policy 25.C.3. Explore the need to identify and protect public viewsheds.

Policy 25.C.4. Support wildland fire preparedness and community fire safety efforts by implementing State Law and Chapter 22, Fire Safe Regulations, of the Land Use Element; routing building permits to the local fire district for review; and consulting with Cal Fire.

Policy 25.C.5. Ensure housing units are constructed to a similar standard as existing housing through building permits subject to the California Building Code and County regulations.

Objective 25.D.

Provide for safe recreational facilities that support the local tourist economy and quality of life.

Policy 25.D.1. Support the policies in the Regional Transportation Plan to improve the transportation network and system.

Policy 25.D.2. Work with the community to identify other potential transportation projects and needs, such as traffic calming, signage and wayfinding, parking, and pedestrian infrastructure.

Policy 25.D.3. Support efforts to improve infrastructure for recreationalists that improves the experience, and reduces impacts to the environment and residents, such as public restrooms at trail heads.

Policy 25.D.4. Explore funding opportunities for projects.

Tri-Valley**GOAL 26. Preserve the rural and agricultural character of the Tri-Valley area.****Objective 26.A.**

Integrate compatible residential development into the existing community character in Benton.

Policy 26.A.1. Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

Action 26.A.1.a. Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

Action 26.A.1.b. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.A.1.c. Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

Action 26.A.1.d. Subdivisions of more than four parcels shall include paved streets.

Action 26.A.1.e. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 26.A.1.f. Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.A.1.g. Permit agricultural uses, including the keeping of animals, in all land use designations.

Action 26.A.1.h. Encourage access and equestrian trails through developments to public lands.

Action 26.A.1.i. Prohibit not-owner occupied short-term rentals (see Chapter 25) in Benton.

Policy 26.A.2. Prevent the intrusion of development into agricultural areas in order to protect agricultural resources.

Action 26.A.2.a. Monitor and discourage the conversion of viable agricultural land to non-agricultural uses.

Action 26.A.2.b. Agricultural activities shall have precedence over incompatible uses/activities in the Tri-Valley area.

Action 26.A.2.c. Carefully evaluate subdivisions outside existing community areas. Consideration should be given to assigning large minimum parcel sizes.

Action 26.A.2.d. Encourage private landowners with visual, environmental and agriculturally significant property to grant or sell a conservation easement to a land conservation organization to protect the land as open space and/or agricultural use.

Policy 26.A.3. Encourage residential development in areas that will minimize the impact on the environment.

Action 26.A.3.a. Encourage the completion of adequate studies of the flooding potential throughout the Tri-Valley area.

Action 26.A.3.b. Encourage the exchange of environmentally sensitive private lands for public lands.

Action 26.A.3.c. Continue to enforce the provisions of the County's floodplain combining district in the Tri-Valley area.

Policy 26.A.4. Encourage the timing of growth to allow for efficient use of existing public facilities and services and for adequate planning for additional public facilities and services.

Action 26.A.4.a. Allow additional residential subdivision only when adequate services (including fire protection, water, and school facilities) are available or planned for development. The proponent of a residential subdivision shall include this assessment as part of the environmental review process.

Action 26.A.4.b. To permit the efficient delivery of public services, encourage residential development in Benton to take place on parcels contiguous to existing development.

Action 26.A.4.c. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 26.A.4.d. New development projects, including subdivisions, shall comply with fire safe regulations and obtain "will-serve" letters from the White Mountain Fire Protection District.

Action 26.A.4.e. Subdivisions and/or building permits shall not be approved in areas that are withdrawn and/or not within the White Mountain Fire Protection District until such areas are brought into the district.

Objective 26.B.

Preserve the agricultural character of the Hammil Valley.

Policy 26.B.1. Protect agricultural uses from the encroachment of incompatible land uses.

Action 26.B.1.a. Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

Action 26.B.1.b. Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

Action 26.B.1.c. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.B.1.d. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 26.B.1.e. Prohibit not-owner occupied short-term rentals (see Chapter 25) in Hammil Valley.

Policy 26.B.2. Prevent incompatible adjacent land uses.

Action 26.B.2.a. Require developers to provide adequate buffering (e.g., landscaping, physical barriers, large setbacks) of incompatible uses to protect agricultural areas from residential and other incompatible land uses.

Action 26.B.2.b. Discourage the extension of public and private facilities, especially roads, into open space or agricultural land.

Policy 26.B.3. Prevent the intrusion of development into agricultural areas in order to protect agricultural resources.

Action 26.B.3.a. Monitor and discourage the conversion of viable agricultural land to non-agricultural uses.

Action 26.B.3.b. Agricultural activities shall have precedence over incompatible uses/activities in the Tri-Valley area.

Action 26.B.3.c. Encourage private landowners with visual, environmental and agriculturally significant property to grant or sell a conservation easement to a land conservation organization to protect the land as open space and/or agricultural use.

Policy 26.B.4. Encourage the continuation of agricultural production through implementation of the Development Credits program.

Action 26.B.4.a. Implement the Development Credits program as detailed in Chapter 12 of this Element.

Policy 26.B.5. Allow family farming mixed with large farms.

Policy 26.B.6. Allow exclusive farmworker housing on parcels that support ongoing agricultural operations.

Objective 26.C.

Integrate additional compatible development into the existing community of Chalfant.

Policy 26.C.1. Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

Action 26.C.1.a. Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

Action 26.C.1.b. Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

Action 26.C.1.c. Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

Action 26.C.1.d. Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.C.1.e. Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

Action 26.C.1.f. Prohibit not-owner occupied short-term rentals (see Chapter 25) in Chalfant Valley.

Policy 26.C.2. Encourage residential development in areas that will minimize the impact on the environment.

Action 26.C.2.a. Encourage the completion of adequate studies of the flooding potential throughout the Tri-Valley area.

Action 26.C.2.b. Encourage the exchange of environmentally sensitive private lands for public lands.

Action 26.C.2.c. Continue to enforce the provisions of the county Floodplain Combining District in the Tri-Valley area.

Action 26.C.2.d. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Policy 26.C.3. Encourage residential land use patterns in Chalfant that permit the efficient delivery of public services.

Action 26.C.3.a. Encourage residential development in Chalfant to take place on parcels contiguous to existing development.

Policy 26.C.4. Encourage the timing of growth that will allow for efficient use of existing public facilities and for adequate planning for additional public facilities.

Action 26.C.4.a. Allow additional residential subdivision only when adequate services (including fire protection, water, and school facilities) are available or planned for development. The proponent of a residential subdivision shall include this assessment as part of the environmental review process.

Action 26.C.4.b. New development projects and subdivisions shall comply with fire safe regulations and obtain "will-serve" letters from the Chalfant Valley Fire Department.

Objective 26.D.

Provide adequate commercial and public facilities and improved access to County services to serve visitors and residents in the Tri-Valley.

Policy 26.D.1. Designate adequate lands compatible with the rural character of the Tri-Valley along US 6 and SR 120 in Benton and Chalfant for small-scale commercial uses that serve the communities.

Policy 26.D.2. Allow only agriculture-related commercial uses in Hammil Valley.

Policy 26.D.3. Prevent the establishment of regional commercial facilities.

Policy 26.D.4. In Benton, encourage the establishment of commercial enterprises oriented toward providing services to highway travelers.

Policy 26.D.5. Allow the continuation of home businesses in the area.

Policy 26.D.6. Promote safer traveling on US 6.

Action 26.D.6.a. Create passing lanes on US 6 on the Matthew grade.

Action 26.D.6.b. Promote opening of SR 120 East year round.

Action 26.D.6.c. Promote turnout lanes into housing and business areas.

Action 26.D.6.d. Promote a rest stop north of Benton.

Action 26.D.6.e. Encourage reduced speed in community areas and speed enforcement in communities.

Action 26.D.6.f. Work with agencies to provide enhanced public transportation from the Tri-Valley area to County services.

Action 26.D.6.g. Install information kiosks at key locations to provide information for visitors and locals.

Action 26.D.6.h. Encourage Caltrans to install "open-range" signs in the Tri-Valley area.

Policy 26.D.7. Projects shall evaluate and consider community-wide planning to promote harmonious and balanced development that protects the rural character of the Tri-Valley.

Action 26.D.7.a. Lands released into private ownership should be deed restricted prohibiting water exportation off site.

Action 26.D.7.b. New projects should provide public access to public lands through trail easements or dedications. Historical use patterns should be accommodated.

Policy 26.D.8. Encourage the Eastern Sierra Unified School District to provide K- through-12 education in the Tri-Valley area.

Action 26.D.8.a. Encourage the BLM to provide property for school district use.

Action 26.D.8.b. Encourage the Eastern Sierra Unified School District to provide K-through-12 education in the Tri-Valley area.

Objective 26.E.

In Benton, encourage the establishment of commercial enterprises oriented toward providing services to residents as well as tourists and highway travelers.

Policy 26.E.1. Define a commercial “core” area with a concentration of shops and services near the intersection of SR 120 and US 6.

Action 26.E.1.a. Develop commercial design guidelines that reflect Benton’s history, character and scale.

Action 26.E.1.b. Pursue grants and other financing opportunities for “main street” planning and design efforts.

Policy 26.E.2. Encourage commercial and community services that enhance the well-being and quality of life of all Benton residents.

Action 26.E.2.a. Improve the communication and energy infrastructure including development of sustainable resources.

Action 26.E.2.b. Explore establishing a local cemetery.

Action 26.E.2.c. Explore developing a County social services center.

Policy 26.E.3. Revise signage to promote Benton as a destination in its own right.

Policy 26.E.4. Explore the potential for siting and developing rural potable and wastewater treatment facilities.

Objective 26.F.

Protect Natural Resources, and provide for recreational and open-space uses in the Tri-Valley area.

Policy 26.F.1. Utilize the open space provided by federal lands to ensure that the open-space needs of the community are met and to provide buffer space between communities.

Action 26.F.1.a. Designate appropriate federal lands as public lands. Public land shall be used for open space or public purposes such as schools, parks, recreational landing strip, etc.

Action 26.F.1.b. Designate a landing strip for agricultural and emergency uses in Hammil Valley.

Action 26.F.1.c. Encourage cluster development in specific plans to provide for publicly accessible open space.

Policy 26.F.2. Provide adequate land for the recreational needs of the area.

Action 26.F.2.a. Work with government and private property owners to create an equestrian/recreational trail system in the Tri-Valley area that addresses the following:

- a. Trail(s) from Inyo County line to the Nevada border;
- b. Consider expanding trail system into Inyo County; and
- c. Trails should be designed to access public lands east and west of US 6 in as many areas as possible.

