

Chapter 1

Introduction

The California Public Utilities Commission (CPUC) has prepared this Final Environmental Impact Report (FEIR) to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of construction and operation of the Estrella Substation and Paso Robles Area Reinforcement Project (Proposed Project) proposed by Pacific Gas & Electric Company (PG&E) and Horizon West Transmission (HWT) (formerly known as NextEra Energy Transmission West, LLC) (collectively referred to as the “Applicants”). The Proposed Project and its location are described in depth in Chapter 2. Alternatives to the Proposed Project are described in Chapter 3. This document was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.).

1.1 Overview of CEQA Requirements

Per CEQA Guidelines section ~~15022~~15002, CEQA’s basic purposes are to:

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

With certain strictly limited exceptions, CEQA requires all state and local government agencies to consider the environmental consequences of projects over which they have discretionary authority before approving or carrying out those projects. CEQA establishes both procedural and substantive requirements that agencies must satisfy to meet CEQA’s objectives. For example, the agency with principal responsibility for approving or carrying out a project (the lead agency) must first assess whether a proposed project could result in significant environmental impacts. If there is substantial evidence that the project could result in significant environmental impacts, CEQA requires that the agency prepare an environmental impact report (EIR), analyzing both the proposed project and a reasonable range of potentially feasible alternatives.

As described in the CEQA Guidelines (CCR Section 15121[a]), an EIR is an informational document that assesses potential environmental effects of a proposed project, and identifies mitigation measures and alternatives to the project that could reduce or avoid potentially significant environmental impacts. Other key CEQA requirements include developing a plan for

implementing and monitoring the success of the identified mitigation measures and carrying out specific public notice and distribution steps to facilitate public involvement in the environmental review process. As an informational document used in the planning and decision-making process, an EIR's purpose is not to recommend either approval or denial of a project.

1.1.1 Intent and Scope of this Document

Although the Proposed Project would be carried out by the Applicants, CPUC has approval authority over the Proposed Project and is the CEQA Lead Agency. In describing and evaluating the various activities comprising the Proposed Project in this FEIR, CPUC is proposing to approve a discretionary project subject to CEQA (CEQA Guidelines Section 15378). CPUC will use the analyses presented in this FEIR, the public response to it, and the whole of the administrative record to evaluate the Proposed Project's environmental impacts and to further modify, approve, or deny approval of the Proposed Project.

1.2 CEQA Process

1.2.1 Notice of Preparation

A notice of preparation (NOP) for the Proposed Project was prepared pursuant to the State CEQA Guidelines (Section 15082) and circulated to the Office of Planning and Research's State CEQA Clearinghouse on July 30, 2018. Subsequently, a revised NOP was circulated on August 1, 2018; the revised NOP corrected a map depicting potential project alternatives, which had inadvertently omitted several possible alternatives in the original NOP. The scoping period continued for 30 days and concluded on August 31, 2018, although several comment letters were accepted beyond this date.

The NOP presented general background information on the Proposed Project, the scoping process, the environmental issues to be addressed in the EIR, and the anticipated uses of the EIR. The NOP was posted online, and more than 200 hard copies of the NOP were distributed by mail to a broad range of stakeholders including state, federal, and local regulatory agencies and jurisdictions, non-profit organizations, and property owners in the vicinity of the Proposed Project. In addition, on August 2 and 5, 2018, an announcement of the release of the NOP, including the dates, times, and locations of scoping meetings, was published in the local newspaper.

1.2.2 Scoping Meeting

To provide the public, as well as responsible and trustee agencies, an opportunity to ask questions and submit comments on the scope of the EIR, a public scoping meeting was held during the scoping period. The meeting was held on Tuesday, August 7, 2018, from 6 p.m. to 8 p.m. at the Winifred Pifer Elementary School located at 1350 Creston Road in Paso Robles. The meeting format consisted of a presentation by CPUC and consultant staff followed by opportunities for attendees to ask questions and submit comments. Written comment cards were provided to all meeting attendees, as well as information on how to access project documents and participate in the public review process going forward. A tablet showing an interactive map of the Proposed Project and potential alternatives also was available for viewing during the scoping meeting. A total of 50 individuals signed in to the meeting.

1.2.3 Comments Received During the Scoping Period

During the scoping period, CPUC received approximately 43 comment letters, 37 of which were from members of the general public. Letters were received from five public agencies, as follows:

- City of El Paso de Robles
- County of San Luis Obispo
- California Department of Conservation
- California Native American Heritage Commission
- California Department of Conservation, Division of Oil, Gas, and Geothermal Resources

CPUC also received a comment letter from the Xolon Salinan tribe.

