

CHAPTER 2: COMMENTS RECEIVED AND RESPONSES TO COMMENTS

In accordance with Section 15088 of Title 14 of the California Code of Regulations (the “CEQA Guidelines”), the City of Riverside (City) has evaluated the comments received on the Draft Environmental Impact Report (DEIR) for the Riverside Transmission Reliability Project (RTRP or Proposed Project) and has prepared written responses to these comments. This chapter contains copies of the comments received during the public review process and provides an evaluation of and written responses to each of these comments. Unless otherwise noted, page number references in the responses correspond with the DEIR as published on August 1, 2011; please refer to this document on RPU’s website at <http://www.riversideca.gov/utilities/rtrp-deir.asp>. Revisions made to clarify text in response to a comment can be seen in Volume II of this FEIR.

2.1 COMMENTS RECEIVED

The original comment period for the RTRP DEIR was scheduled for August 1, 2011 to September 30, 2011, but was extended by 60 days at the request of the City of Jurupa Valley. During the public review period for the Proposed Project from August 1, 2011 to November 30, 2011, the City received 115 comment letters from agencies, organizations, and individuals. The City received 29 comments after this time period. Oral comments were received from organizations and members of the public, as well as members of the City of Riverside Planning Commission, at the Planning Commission meeting held on April 5, 2012. The verbal testimony given at the Planning Commission meeting duplicated written comments received on the DEIR. All of the verbal comments from the Planning Commission meeting have been adequately responded to in the responses in this chapter.

The commenting parties are listed below, along with a corresponding letter, which relates to the comment letters and the responses to comments provided in this chapter.

TABLE 2-1. COMMENT LETTERS RECEIVED

	Commenter	Correspondence Date	Comment Type
A.	Native American Heritage Commission	August 08, 2011	Agency
B.	Jurupa Community Services District	August 09, 2011	Agency
C.	California Department of Transportation—District 8	August 23, 2011	Agency
D.	City of Jurupa Valley	August 29, 2011	Agency
E.	Jurupa Community Services District	September 15, 2011	Agency
F.	Airport Land Use Commission	September 29, 2011	Agency
G.	City of Norco	September 29, 2011	Agency
H.	South Coast Air Quality Management District	September 30, 2011	Agency
I.	California Department of Transportation—Division of Aeronautics	September 30, 2011	Agency
J.	Jurupa Community Services District	October 13, 2011	Agency

	Commenter	Correspondence Date	Comment Type
K.	City of Jurupa Valley (public information requests)	September 28, 2011 October 17, 2011 November 14, 2011	Agency
L.	California Public Utilities Commission	October 26, 2011	Agency
M.	Jurupa Area Recreation and Park District	November 18, 2011	Agency
N.	California Public Utilities Commission	November 28, 2011	Agency
O.	California Public Utilities Commission	November 29, 2011	Agency
P.	City of Jurupa Valley (Richard Watson & Gershon)	November 30, 2011	Agency
Q.	Nony Bernal	July 31, 2011	Citizen/Public
R.	Milton Nolkamper	August 01, 2011	Citizen/Public
S.	Joshua Zonker	August 01, 2011	Citizen/Public
T.	Abel Hernandez	August 02, 2011	Citizen/Public
U.	Terry & Lani Britain	August 03, 2011	Citizen/Public
V.	Carolyn Powers/John Smith	August 11, 2011	Citizen/Public
W.	Leah Swan	August 15, 2011	Citizen/Public
X.	Shirley L. Gooding	August 16, 2011	Citizen/Public
Y.	Don Hansen	August 18, 2011	Citizen/Public
Z.	Harvey Clark	September 16, 2011	Citizen/Public
AA.	Kim Robinson	September 19, 2011	Citizen/Public
BB.	Brenda Reynolds	September 21, 2011	Citizen/Public
CC.	George Hodous	September 22, 2011	Citizen/Public
DD.	Kay Meyerett	September 23, 2011	Citizen/Public
EE.	Sabrina McDowell	September 27, 2011	Citizen/Public
FF.	Harvey Clark	September 30, 2011	Citizen/Public
GG.	Matthew Carrington	October 04, 2011	Citizen/Public
HH.	Harold & Debbie Glick	October 07, 2011	Citizen/Public
II.	Jeff & Sarah Posey	October 09, 2011	Citizen/Public
JJ.	Michael Peterson	October 12, 2011	Citizen/Public
KK.	Barbara Iyer	October 20, 2011	Citizen/Public
LL.	Mary Jane & Roberto Rodriguez	October 23, 2011	Citizen/Public
MM.	Irene Salazar	October 24, 2011	Citizen/Public
NN.	Debbie Saathoff	October 31, 2011	Citizen/Public
OO.	Jim Saathoff	October 31, 2011	Citizen/Public
PP.	Stephanie Saathoff	October 31, 2011	Citizen/Public
QQ.	Eva Casas	October 31, 2011	Citizen/Public
RR.	Mr. & Mrs. Paul Allen	November 1, 2011	Citizen/Public
SS.	Enrique & Sandra Lipp	November 3, 2011	Citizen/Public
TT.	Christopher Carrington	November 6, 2011	Citizen/Public
UU.	Ryan Carrington	November 6, 2011	Citizen/Public
VV.	Ryan Carrington	November 6, 2011	Citizen/Public
WW.	Heather Carrington	November 6, 2011	Citizen/Public
XX.	Christy Carrington	November 6, 2011	Citizen/Public
YY.	Matthew Carrington	November 6, 2011	Citizen/Public