Action 26.F.2.b. Require new development to allocate sufficient land and facilities to meet the recreational needs of residents of the development and to provide for its applicable share of Tri-Valley recreational needs.

Action 26.F.2.c. Consider establishing a fee system for all new development and building permits dedicated to the construction and maintenance of recreational needs in the Tri-Valley area.

Benton Hot Springs Valley

GOAL 27. Preserve the historic, rural and agricultural character of the Benton Hot Springs Valley.

Objective 27.A.

Maintain the character of Benton Hot Springs Valley and provide for compatible land uses.

Policy 27.A.1. Preserve and restore historic features of Benton Hot Springs.

Action 27.A.1.a. Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 27.A.1.b. Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and complements the town's historic design and character.

Action 27.A.1.c. Support the landowner's efforts to convert nonconforming structures (i.e., mobile homes and trailers) into structures that fit with the historic town character.

Action 27.A.1.d. Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 27.A.2. Maintain the open space and rural character of Benton Hot Springs meadow.

DEVELOPMENT STANDARDS

CHAPTER 11 - UTILITIES

Sections:

- 11.010 Placement of Utility Infrastructure.**
- 11.020 Alternative Energy Systems.**

11.010 Placement of Utility Infrastructure.

A. Exemption for Regulated Public Utilities.

The provisions of this section shall not apply to distribution and transmission lines owned and operated as part of the statewide electrical network regulated by the California Public Utilities Commission (PUC). The authority for this exemption is set forth in the California Constitution, Article XII, Section 8, which vests exclusive regulatory authority over the distribution and transmission lines of these utilities in the California Public Utilities Commission. However, the County shall work with the PUC and applicant to cooperatively meet the standards set forth in Section F.

B. Uses Permitted.

Underground facilities for the distribution of gas, water, sewer, telephone, television, communications and electricity shall be allowed in all designations.

C. Definitions.

For the purposes of this section, the following definitions shall apply:

"Individual development" means an individual development project, such as a single-family residence and/or Accessory Dwelling Unit, a garage, a single commercial use, one apartment building, or similar uses. It does not mean a subdivision, land division, condominium development, or development of more than one detached unit at the same time.

"Overhead utility lines" means utility distribution lines and service laterals that are installed above ground, either overhead, in an above-ground conduit, or in some other manner.

"Subdivision" means the division of any unit or units of improved or unimproved land as further defined in Section 02.1520 and the Mono County Subdivision Ordinance.

"Utility" means gas, water, sewer, telephone, television, communications and electricity.

"Wireline" is a general term that is used to describe a connection to the Internet that is provided via hardwire, as in the case of DSL, cable, or fiber-based technologies.

D. Utility Distribution Lines to Individual Development.

Utility distribution lines to an individual development shall be installed underground, unless the applicant has obtained a Director Review permit with Notice for overhead installation in the manner specified in Chapter 31, Director Review Processing. For projects that require a use permit, the application for overhead utility lines shall be processed as part of the use permit application.

Prior to considering issuance of a permit, planning staff shall work with the applicant to site and design the project in a manner that avoids or minimizes the use and impact of overhead lines. Consideration should be given to combining lines and co-locating with other applicable facilities whenever possible.

In granting a permit for overhead utility lines, the Community Development director (Director) or the Planning Commission (Commission) shall make at least one of the following findings in addition to the required Director Review or Use Permit findings, and shall also require anticipated impacts from all the findings be avoided, minimized, or mitigated to the extent possible:

1. The overhead line placement will not significantly disrupt the visual character of the area. In making this determination, the Director or the Commission shall consider the following:
 - a. In areas without a number of existing overhead lines in the immediate vicinity, would overhead lines create the potential for a significant cumulative visual impact; i.e., would allowing an overhead line be likely to result in future requests for additional overhead lines in the area? If so, it may be determined that an overhead line will have a significant impact on the visual character of the area.
 - b. Does the topography or vegetation in the area effectively screen the proposed lines? If so, then an additional line may not significantly disrupt the visual character of the area.
 - c. Are there other potential alignments that would have less visual impact?
 - d. Does the project reduce the overall number of overhead lines and poles in the area; are the lines co-located with existing facilities; and/or do design features such as height of lines, size, color, reflectivity, tension in line, or other features reduce visual impacts? If so, it may be determined that an overhead line will not have a significant impact on the visual character of the area.

The Director or the Commission may consider additional information pertaining to the visual character of the area that is deemed relevant to the application.

2. The placement of utility lines above ground is environmentally preferable to underground placement and does not create public health and safety impacts. In making this determination, the Director or the Commission shall consider the following:
 - a. Will underground placement disturb an environmentally sensitive area, including but not limited to the following: cultural resource sites, significant wildlife habitat or use areas, riparian or wetland areas, or shallow groundwater? If so, above-ground placement may be preferable;
 - b. Will overhead placement cause impacts to sensitive species, such as the Bi-State Distinct Population Segment of Greater Sage-Grouse, or other environmental impacts? If so, above-ground placement may not be preferable, or perch deterrents and other mitigations may be required (see policies in the Conservation/Open Space Element);
 - c. Will underground placement require disturbance of a waterway, including perennial, intermittent and seasonal streams? If so, above-ground placement may be preferable;
 - d. Will underground placement increase the utility line's exposure to environmental hazards, such as flood hazards, fault hazards or liquefaction? If so, above-ground placement may be preferable;
 - e. Are there other potential alignments that would avoid potential environmental impacts?; and

- f. Are there adequate provisions for long-term maintenance and fire-hazard mitigation? If so, above-ground placement may be acceptable.

The Director or the Commission may consider additional information pertaining to the environmental sensitivity of the area that is deemed relevant to the application.

3. The installation of underground utilities would create an unreasonable financial hardship on the applicant due to the unique physical characteristics of the property. In making this determination, the Director or the Commission shall consider the following:
 - a. Is the cost of the line to be installed excessive?
 - b. Will the installation of underground utilities require trenching under a stream bed?
 - c. Will the installation of underground utilities require unreasonable trenching or blasting through rock?
 - d. Are there alternate alignments that would eliminate or significantly lessen the financial hardship?

The Director or the Commission may consider other site specific financial hardships deemed relevant to the application.

4. The exclusive purpose of the overhead line is to serve an agricultural operation.

For the purposes of this section, agricultural operations are defined as use of the land for the production of food and fiber, including the growing of crops and grazing of livestock. Above-ground utility lines may be permitted for agricultural uses such as pumps and similar uses.

- a. Impacts to sensitive species, such as the Bi-State Distinct Population Segment of Greater Sage-Grouse shall be avoided, minimized, or mitigated consistent with policies in the Conservation/Open Space Element.

E. Utility Distribution Lines for Subdivisions.

Utility distribution lines for all subdivisions and land divisions shall be installed underground, unless a specific hardship can be demonstrated (see #3 above). If a specific hardship can be demonstrated, overhead installation may be allowed subject to approval of a variance (see Ch. 33, Variance Processing).

Subdivisions may be required to underground the feeder distribution line to the subdivision. An assessment district, or a similar mechanism, may be established for this purpose as a condition of the tract map approval.

F. Utility Distribution Lines for All Other Communication Infrastructure

All other types of utility distribution lines shall be installed underground, unless the applicant has obtained a Director Review Permit with Notice for overhead installation, in the manner specified in Chapter 31, Director Review Processing. For projects that require a use permit, the application for overhead utility lines shall be processed as part of the use permit application. Projects located in the County right of way shall also require an encroachment permit from the Public Works Department.

Prior to considering issuance of a permit, planning staff shall work with the applicant to site and design the project in a manner that avoids or minimizes the use and impact of overhead lines. Consideration should be given to combining lines and co-locating with other applicable facilities whenever possible. If

overhead installation is necessary, all of the criteria in Section 11.010D 1-4 shall be evaluated to provide justification, at least one finding must be made, and anticipated impacts shall be avoided, minimized, or mitigated to the extent possible. In addition, the following requirements shall be applied:

1. Within Scenic Highway corridors, a variance (see Ch. 33, Variance Processing) and/or deviation authorization from the California PUC is required prior to approval of overhead construction; and
2. In County rights of way other than Scenic Highway corridors, a use permit must be obtained prior to allowing overhead construction.

G. Use Permit.

Other utility (municipal, private, and if applicable, public utilities not regulated by the PUC) distribution lines, transmission lines and corridors, towers, electrical substations, repeater stations, pumping stations, and uses accessory thereto, including microwave facilities, may be allowed in all districts subject to first securing a use permit, in the manner specified in Chapter 32, Use Permit Processing.

H. Exceptions.

In the event that any regulations of the Public Utilities Commission or any other agency of the state with jurisdiction over utilities conflicts with the provisions of land use designations and the land development regulations, the regulations of the state shall apply, to the extent that the same are conflicting.

I. Locational Requirements.

Whether or not a utility is subject to any permitting requirements as delineated in subsections A to G, above, all new utility distribution lines, transmission lines, corridors, rights of way, towers, electrical substations, repeater stations, pumping stations, cell/communication towers and uses accessory thereto, including microwave facilities, shall comply with the policies of this General Plan and applicable area or specific plans.

J. Cellular and Wireless Towers

Towers erected for the purposes of providing communications through wireless or cellular technologies are permitted in all land use designations subject to a use permit. These towers shall exhibit substantial compliance with the following, unless such substantial compliance would result in an effective prohibition of the provision of wireless communication facilities, or in unreasonable discrimination against a provider of wireless communication facilities, as defined in the Telecommunications Act of 1996, or in non-compliance with any other applicable federal laws:¹²

1. Visual mitigations strategies included in the Mono County Design Guidelines;
2. Cellular and wireless towers shall bond for the reclamation of the site in the event that the infrastructure has not been utilized for a period of three years. Infrastructure shall be removed within one year of abandonment;
3. Towers shall be sited only when there is an identified service provider who has proved a need for the facility;
4. Facilities shall be co-located to minimize the number of towers, and new sites shall include capacity for additional providers to utilize the facility;

¹² E.g., Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

5. New sites shall reference the County's inventory of shadow areas and coverage gaps, when available, and provide coverage maps/data demonstrating a reduction in areas without coverage;
6. Height shall be mitigated by siting towers on high ground but below ridgelines or hilltops. The impacts of increased height through a proposed modification¹³ shall also be evaluated. Heights greater than 60' may be allowed in Public Facilities (PF) land use designations subject to the following use permit finding, but in no case shall the height exceed 80':
 - a. The additional height shall not result in substantial detrimental effects on the enjoyment and use of surrounding properties.