Specific comments within letters received during scoping covered a wide range of topics. The most common generalized comments received are provided in Table 1-1 below. Key concepts and phrases within the comments are shown in **bold**.

Table 1-1. Most Common Generalized Scoping Comments by Number of Commenters

Comment	No. of Commenters
The proposed overhead power lines would have aesthetic impacts and be out of scale with the community.	23
Overhead power lines should be placed underground to reduce aesthetic impacts and/or minimize fire risk.	16
Overhead power lines could present hazards associated with electromagnetic fields .	15
The addition of overhead power lines could decrease property values for nearby properties.	11
The overhead power lines could present a fire hazard risk (e.g., if they were downed in an earthquake or high winds).	9
General opposition to the Proposed Project power line route.	8
The overhead power lines would have noise impacts from the “buzzing” during operation.	7
Why is the project needed? The rationale for the Proposed Project is not well-founded.	6
The overhead power lines could adversely affect the flight path for CAL FIRE helicopters accessing the pond by the Circle B properties.	6

Comment	No. of Commenters
The Project 70 kV route alignments could necessitate removal of oak trees .	5
The Proposed Project and alternatives could impact bald and golden eagles in the area.	5
Project construction ground-disturbing activities could impact cultural resources .	4
Project construction activities could result in noise impacts .	4
There would be traffic impacts during Project construction.	4
Support for the Proposed Project power line route.	4

As shown in Table 1-1, many of the comments received during the scoping period related to potential impacts (e.g., aesthetic impacts, fire hazard risk, noise impacts, etc.) of the overhead power lines associated with the Proposed Project and alternatives. One of the most common generalized comments received suggested the proposed overhead power lines should be placed underground.

1.2.4 Draft Alternatives Screening Report Review Period

To identify a reasonable range of potentially feasible alternatives for consideration in the DEIR, an Alternatives Screening Report (ASR) was prepared. To provide an opportunity for the public to review and comment on the CPUC's preliminary alternatives screening process and results, a Draft ASR was circulated for public review from March 28, 2019, to May 10, 2019. CPUC received a large number of comments during the Draft ASR review period, including support and opposition for various alternatives and concerns regarding environmental impacts associated with different alternatives. The comments on the Draft ASR were considered by the CPUC during preparation of the Final ASR, which is included as Appendix B to this FEIR.

An analysis of behind-the-meter (BTM) solar and battery storage adoption propensity (BTM Report) was also prepared and circulated to the public as a supplement to the original Draft ASR. A public notice regarding the availability of the BTM Report on the Project website was distributed on January 31, 2020. The BTM Report is included as Appendix B to the Final ASR.

1.2.5 Public Review of the Draft Environmental Impact Report

The DEIR was circulated for public review for 76 days. The public review period for the DEIR began on December 8, 2020 with the filing of the Notice of Completion (NOC) with the State Clearinghouse and the distribution and posting of the Notice of Availability (NOA). The NOA was sent to all trustee agencies and any person or organization requesting a copy. CPUC also posted the NOA on its website along with the electronic DEIR files. While the public review period for the DEIR was initially scheduled to last 55 days, to close on February 1, 2021, due to the COVID-19 pandemic and requests for additional time, the CPUC extended the review period three

weeks until February 22, 2021. The notice of extension of the public review period for the DEIR was posted on CPUC's website¹.

During the public review period for the DEIR, CPUC held two public meetings. Due to the COVID-19 pandemic, the meetings were conducted virtually via Zoom to avoid in-person gatherings. Both meetings were held on December 15, 2020; one at midday (12 pm to 2 pm) and one in the evening (5:30 pm to 7:30 pm). The meetings each featured the same content, including a presentation by CPUC describing the Proposed Project, reasonably foreseeable distribution components, and alternatives, and the analysis and conclusions set forth in the DEIR. The meeting provided an opportunity for meeting attendees to provide oral comments and ask questions. Copies of the meeting presentation slides and recordings of the meetings are available for download/viewing on CPUC's website (see link provided in Footnote 1).

CPUC received a total of 131 letters during the public review period for the DEIR. Letters were submitted by state elected representatives and local agencies; additional stakeholders, such as the Proposed Project Applicants, homeowners associations (HOAs), law firms representing a union labor group and a local business, and environmental organizations; and individual members of the public. No federal agencies submitted comments on the DEIR. Refer to Chapter 3, *Individual Responses to Comments*, in Volume 3 of this FEIR, for copies of the letters submitted during the public review period and the list of persons, agencies and organizations that submitted comment letters.