In addition, at least one of the two following findings must be made in the use permit, and in no case shall additional height be granted above the minimum necessary to provide for the finding:

- b. The increased tower height is necessary to provide line-of-sight and service coverage that significantly reduces shadow areas and coverage gaps as demonstrated by coverage maps/data; and/or
 - c. The increased tower height is necessary to support multiple carriers on one tower with adequate line-of-sight and service coverage as demonstrated by coverage maps/data.
7. Perch deterrents and other sensitive-species mitigations shall be required consistent with policies in the Conservation/Open Space Element; and
 8. Cell tower operators shall be required to verify compliance with the FCC's RF Emission Standards.

K. Installation of Conduit and Wireline Infrastructure

Conduit and wireline for the purposes of providing communications infrastructure are permitted in all land use designations, and shall be installed underground and co-located with existing facilities or utilize existing wireline unless a Director Review permit or Use Permit has been obtained. Projects located in the County right of way shall also require an encroachment permit from the Public Works Department. New conduit and wireline infrastructure shall be subject to the following requirements in addition to the applicable permit:

1. Evidence of need for new conduit or wireline infrastructure shall be demonstrated. Applicants should reference the County's communication infrastructure database, when available.
2. New conduit in the County right of way shall contain tracer wire, or be mapped with GPS, or have accurate georeferenced as-built digital drawings, or be otherwise locatable using standard devices or means. Data must be submitted to the County at completion of construction.
3. New wireline infrastructure shall be placed in existing underground conduit before installing new conduit or overhead lines. Overhead lines shall be subject to Section F.
4. All new, large-scale, commercial underground infrastructure shall be filed with the Underground Service Alert (USA).
5. Sites shall be reclaimed and all infrastructure removed within 180 days of abandonment or cessation of use.

¹³ Ibid.

L. Commercial Communication Infrastructure on Private Property

A Director Review permit (Ch. 31, Director Review Processing) must be secured prior to locating commercial communication infrastructure on private property for reasons other than personal consumption by the property residents.

11.020 Alternative Energy Systems.

Alternative Energy Systems are accessory uses that generate power for no less than 80% on-site consumption. Systems that generate power beyond this threshold for sale, or for off-site consumption, may be permitted through use permit.

A. Solar Thermal and Solar Photovoltaic

Solar thermal and solar photovoltaic systems are permitted in accordance with the California Solar Rights Act, through the issuance of a ministerial building permit.

The systems must comply with all structural, plumbing and electrical requirements of the current version of the California Building Code.

Ground-mounted systems are considered structures for the purposes of determining setbacks and lot coverage.

B. Wind Energy Systems

Wind systems are permitted in Mono County pursuant to Chapter 20.05 of the Mono County Code pertaining to Small Wind Energy Systems.



BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY

Big Pine Paiute Indian Reservation
P.O. Box 700 · 825 South Main Street · Big Pine, CA 93513
(760) 938-2003 · fax (760) 938-2942 www.bigpinepaiute.org

Cheyenne Stone
Tribal Chairperson

October 29, 2023

Patrick Donaldson
Montrose Environmental
via email: control-silverpeak@montrose-env.com

Subject: Notice of Preparation of an Environmental Impact Report for the Control-Silver Peak Project Proposed by Southern California Edison

Dear Mr. Donaldson:

The Big Pine Paiute Tribe of the Owens Valley (“Tribe”) submits these Scoping comments as provided by the California Environmental Quality Act (“CEQA”) with regard to the Control-Silver Peak Project proposed by Southern California Edison. The proposed project traverses many miles within the Tribe’s ancestral territory.

The Tribe understands the purpose of the project is to address updated requirements for electrical transmission lines. Benefits of the proposed changes may be that the new lines are less visually intrusive, they are more efficient, and they are less likely to be the cause of a wildfire. However, the potential benefits come with some potentially significant effects on cultural and environmental resources. These include: the removal of historic structures, the need to dispose of the old materials, and significant disturbance to resources especially during and for a period after replacement.

Due to the heightened risk of disturbing and/or destroying Tribal cultural resources, the Tribe requests Tribal monitors be hired to be present throughout construction.

The Tribe recommends fully assessing any and all project alternatives, such as rerouting the electric lines around the White Mountains as opposed to across them and/or taking Deep Springs College off grid.

The Tribe recommends avoidance and preservation of any and all cultural resources in place and treating the resources with culturally appropriate dignity, as consulted with the Tribe. Consistent with the Tribal Consultation process, please work with designated Tribal staff and provide sufficient information, as determined by the Tribe, regarding any potential impacts to cultural and environmental resources, which may directly or indirectly occur due to the project.

The Tribe requests continuous consultation, including but not limited to access to internal data and any results of archaeological surveys and inventories throughout the duration of the project, in its entirety, until or unless the Tribe wants to terminate the relationship.

We look forward to working with you. Please include me and the designated Tribal staff in all correspondence.

Designated Tribal staff:

- Danelle Gutierrez, Tribal Historic Preservation Officer
- Sally Manning, Environmental Director
- Jacklyn Bryan, Tribal Administrator

Sincerely,



Cheyenne Stone
Tribal Chairperson

C: Eric Chiang, eric.chiang@cpuc.ca.gov
Janis Offermann, jaoffermann@montrose-env.com

Attachment B

Notice of Preparation and Newspaper Ad

Notice of Preparation

To: Responsible and Trustee Agencies

(Agency)

(Address)

From: California Public Utilities Commission

(Agency)

505 Van Ness Avenue

(Address)

San Francisco, CA 94102-3298

Subject: Notice of Preparation of an Environmental Impact Report for the Control-Silver Peak Project Proposed by Southern California Edison

The California Public Utilities Commission (CPUC) will be the lead agency and will prepare an environmental impact report (EIR) for the project identified below. We are requesting the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR and/or subsequent related environmental documents prepared by our agency when considering your permit or other approval for the project. The project description, location, and potential environmental effects are contained in the attached materials. Because of the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 32 days after receipt of this notice. Please send your response to control-silverpeak@montrose-env.com or Patrick Donaldson, Montrose Environmental, 1 Kaiser Plaza, Suite 340, Oakland, CA 94612. Please include your name or the name of a contact person in your agency.

Project Title: Control-Silver Peak Project

Project Applicant, if any: Southern California Edison

Date: August 17, 2023

Signature:



Title:

Project Manager, Energy Division,
Infrastructure Permitting and CEQA

Email:

control-silverpeak@montrose-env.com

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INTRODUCTION

Purpose of the Notice of Preparation

The CPUC is the lead agency for preparation and review of an EIR for Southern California Edison's (SCE, or the "Applicant") proposed Control-Silver Project (Proposed Project). The Proposed Project would involve the rebuilding of portions of two existing single-circuit 55 kilovolt (kV) subtransmission lines (Control-Silver Peak 'A' and 'C' circuits) along with selective replacement of subtransmission structures along portions of these same lines; as well as related actions at interconnected facilities, to remediate identified discrepancies¹ as part of SCE's Transmission Line Rating and Remediation (TLRR) program. The Proposed Project would be located within unincorporated Inyo and Mono counties in the eastern portion of California, and portions of the alignments would cross lands managed by the United States Bureau of Land Management (BLM) and United States Forest Service (USFS).

This Notice of Preparation (NOP) presents general background information on the scoping process, the environmental issues to be addressed in the EIR, and the anticipated uses of the EIR. It also briefly describes the Proposed Project as currently envisioned. The project description is subject to refinement during the process of preparing the EIR, depending on, among other things, input received in comments responding to this NOP and revisions to the Proposed Project. The CPUC has prepared this NOP pursuant to Section 15082 of the State California Environmental Quality Act (CEQA) Guidelines.

Scope of the Environmental Impact Report

The EIR will evaluate the environmental impacts of the Proposed Project. As the lead agency under CEQA, the CPUC has determined that the Project may have a significant impact on the environment and has decided to prepare an EIR. Consistent with the basic purposes of CEQA (State CEQA Guidelines Section 15002[a]), the purposes of the EIR will be to:

1. Inform governmental decision makers and the public about the potential, significant environmental effects of the proposed activities;

¹ An individual instance of non-compliance with General Order (G.O.) 95 is referred to as a discrepancy. Discrepancies are defined as potential clearance problems between an energized conductor and its surroundings, such as the structure, another energized conductor on the same structure, a different line, or the ground, among others (SCE 2021).

2. Identify the ways that environmental damage can be avoided or significantly reduced;
3. Prevent significant, avoidable damage to the environment through the use of feasible alternatives or mitigation measures.

Based on the Proponent's Environmental Assessment (PEA) (SCE 2021) for the Proposed Project, and a preliminary environmental review of the Proposed Project by CPUC's consultant, the following resource topics will be evaluated in the EIR: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire. Potential significant environmental effects include impacts to historic resources (i.e., existing subtransmission lines), buried archaeological resources, paleontological resources, aesthetics (e.g., taller poles made of a different material), and biological resources (e.g., sage grouse).

No significance determinations have been made regarding any possible impacts of the Proposed Project. The analysis in the EIR ultimately will determine whether such impacts could occur and their level of significance. The EIR also will propose feasible mitigation measures to reduce any identified significant impacts. Thresholds for determining significant impacts will be based on applicable sections of the State CEQA Guidelines, regulatory agency standards, and the judgment of the CEQA lead agency, CPUC.

Public Involvement

The CPUC is soliciting the views of interested persons and agencies on the scope and content of the environmental information that is germane to the Proposed Project. A virtual scoping meeting for the Proposed Project will be held on **Wednesday, August 30th, 2023 at 5 p.m.** via Zoom:

<https://montrose-env.zoom.us/j/84174510599?pwd=K0pNUFBNazFic1hGZVY0THljNWRNz09>

Passcode: 834444

The scoping meeting will feature a presentation on the Proposed Project and environmental review process and an opportunity for interested members of the public to submit comments. Written comments may be submitted at any time during the scoping period. All available documents pertaining to the Proposed Project can be located at the following website: <https://ia.cpuc.ca.gov/environment/info/horizonh2o/control-silver/index.html>. Because of the time limits mandated by state law, your written comments on the scope and content of the EIR must be **received no later than September 18th, 2023 at 5:00 p.m.** Please send written comments to the Project email address (control-silverpeak@montrose-env.com) or by hard copy to Patrick Donaldson, Montrose Environmental, 1 Kaiser Plaza, Suite 340, Oakland, CA

94612. Please include the name and phone number of the contact person for your agency, if applicable. CPUC will consider and incorporate scoping comments on the Proposed Project in preparation of the EIR, as appropriate.

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PROJECT DESCRIPTION

Background and Need

The CPUC is responsible for environmental review and permitting of SCE's proposed Control-Silver Peak Project (Proposed Project). As noted above, the Proposed Project would involve the rebuilding of portions of the existing Control-Silver Peak 'A' and 'C' 55 kV subtransmission lines along with selective replacement of subtransmission structures along portions of these same lines; as well as related actions at nearby or interconnected facilities (i.e., substations), to remediate identified discrepancies as part of SCE's TLRR program. The design and construction of overhead electric power lines in California is governed by the CPUC's G.O. 95, which is promulgated to "ensure adequate service and secure safety to persons engaged in the construction, maintenance, operation or use of overhead lines and to the public in general." All utilities that operate overhead electric power lines in California must ensure their facilities comply with the specifications in G.O. 95. SCE is a public utility that provides electric service to a population of approximately 15 million people within a 50,000-square-mile service area that encompasses 180 cities throughout Southern California (SCE 2021). Pursuant to the TLRR program, SCE identified discrepancies along the Control-Silver Peak 'A' and 'C' 55 kV subtransmission lines, and the scope of work to correct these discrepancies constitutes the Proposed Project.

The Applicant submitted to CPUC a PEA in August 2021, as part of its application (A.21-08-009) for a Permit to Construct (PTC). The PEA and related project documents are available at: <https://ia.cpuc.ca.gov/environment/info/horizonh2o/control-silver/index.html>.

Project Objectives

Applicant's Project Objective

In its PEA, SCE identified the following objective for the Proposed Project: Ensure compliance with standards contained in G.O. 95 and North American Electric Reliability Corporation (NERC) Facility Ratings.

SCE provided additional discussion of the Proposed Project objective as follows:

The purpose of the Rules contained within G.O. 95 is to "formulate, for the State of California, requirements for overhead line design, construction, and maintenance, the application of which will ensure adequate service and secure safety to persons engaged in the construction, maintenance, operation or use of overhead lines and to the public

in general.” The objective of the [Proposed] Project is to remediate the identified discrepancies in order to comply with the standards contained in G.O. 95 Rule 37, Minimum Clearances of Wires above Railroads, Thoroughfares, Buildings, Etc., Table 1; Rule 38, Minimum Clearances of Wires from Other Wires, Table 2; and Rule 39, Minimum Clearance of Wires from Signs, Table 2-A.²

Remediating the identified discrepancies will bring the lines into operational compliance with SCE’s published facility rating, which requires a review of actual field conditions as recommended by NERC.³ Remediating the identified discrepancies will also comply with applicable Western Electricity Coordinating Council (WECC) reliability planning criteria.

CPUC’s Project Objectives

As part of its authority as the lead agency under CEQA for preparation of the EIR for the Proposed Project, the CPUC is responsible for identifying appropriate project objectives, which may differ from the Applicant’s objectives, that would inform the CEQA process/evaluation, including the development and screening of project alternatives. At this time, the CPUC has identified the following CEQA objectives for the Proposed Project:

- **Objective 1:** Remediate or otherwise address identified discrepancies in SCE’s Control-Silver Peak ‘A’ and ‘C’ 55 kV circuits, such that these facilities meet the clearance standards in G.O. 95 and meet NERC Facility Ratings.
- **Objective 2:** Eliminate or reduce any safety hazards (e.g., wildfire) posed by SCE’s existing infrastructure that is not currently meeting standards in G.O. 95.
- **Objective 3:** Maintain existing interconnections between SCE, VEA, and NV Energy, which provide for system redundancy, reliability, and operational flexibility.
- **Objective 4:** Maintain acceptable service reliability for customers served through area substations interconnected with Control-Silver Peak 55 kV circuits ‘A’ and ‘C’ (e.g., Control, Zack, White Mountain, and Deep Springs substations).

Project Location

The Proposed Project would be located within unincorporated Inyo and Mono counties in the eastern portion of California (see **Figure 1**). Portions of the existing and proposed 55 kV

² Where a G.O. 95-specified clearance is exceeded by an SCE clearance standard, the more-conservative SCE clearance standard is used in the design.

³ The rating of transmission lines depends on many factors including the electrical rating of elements, the thermal rating of elements, and conductor clearance.

alignments traverse lands managed by BLM and USFS, as well as lands owned by the Los Angeles Department of Water and Power (LADWP). The Proposed Project would extend from the Owens Valley on the west to Fish Lake Valley on the east and, in between, would cross the intervening White Mountains. The region is characterized by abrupt changes in topography, with steep, relatively narrow mountain chains, generally oriented on a north-south axis, that are separated by flat, arid alluvial valleys.

Land uses in the Project area are a mixture of rural residential development, residential and commercial land uses in the vicinity of the City of Bishop; irrigated agriculture and associated residences in Fish Lake Valley, and an institutional use (Deep Springs College). Much of the Proposed Project alignments are located within the Inyo National Forest and on BLM desert lands.

Proposed Project Components

The Proposed Project would consist of a variety of improvements to existing infrastructure, which would serve to correct identified discrepancies with the G.O. 95 standards. This would include rebuilding⁴, replacement⁵, and/or modification⁶ of existing subtransmission poles and conductors along portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits. Additionally, SCE proposes to install overhead groundwire (OHGW) and optical groundwire (OPGW) along portions of the subtransmission line alignments, and transfer existing distribution circuitry underbuilt on the subtransmission structures to replacement poles. SCE would install additional telecommunications cables and equipment within and adjacent to existing substations, and would make other improvements within area substations that interconnect with the Control-Silver Peak 'A' and 'C' 55 kV subtransmission lines.

As shown in Figure 1, SCE has subdivided the Proposed Project into 5 segments based on the geographic extent and type of work performed within the given segment. These segments are as follows:

- **Segment 1:** This segment consists of portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits (two existing single-circuit pole lines), spanning from the Control Substation located near the City of Bishop to where the Proposed Project alignment intersects U.S.

⁴ "Rebuilding" refers to the removal of all existing subtransmission poles and conductor along a given portion of existing subtransmission line and then the installation of new subtransmission poles and conductor in that portion.

⁵ "Replacement" refers to the installation of an individual new pole adjacent to an existing pole, the transfer of existing conductor from the existing pole to the new individual pole, and then the removal of the existing pole.

⁶ "Modification" refers to activities such as lowering of crossarms, installing or removing insulators, etc., on existing poles with no installation of new poles or conductor or removal of existing poles or conductor at the location of the pole being modified.

Highway 395 (U.S. 395). This segment is approximately 3.4 miles in length and is located entirely in Inyo County. In Segment 1, existing OHGW that is installed on existing poles along one of the two pole lines found in Segment 1 would be removed and OPGW would be installed on those existing poles.

- **Segment 2:** This segment consists of portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits (two existing single-circuit pole lines), spanning from the point where the alignment intersects U.S. 395 near the City of Bishop to the point where the two pole lines merge north-northeast of the U.S. 395 crossing. This segment is approximately 1.4 miles in length and located entirely in Inyo County. The work along Segment 2 would include rebuilding of existing subtransmission poles and conductor (maintaining a configuration of two single-circuit pole lines), and installation of OPGW and OHGW on the new poles.
- **Segment 3:** This segment consists of portions of the Control-Silver Peak 'A' and 'C' 55 kV circuits (two existing single-circuit pole lines), spanning from the eastern end of Segment 2 to the Fish Lake Valley Metering Station located just west of the California-Nevada border, approximately 2 miles east of the community of Oasis. This segment is approximately 37.3 miles in length and is located in both Inyo and Mono counties. The work in Segment 3 would include the removal and rebuilding of existing subtransmission poles and conductor, and installation of OPGW on the new poles. One of the existing single-circuit pole lines along this segment would be removed and the remaining single-circuit pole line would be rebuilt into a new double-circuit pole line.
- **Segment 4:** This segment consists of that portion of the Control-Silver Peak 'C' 55 kV circuit known as the Zack Tap (one existing single-circuit pole line), which spans from Segment 3 north of the City of Bishop to the Zack Substation. This segment is approximately 16 miles in length and is located in both Inyo and Mono counties. In Segment 4, a select number of poles would be replaced and existing conductor and third-party infrastructure (if present) would be transferred to the replacement poles.
- **Segment 5:** This segment consists of that portion of the Control-Silver Peak 'A' 55 kV circuit known as the Deep Springs Tap (one existing single-circuit pole line), which spans from Segment 3 south to the Deep Springs Substation. This segment is approximately 2.4 miles in length and is located in Inyo County. In Segment 5, a select number of poles would be replaced and existing conductor and third-party infrastructure (if present) would be transferred to the replacement poles.

The Proposed Project also would require a variety of work at substations that interconnect with the Control-Silver Peak 'A' and 'C' subtransmission lines, as follows:

- Disconnect existing conductor conductor from existing positions at the White Mountain Substation and connect new conductor to existing positions.

- Install new OPGW and OHGW and make minor modifications to the existing terminal racks at White Mountain Substation to accommodate the new OPGW and OHGW.
- Install telecommunication equipment on existing rack structures, install cable in new or existing underground cable raceways, and install new or replacement telecommunications infrastructure within existing cabinets, control buildings, or Mechanical and Electrical Equipment Rooms within the Control Substation and at the Fish Lake Valley Metering Station.
- Update relay settings at Control, Deep Springs, White Mountain, and Zack Substations.
- Install a capacitor bank and circuit breaker at Fish Lake Valley Metering Station.

The work at the Fish Lake Valley Metering Station would require expansion of the station footprint (by approximately 1,000 square feet, or an area measuring 50 feet by 20 feet); however, none of the other substations would need to be expanded. Underground telecommunication cable installation (e.g., at Control Substation and Fish Lake Valley Metering Station) would require ground disturbance (i.e., trenching) outside of the substation footprints.

Project Construction

Schedule

Construction of all Project components would take about 33 months to complete. Construction would typically occur six days per week (Monday through Saturday) throughout the duration of construction. During Proposed Project construction, approximately 100 construction personnel would be working on any given day. Daily work hours would generally be 12 hours per day with construction typically occurring between 7:00 am and 7:00 pm. Occasionally, at limited times, some construction along the Proposed Project alignment may be required or finished outside these hours.