1.2.6 Recirculation of Portions of the Draft Environmental Impact Report

Based on several comments received on the DEIR, the CPUC decided to revise and recirculate portions of the document. Specifically, CPUC received a comment letter from Horizon West Transmission (HWT) (one of the Proposed Project Applicants) identifying substantive changes to the Proposed Project. Additionally, CPUC received comments from Adams Broadwell Joseph & Cardozo (Adams Broadwell), on behalf of California Unions for Reliable Energy (CURE), raising concerns regarding the DEIR's air quality analysis, as well as comments from Pacific Gas & Electric Company (PG&E) (another of the Proposed Project Applicants). In accordance with Section 15088.5 of the CEQA Guidelines, CPUC determined that the new information brought to light by HWT, Adams Broadwell, and PG&E merited modification and recirculation of the following portions of the DEIR:

- Chapter 2, *Project Description*
- Section 4.2, "Agricultural Resources"
- Section 4.3, "Air Quality"

The revisions to these portions of the DEIR were presented in underline/~~strikeout~~ to denote the changes and allow the public to comment. The comments leading to the recirculation and the

¹ See here: <https://ia.cpuc.ca.gov/environment/info/horizonh2o/estrella/index.html>

reasoning for the recirculation are described in detail in the recirculated DEIR document, which is available on the CPUC's Estrella Project webpage (see link in Footnote 1 in this chapter).

1.2.7 Public Review of the Recirculated Portions of the Draft Environmental Impact Report

The recirculated portions of the DEIR were available for public review for a total of 55 days, from November 18, 2021 to January 12, 2022. CPUC followed all the same noticing procedures described for the original DEIR in Section 1.2.5. Specifically, CPUC filed a NOC, along with the recirculated DEIR files, with the State Clearinghouse. CPUC also sent a NOA for the recirculated portions of the DEIR to all property owners within 1,000 feet of the Proposed Project or alternatives components; all trustee agencies; individuals who submitted comments during previous public review periods for the Proposed Project, and any person or organization requesting a copy. CPUC posted the NOA on its website (see link in Footnote 1 in this chapter) along with the electronic recirculated DEIR files.

A total of 6 comment letters were received during the review period. Refer to Chapter 3, *Individual Responses to Comments*, in Volume 3 of this FEIR, for copies of the letters submitted during the public review period for the recirculated portions of the DEIR and a list of persons, agencies and organizations that submitted comment letters.

1.2.8 Preparation of the Final Environmental Impact Report

Preparation of the FEIR involved preparing responses to comments received during the public review period for the DEIR and the Recirculated DEIR, and revising the DEIR text in response to comments. Comments were responded to either through master responses (for common recurring themes) or through individual responses to comments, or a combination of the two. Comment letters were assigned a letter code (e.g., A or AA) and individual comments within the unique comment letters were bracketed and numbered (e.g., A-1, A-2, etc.). The comment letters and individual comments received on the Recirculated DEIR are denoted with an "R." (e.g., Comment Letter R.A; Comment R.A-1, etc.). Copies of the unique comment letters and associated responses to comments are provided in Chapter 3 of Volume 3 of this FEIR. Revisions to the DEIR text are shown in Volumes 1 and 2 of the FEIR, with substantive changes from the original DEIR/recirculated DEIR text² shown in underline/strikeout, and are also shown in Chapter 4 of Volume 3.

1.2.9 Final Environmental Impact Report Review and Certification

The FEIR will be posted on CPUC's website and all public agencies that submitted comments on the DEIR and/or Recirculated DEIR will be notified of the FEIR's availability at least 10 days before its certification. After the close of the 10-day public agency review period, CPUC will consider the Environmental Impact Report (EIR), staff recommendations, and public testimony, and decide whether to certify the EIR and whether to approve or deny the Proposed Project or

² In this FEIR, the revisions from the Recirculated DEIR have been accepted. Thus, any revisions in Volumes 1 and 2 of this FEIR are new revisions that have not already been made as part of the recirculation.

approve one of the alternative combinations. If CPUC chooses to certify the EIR and approve the Proposed Project or one of the alternative combinations, it will file a Notice of Determination (NOD) with the Office of Planning and Research (OPR) (14 CCR 15093[c]). Because the EIR has identified significant and unavoidable impacts from the Proposed Project and alternative combinations, a statement of overriding considerations would be required as part of the record of project or alternative approval (14 CCR 15093[c]).