Access

Construction work areas and temporary disturbance areas would be accessed via existing and modified access roads, via helicopter, and/or via overland access routes. Construction crews would employ a network of existing dirt access and spur roads along the proposed alignment; this network would be accessed from paved and unpaved public roads. Approximately 65 miles of existing access and spur roads in Segments 2 and 3⁷ would be employed for construction of the Proposed Project. The widths of these roads vary across the proposed alignment, but are generally 15 to 25 feet wide. Where existing spur or access roads to a construction work area are not present, and where surface conditions are amenable, that location may be accessed

⁷ The limited scopes of work in Segments 1, 4, and 5 can be accomplished without access road rehabilitation.

overland. Where overland travel is feasible, vegetation would be trimmed while leaving the root structure intact, or vehicles would drive overland over the extant vegetation. Approximately 7.5 miles of overland access routes would be used during construction of the Proposed Project. The overland access routes would be approximately 14 feet wide. Helicopters would be used to support construction activities along the majority of the length of Segment 3 of the Proposed Project alignment. Helicopter takeoff and landing areas would typically include helicopter landing zones, staging areas (see below), construction laydown areas (CLAs; see below), and public and private airports or airstrips.

Staging and Laydown Areas

Construction of the Proposed Project would require approximately 38 staging areas and/or CLAs. Staging areas would be used as a reporting location for workers, vehicle and equipment parking, helicopter landing zones, and as material storage areas. Materials commonly stored at the staging areas would include, but not be limited to, construction trailers, construction equipment, portable sanitation facilities, steel bundles, steel/wood poles, conductor/OHGW/OPGW reels, hardware, insulators, cross arms, signage, consumables (such as fuel and filler compound), waste materials for salvaging, recycling, or disposal, and SWPPP BMPs materials such as straw wattles, gravel rolls, and silt fences. Staging areas may be lit for security purposes; this lighting would be directed internally and on-site. No new access roads would be constructed to access any of the staging areas. Any land that may be disturbed at the staging areas or CLAs would be returned to preconstruction conditions following the completion of construction for the Proposed Project.

Permits and Approvals

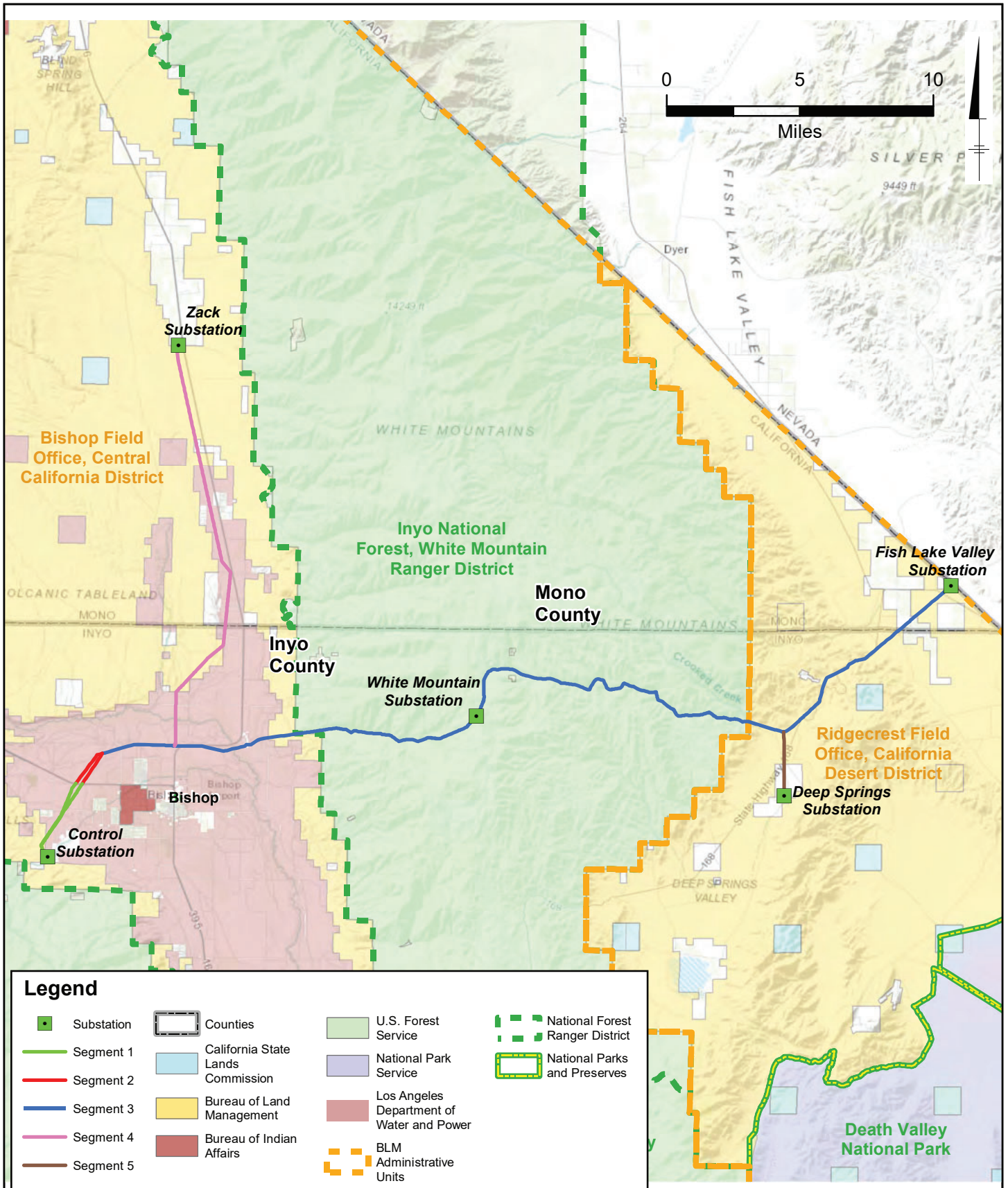
The Proposed Project is anticipated to require a number of permits and approvals, as shown in **Table 1**.

Table 1. Anticipated Discretionary¹ Permits and Approvals

Agency	Permit or Approval	Regulation
<i>Federal</i>		
United States Army Corps of Engineers	Section 404 Permit	Clean Water Act
United States Fish and Wildlife Service	Section 7 Consultation	Federal Endangered Species Act
United States Department of Agriculture, Forest Service	Special Use Authorization	National Forest Management Act/National Environmental Policy Act (NEPA)
United States Department of	Right-of-Way Grant	Federal Land Policy and

the Interior, Bureau of Land Management		Management Act/NEPA
State		
State Water Resources Control Board/Regional Water Quality Control Board	Section 401 Water Quality Certification, and NPDES permit	Clean Water Act, and Porter-Cologne Water Quality Control Act
California Department of Fish and Wildlife	Section 1602 Lake and Streambed Alteration Agreement	California Fish and Game Code
California Department of Fish and Wildlife	Section 2080.1 Consistency Determination	California Fish and Game Code
California Department of Fish and Wildlife	Section 2080 Take Permit	California Fish and Game Code
State Historic Preservation Officer	Section 106	National Historic Preservation Act

Notes: 1. Ministerial permits, such as encroachment permits and grading permits that may be required from state and local agencies, are not included in the table.



Source: SCE 2021

Prepared by:



Figure 1
Proposed Project Location,
Components, and Land Jurisdiction

CPUC Control-Silver Peak Project

References

SCE. *See* Southern California Edison.

Southern California Edison. 2021. Proponent's Environmental Assessment for Southern California Edison's Control-Silver Peak Project. August 13, 2021. Available: <https://ia.cpuc.ca.gov/environment/info/horizonh2o/control-silver/pea.html>.

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PROOF OF PUBLICATION

(2015.5 C.C.P.)

This space is for County Clerk's Filing Stamp

STATE OF CALIFORNIA,
COUNTY OF INYO

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, And not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the
The Inyo Register


County of Inyo

The Inyo Register has been adjudged a newspaper of general circulation by the Superior Court of the County of Inyo, State of California, under date of Oct. 5, 1953, Case Number 5414; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following date, to with:

August 17th, 19th, 22nd,
In the year of **2023**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Bishop, California, on this
13th Day of September, 2023



Signature

Proof of Publication of Public Notice

JOIN US FOR A PUBLIC SCOPING MEETING FOR THE CONTROL-SILVER PEAK PROJECT

The California Public Utilities Commission (CPUC) is soliciting the views of interested persons and agencies on the scope and content of an environmental impact report (EIR) being prepared for the Control-Silver Peak Project (Proposed Project) proposed by Southern California Edison (SCE) as part of its Transmission Line Rating and Remediation (TLRR) Program.

Project Background:

The Proposed Project would involve a variety of actions along the existing Control-Silver Peak 55 kilovolt (kV) 'A' and 'C' subtransmission lines to bring these lines into compliance with CPUC's General Order 95. This would include: (1) rebuilding of portions of the existing lines, including conversion of two single-circuit lines into a double-circuit configuration in one segment; (2) selective replacement of individual poles/structures and transference of existing conductor and distribution circuitry to the new poles/structures; (3) installation of new overhead groundwire (OHGW) and optical groundwire (OPGW) along portions of the lines; (4) installation of telecommunications facilities and other equipment and modifications within and adjacent to existing substations, including Control, Zack, White Mountain, and Deep Springs substations, and Fish Lake Valley Metering Station. The Proposed Project would be located in unincorporated Inyo and Mono counties, extending from the Owens Valley on the west to Fish Lake Valley on the east and, in between, would cross the intervening White Mountains. The Zack Tap portion of the Proposed Project would extend north through Chalfant Valley north of the City of Bishop, while the Deep Springs Tap would extend south to the area of Deep Springs College along Highway 168.

Scoping Meeting and Comment Period:

The CPUC is now beginning the environmental review process for the Proposed Project, and a virtual scoping meeting will be held via Zoom on Wednesday, August 30th, 2023 at 5 p.m. The link for the public meeting will be posted at the project website (see below) prior to the meeting. The scoping meeting will include a presentation by CPUC staff and consultants, and an opportunity for interested persons to provide comments about the scope of the analysis of the EIR. Written comments may be submitted at any time during the scoping period, which will last until September 18th at 5 p.m. Comments may be submitted via email to control-silverpeak@montrose-env.com or via US Mail to CPUC, c/o Patrick Donaldson, Montrose Environmental, 1 Kaiser Plaza, Suite 340, Oakland, CA 94612.

Information Available: Additional information regarding the Proposed Project and environmental review/public involvement process is available at the following website: <https://ia.cpuc.ca.gov/environment/info/horizonh2o/control-silver/index.html> (IR 08.17, 08.19, 08.22, 2023 #21584)

Proof of Publication

This space is for the County Clerk's Filing Stamp

STATE OF CALIFORNIA
COUNTY OF MONO

Proof of Publication Of

I am a citizen of the United States and a resident of the State aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the **MAMMOTH TIMES** a newspaper of general circulation, published in

County of Mono

The Mammoth Times was adjudicated on March 24, 1992, as a newspaper of general circulation for the Town of Mammoth Lakes and Mono County, CA.

The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to with:

August 17th,
In the year, 2023

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mammoth Lakes, California,
13th Day of September, 2023



Signature

JOIN US FOR A PUBLIC SCOPING MEETING FOR THE CONTROL-SILVER PEAK PROJECT

The California Public Utilities Commission (CPUC) is soliciting the views of interested persons and agencies on the scope and content of an environmental impact report (EIR) being prepared for the Control-Silver Peak Project (Proposed Project) proposed by Southern California Edison (SCE) as part of its Transmission Line Rating and Remediation (TLRR) Program.

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<https://ia.cpuc.ca.gov/environment/info/horizonh2o/control-silver/index.html>
(MT 08.17, 2023 #19906)

Attachment C
Scoping Meeting Materials



Control-Silver Peak Project

Proposed by Southern California Edison

Disclaimer: This meeting is being recorded



**California Public
Utilities Commission**



Purpose of Scoping Meeting

- Provide an overview of the California Public Utilities Commission (CPUC) **application review** processes
- Describe the proposed Southern California Edison (SCE) Control-Silver Peak Project
 - **Rebuilding, replacement, and modification of existing subtransmission lines**
- Allow the public and agencies to provide input on the scope and content of the Proposed Project's **Environmental Impact Report (EIR)**, including potential alternatives

Roles



**California Public Utilities
Commission (CPUC)**
Lead Agency under CEQA



Montrose Environmental
Environmental Contractor
for CPUC



**Southern California Edison
(SCE)**
Project Applicant

CPUC Process

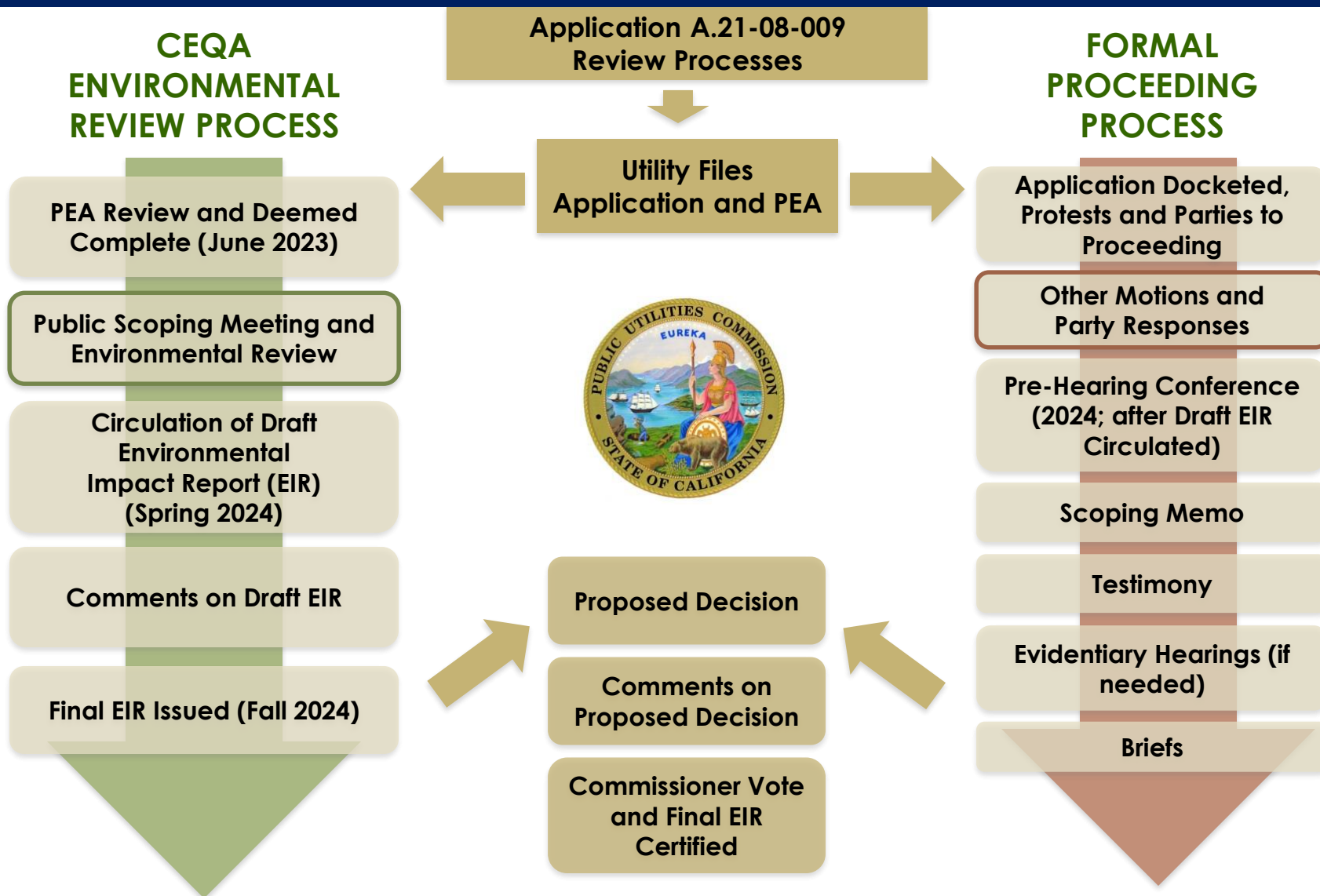
- Investor-owned utilities must submit a permit application to CPUC for construction of certain infrastructure listed under Public Utilities Code Section 1001 and pursuant to General Order 131-D
- SCE filed an application for the Control-Silver Peak Project consisting of:
 1. Application A.21-08-009 for a Permit to Construct
 2. Proponent's Environmental Assessment (PEA)
- CPUC has authority to approve or deny the application
- CPUC permit application review involves:
 - Environmental review (CEQA)
 - CPUC Formal Proceeding

CEQA Overview

Basic purposes of CEQA (State CEQA Guidelines, Section 15002):

- Inform governmental decision makers and public about potential significant environmental effects of proposed activities
- Identify ways that environmental damage can be avoided or significantly reduced
- Prevent significant, avoidable damage to environment by requiring changes in projects through use of alternatives or mitigation measures when governmental agency finds project changes to be feasible
- Disclose to public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved

CPUC Processes



Summary of Applicant's Project Objectives

- Ensure compliance with standards contained in CPUC General Order (GO) 95 – specifically the standards contained in Rules 37, 38, and 39 (Clearance Requirements).
- Bring the lines into operational compliance with SCE's published facility rating, as recommended by the North American Electric Reliability Corporation (NERC).

CPUC's Project Objectives

- Remediate or otherwise address identified discrepancies in SCE's Control-Silver Peak 'A' and 'C' 55 kV circuits, such that these facilities meet the clearance standards in G.O. 95 and meet NERC Facility Ratings.
- Eliminate or reduce any safety hazards (e.g., wildfire) posed by SCE's existing infrastructure that is not currently meeting standards in G.O. 95.
- Maintain existing interconnections between SCE, Valley Electric Association, Inc. (VEA), and NV Energy, which provide for system redundancy, reliability, and operational flexibility.
- Maintain acceptable service reliability for customers served through area substations interconnected with the Control-Silver Peak 55 kV circuits.

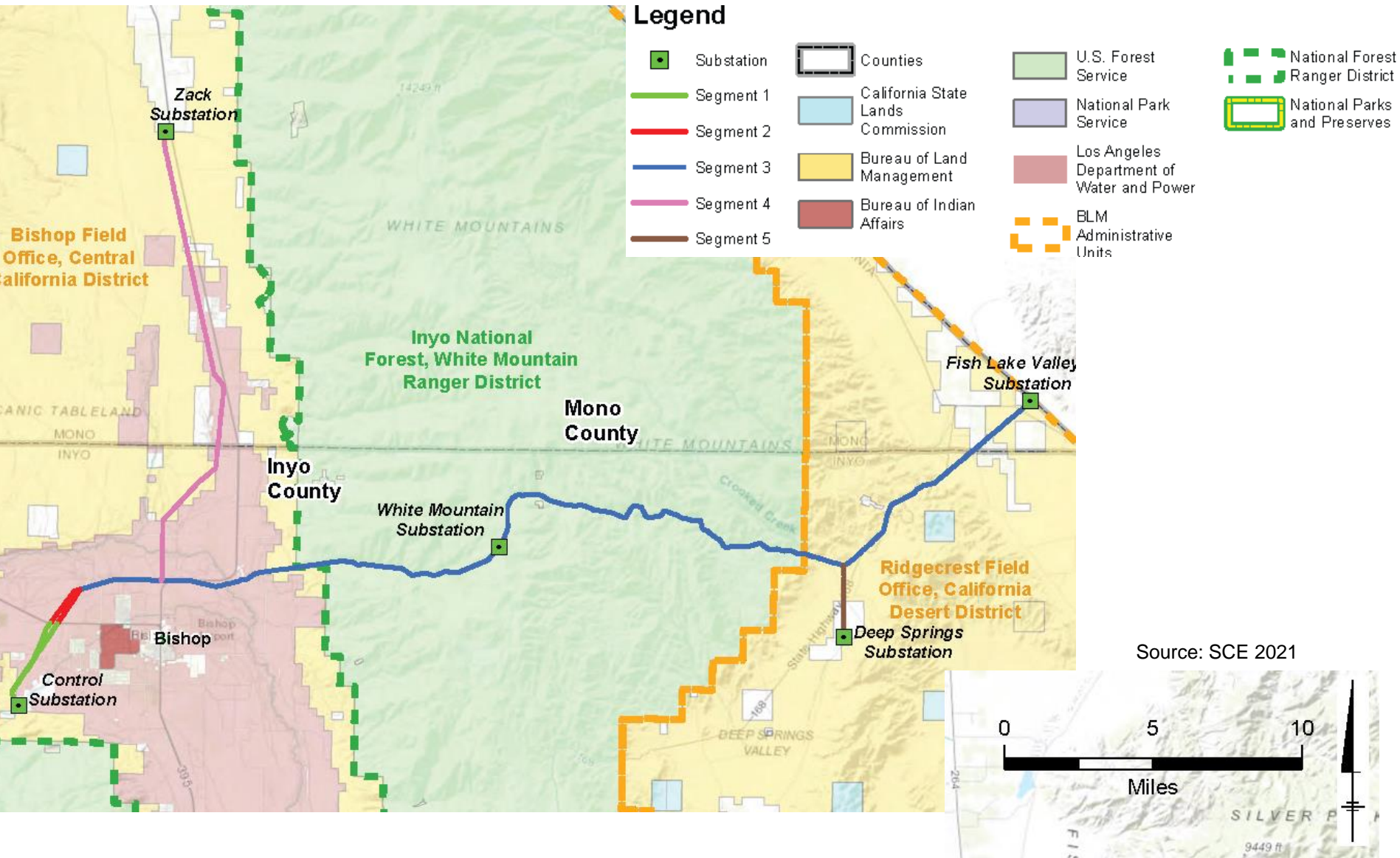
Proposed Project Components

- Variety of improvements to existing infrastructure – principally, the Control-Silver Peak 55 kilovolt (kV) ‘A’ and ‘C’ subtransmission lines – to correct identified discrepancies with the GO 95 standards
 - **Rebuilding** existing subtransmission lines, involving removal of all existing poles and conductor and then installing new poles and conduct.
 - **Replacing** existing individual poles along subtransmission lines, involving installation of an individual new pole adjacent to an existing pole; transfer of existing conductor from the existing pole to new pole, and then the removal of the existing pole.
 - **Modifying** existing poles (e.g., lowering of crossarms, installing or removing insulators, etc.) along subtransmission lines, with no installation of new poles or conductor or removal of existing poles or conductor.