1.3 Organization of this FEIR

This FEIR consists of the following components:

Volume I – Main Body

Executive Summary. This chapter provides a summary of the Proposed Project, reasonably foreseeable distribution components, and project alternatives; describes the public process conducted for the EIR, the known issues of concern, and the identified environmentally superior alternative; and provides a summary of environmental impacts and mitigation measures.

Chapter 1, Introduction. This chapter describes the purpose and organization of the EIR and its preparation, review, and certification process.

Chapter 2, Project Description. This chapter summarizes the Proposed Project, including a description of the Proposed Project's purpose and objectives, a brief description of the Proposed Project area, components, construction activities and construction schedule, operations, the permits and approvals that would be required to implement the Proposed Project, and Applicant-proposed measures for resource protection. Chapter 2 also describes the reasonably foreseeable distribution components that would be developed as a result of the Proposed Project.

Chapter 3, Alternatives Description. This chapter describes the alternatives to the Proposed Project that have been carried forward for full analysis in the EIR, including the principal components of the alternatives, their locations, construction schedules, etc.

Chapter 4, Environmental Analysis. This chapter describes the environmental resources and potential environmental impacts of the Proposed Project, reasonably foreseeable distribution components, and alternatives. Each topical resource section (4.1 through 4.20) describes the existing setting and background information for the resource under consideration. Each section then discusses the environmental impacts of the Proposed Project, reasonably foreseeable distribution components, and alternatives and provides significance determinations based on the CEQA Guidelines Appendix G significance criteria.

Chapter 5, Alternatives Analysis Summary and Comparison of Alternatives. This chapter provides a summary of the potential impacts of the respective alternatives (which are evaluated in detail in Chapter 4) and alternative combinations and compares the impacts to the Proposed Project. The chapter then discusses the environmentally

superior alternative and estimated costs associated with the different alternative combinations.

Chapter 6, *Other Statutory Considerations and Cumulative Impacts*. This chapter addresses the 'potential for the Proposed Project, reasonably foreseeable distribution components, and alternatives to contribute to cumulative impacts. This chapter also outlines the Proposed Project's potential to induce growth and identifies significant, irreversible environmental changes resulting from the Proposed Project, reasonably foreseeable distribution components, and alternatives.

Chapter 7, *Report Preparation*. This chapter lists the individuals involved in preparing the main body of the EIR.

Chapter 8, *References*. This chapter provides a bibliography of printed references, websites, and personal communications used in preparing Volume 1 of the FEIR.

Volume II – Appendices

Appendix A summarizes applicable local laws, regulations, and policies.

Appendix B is the Final Alternatives Screening Report, which identified the alternatives carried forward for full analysis in the EIR.

Appendix C contains the air quality, energy, and greenhouse gas emission calculations.

Appendix D presents supporting documentation related to the evaluation of potential impacts on vegetation and wildlife.

Appendix E contains the noise analysis calculations.

Appendix F is the Mitigation Monitoring and Reporting Program, which lists the mitigation measures identified in Volume I of the FEIR and describes specific steps for their implementation.

Volume III – Comments and Responses to Comments on the Draft Environmental Impact Report

Chapter 1, *Introduction*. This chapter describes the organization of the document and its preparation. This chapter also contains information on the public review period for the DEIR and the recirculated portions of the DEIR, and the FEIR certification process.

Chapter 2, *Master Responses*. This chapter contains the master responses prepared in response to comments received on the DEIR and the recirculated portions of the DEIR. Many of the letters received on the DEIR and Recirculated DEIR raised similar concerns. As such, master responses were prepared to eliminate repetitiveness in responding to similar comments and to address the shared concerns and comments received during the public review periods.

Chapter 3, *Individual Responses to Comments*. This chapter contains written responses to individual comments raising significant environmental issues received on the DEIR and Recirculated DEIR. In many cases, where appropriate, responses to individual comments within comment letters refer the reader to the applicable master response(s), which are contained in Chapter 2. Chapter 3, *Individual Responses to Comments* contains a list of the persons, agencies, and organizations that provided comment letters on the DEIR and/or Recirculated DEIR.

Chapter 4, *Revisions to the DEIR*. This chapter describes and presents revisions to the DEIR. Revisions to the DEIR were either made in response to comments received or were initiated by CPUC.

Chapter 5, *Report Preparation*. This chapter lists the individuals who assisted in the preparation of Volume 3 of the FEIR.

Chapter 6, *References*. This chapter lists the references cited in Volume 3 of the FEIR.

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