Proposed Project Components Cont'd.

- Installation of overhead groundwire (OHGW) and optical groundwire (OPGW) along subtransmission lines
- Transference of existing distribution circuitry underbuilt on the subtransmission structures to replacement structures
- Installation of additional telecommunications cables and equipment within and adjacent to existing substations, and other improvements/modifications within area substations that interconnect with the Control-Silver Peak 'A' and 'C' 55 kV subtransmission lines.

Proposed Project Location, Components, and Land Jurisdiction



Project Segments

- **Segment 1** – Located west of the City of Bishop and is 3.4 miles in length. Proposed work involves removal of existing OHGW and installation of OPGW.
- **Segment 2** – Located northwest of Bishop and is 1.4 miles in length. Proposed work involves rebuilding existing lines (maintaining two single-circuit pole line configuration). OPGW and OHGW would be installed.
- **Segment 3** – Runs from northwest of Bishop to California-Nevada border and is 37 miles in length. Proposed work involves removal of one of the existing poles lines and rebuilding remaining pole line from single-circuit to double-circuit configuration. OPGW would be installed on new poles.

Project Segments Cont'd.

- **Segment 4** – Runs through the Chalfant Valley between the City of Bishop and community of Hammil and is 16 miles in length. Proposed work involves replacement of two existing poles along alignment. Existing conductor and cable would be transferred to replacement poles, and adjoining poles may be modified to accommodate the taller replacement poles.
- **Segment 5** – Located in the Deep Springs Valley and is 2.4 miles in length. Proposed work involves replacement of nine existing poles along alignment. Existing conductor and cable would be transferred to replacement poles, and adjoining poles may be modified to accommodate the taller replacement poles.

Substation Work

The Proposed Project would include the following work at substations:

- Disconnect existing conductor from existing positions at White Mountain Substation and connect new conductor
- Install new OPGW and OHGW and make minor modifications to existing terminal racks at White Mountain Substation to accommodate new OPGW/OHGW
- Install telecommunication equipment on existing rack structures, install cable in new or existing underground cable raceways, and install new or replacement telecommunications infrastructure within existing cabinets, control buildings, or Mechanical and Electrical Equipment Rooms within Control Substation and at Fish Lake Valley Metering Station
- Update relay settings at Control, Deep Springs, White Mountain, and Zack Substations
- Install a capacitor bank and circuit breaker at Fish Lake Valley Metering Station

Existing Project Alignment Photographs



Existing subtransmission lines in Segment 3 going up Silver Canyon Road.



Existing Zack Tap (Segment 4) alignment.



Existing subtransmission lines in Segment 2.



Fish Lake Valley Metering Station.

Simulated Project Conditions (Segment 3)



Existing View from Silver Canyon Road at Inyo National Forest (VP 11)

Refer to Figure 4.1-1 for photograph viewpoint locations:

CONTROL-SILVER PEAK PROJECT	
EXISTING VIEW – SILVER CANYON ROAD AT INYO NATIONAL FOREST	
	FIGURE: 5.1-6a

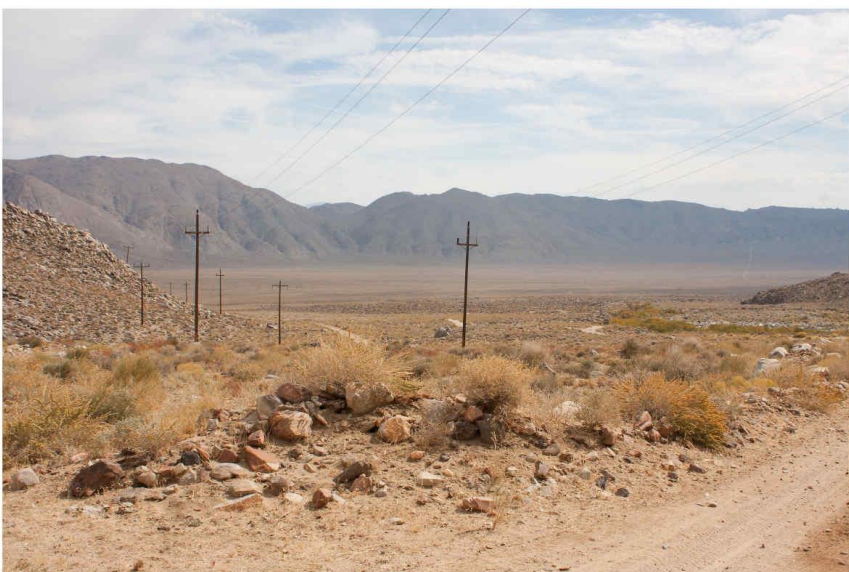


Visual Simulation of Proposed Project (VP 11)

Refer to Figure 4.1-1 for photograph viewpoint locations:

CONTROL-SILVER PEAK PROJECT	
VISUAL SIMULATION – SILVER CANYON ROAD AT INYO NATIONAL FOREST	
	FIGURE: 5.1-6b

Simulated Project Conditions (Segment 3)



Existing View from Wyman Creek Road near Inyo NF (VP 25)

Refer to Figure 4.1-1 for photograph viewpoint locations.

CONTROL-SILVER PEAK PROJECT		
EXISTING VIEW -- WYMAN CREEK ROAD NEAR INYO NATIONAL FOREST		
ARCADIS	EDISON	FIGURE: 5.1-8a

ENVIRONMENTAL VISION
© 2014



Visual Simulation of Proposed Project (VP 25)

Refer to Figure 4.1-1 for photograph viewpoint locations.

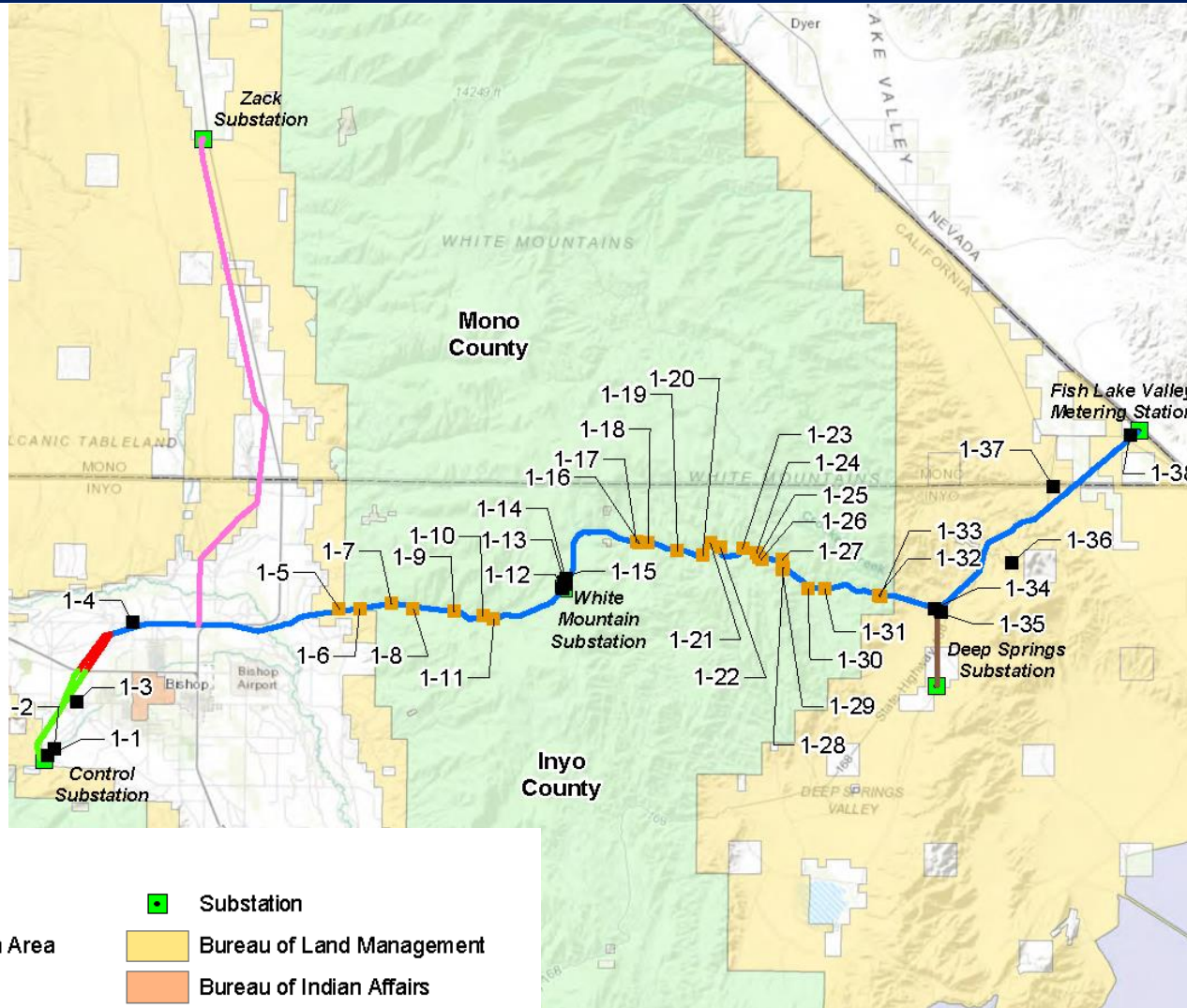
CONTROL-SILVER PEAK PROJECT		
VISUAL SIMULATION -- WYMAN CREEK ROAD NEAR INYO NATIONAL FOREST		
ARCADIS	EDISON	FIGURE: 5.1-8b

ENVIRONMENTAL VISION

Project Construction

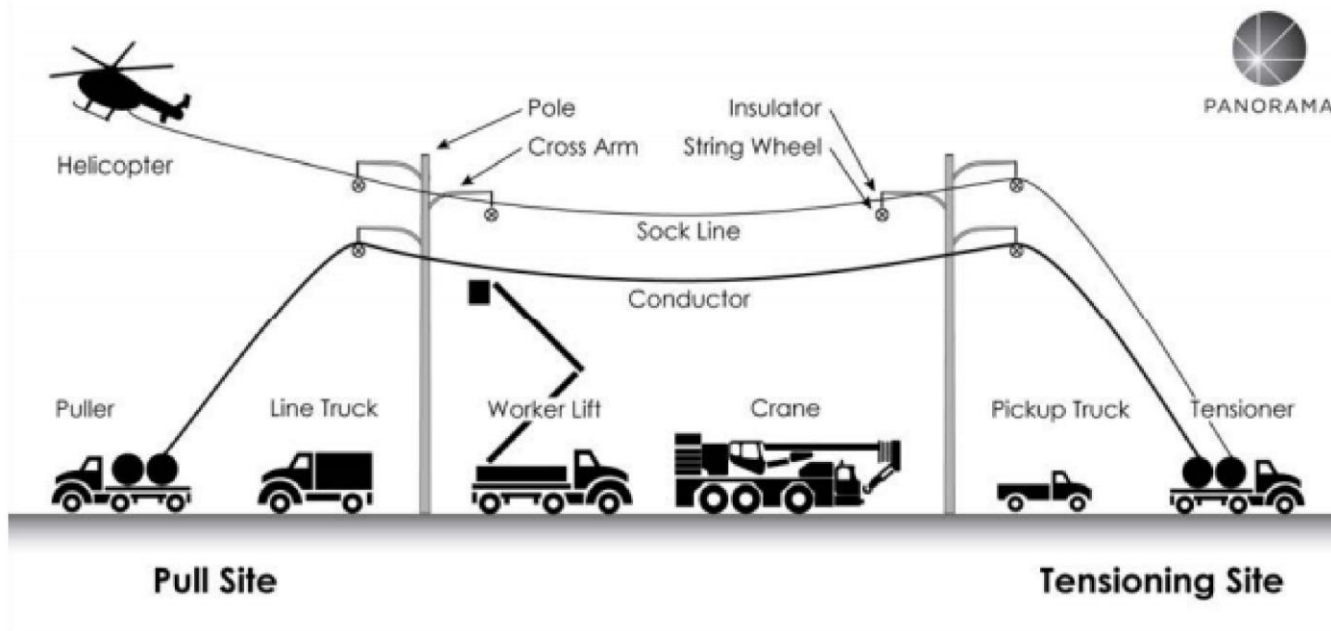
- Project construction would involve various activities, including:
 - Site preparation
 - Existing pole removal
 - New pole installation
 - Existing pole modification
 - Conductor/cable removal and installation
 - Underground telecommunication cable installation
 - Substation modifications and equipment installation
- Temporary disturbance would include staging and laydown areas, work pads for facility installation, pull-and-tension/stringing sites, access roads, etc.
- Various equipment and vehicles would be required, including helicopters

Construction Staging and Laydown Areas



- Legend**
- Staging Area
 - Construction Laydown Area
 - Substation
 - Bureau of Land Management
 - Bureau of Indian Affairs
 - U.S. Forest Service
 - National Park Service
 - Counties
 - Segment 1
 - Segment 2
 - Segment 3
 - Segment 4 (Zack Tap)
 - Segment 5 (Deep Springs Tap)

Typical Pull-and-Tension Set-up



CEQA Draft EIR

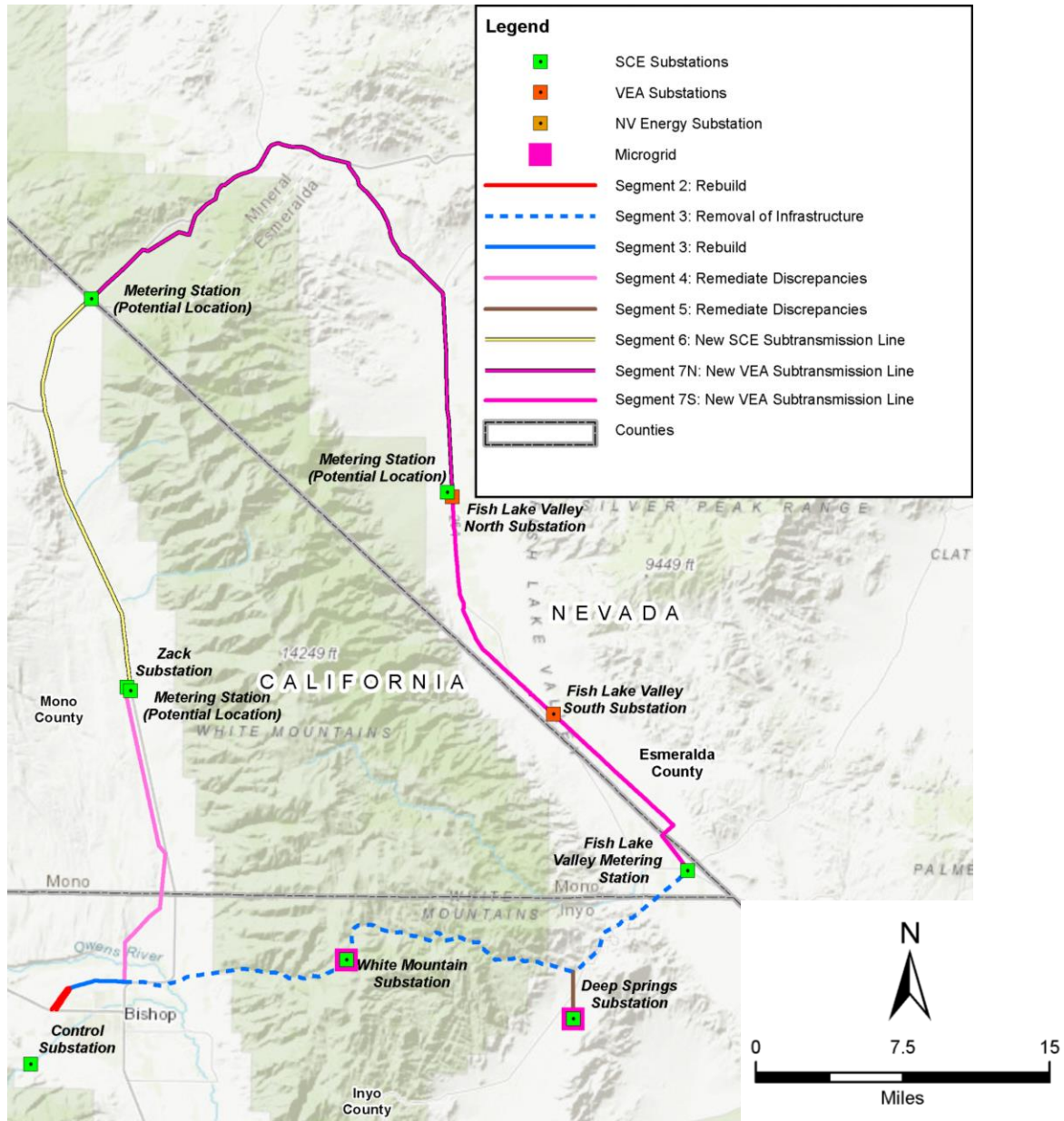
TOPICS:

Aesthetics	Land Use and Planning
Agriculture and Forestry Resources	Mineral Resources
Air Quality	Noise and Vibration
Biological Resources	Population and Housing
Cultural Resources	Public Services
Energy	Recreation
Geology and Soils	Transportation
Greenhouse Gas Emissions	Tribal Cultural Resources
Hazards and Hazardous Materials	Utilities and Service Systems
Hydrology and Water Quality	Wildfire

Potential Alternatives

- SCE considered a number of alternatives to the Proposed Project in its PEA, such as:
 - Decommissioning and removing all or portions of the existing Control-Silver Peak 'A' and/or 'C' circuits
 - Utilizing energy conservation, energy efficiency, and demand response measures to address needs
 - Reconductoring existing lines without replaces poles or tower structures
 - Rebuilding existing single-circuit pole lines instead of converting to a double-circuit configuration
 - Operating lines at reduced voltage or derating ampacity
 - Routing alternatives, principally the Highway 6 alternative (see following slide)
- CPUC will evaluate these and other potential alternatives during the EIR process

Highway 6 Alternative



How Can You Provide Comments?

- Submit comments after this meeting by mail or email

Mail	Email
Patrick Donaldson Montrose Environmental 1 Kaiser Plaza, Suite 340 Oakland, CA 94612	<u>control-silverpeak@montrose-env.com</u>

- Comments due by 5:00 p.m. on September 18, 2023

For more information, go to:

<https://ia.cpuc.ca.gov/environment/info/horizonh2o/control-silver/index.html>

Control-Silver Peak Scoping Meeting Questions and Answers Report

Question Report					
Report Generated:	9/13/2023 22:50				
Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	# Question	
CPUC EIR Scoping Meeting - SCE Control-Silver Peak Project	841 7451 0599	8/30/2023 16:42	78	5	
Question Details					
#	Question	Asker Name	Asker Email	Answer	Question Time
1	Will the recording be posted?	Kate Kelly	'-		8/30/2023 17:04
2	And where will the slide deck be posted?	Kate Kelly	'-		8/30/2023 17:10
3	Thank you	Kate Kelly	'-		8/30/2023 17:39
4	How long has the line over the Whites been in place? Does SCE provide electricity to entities in Nevada? How much taller will the new poles be? What will new poles be made out of? Steel?	Sally Manning	'-		8/30/2023 17:46
5	Lines have been there since the early 1900's. We provide service to Valley Electric Authority through Fish Lake Metering site. And interconnect with service to NV Energy	Scott Lacy	'-		8/30/2023 17:51