	Commenter	Correspondence Date	Comment Type
ZZ.	Danielle Carrington	November 6, 2011	Citizen/Public
AAA.	Derek Carrington	November 6, 2011	Citizen/Public
BBB.	Pallas Broy	November 7, 2011	Citizen/Public
CCC.	Trunita Crump-Knighton	November 7, 2011	Citizen/Public
DDD.	George Hepker	November 8, 2011	Citizen/Public
EEE.	Jeff Smith	November 9, 2011	Consultant/Public
FFF.	Daniel & Denise Torchia	November 10, 2011	Citizen/Public
GGG.	Robert & Ethel Nizato	November 12, 2011	Citizen/Public
HHH.	albegolfin@charter.net	November 14, 2011	Citizen/Public
III.	Carolyn Powers	November 14, 2011	Citizen/Public
JJJ.	Harvey Clark	November 20, 2011	Citizen/Public
KKK.	Stephen Anderson	November 20, 2011	Citizen/Public
LLL.	Don Porter	November 23, 2011	Citizen/Public
MMM.	Brenda Reynolds	November 23, 2011	Citizen/Public
NNN.	Pamela English	November 25, 2011	Citizen/Public
OOO.	Janet Dewhirst	November 25, 2011	Citizen/Public
PPP.	Arturo Fonseca	November 26, 2011	Citizen/Public
QQQ.	Sheila Ehrlich	November 26, 2011	Citizen/Public
RRR.	Aurelia & Amos Broome	November 26, 2011	Citizen/Public
SSS.	Sarah Rah	November 27, 2011	Citizen/Public
TTT.	Greg & Arlene Stevens	November 27, 2011	Citizen/Public
UUU.	Lane J. Thomas (Goose Creek Golf Club)	November 28, 2011	Attorney/Public
VVV.	Ellen Porter	November 28, 2011	Citizen/Public
WWW.	Fredda Fox/Victoria Kirkman	November 28, 2011	Citizen/Public
XXX.	Brian Schafer	November 28, 2011	Citizen/Public
YYY.	Brad Hancock	November 29, 2011	Citizen/Public
ZZZ.	Rutan & Tucker (Vernola Family)	November 29, 2011	Attorney/Public
AAAA.	Allan Kasen (Vernola Marketplace LLC)	November 29, 2011	Developer/Public
BBBB.	Sheppard Mullen (Ter Maaten Family)	November 30, 2011	Attorney/Public
CCCC.	Ed Hawkins	November 30, 2011	Citizen/Public
DDDD.	Allen Matkins (CV Communities)	November 30, 2011	Attorney/Public
EEEE.	William A. Van Train III	November 30, 2011	Citizen/Public
FFFF.	William A. Van Train III	November 30, 2011	Citizen/Public
GGGG.	Jean Hess	November 30, 2011	Citizen/Public
HHHH.	Betty Anderson	November 30, 2011	Citizen/Public
IIII.	Kevin and Carolyn Hoggard	November 30, 2011 ¹	Citizen/Public - late
JJJJ.	Bonnie Kimm & Irene Kimm Hammons	December 5, 2011	Citizen/Public - late
KKKK.	Diana Leja	December 16, 2011	Citizen/Public – late
LLLL.	Rincon Band of Luiseño Indians	January 30, 2012	Tribe – late
MMMM.	Rincon Band of Luiseño Indians	February 29, 2012	Tribe – late

¹ Although this comment letter was received on November 30, 2011, it was sent via email at 7:12 p.m., which was beyond the 5:00 p.m. close time for public comments.

	Commenter	Correspondence Date	Comment Type
NNNN.	albegolfin@charter.net	March 20, 2012	Citizen/Public – late
OOOO.	Ted Rozzi / Corona-Norco Unified School District	March 21, 2012	Agency – late
PPPP.	Kumar Chaklashiya	March 22, 2012	Citizen/Public – late
QQQQ.	Andrew Shaffer (by phone)	March 22, 2012	Citizen/Public – late
RRRR.	Rick Bondar / McCune & Associates, Inc.	March 27, 2012	Citizen/Public – late
SSSS.	Harold Glick	March 27, 2012	Citizen/Public – late
TTTT.	City of Jurupa Valley (Richard Watson & Gershon)	March 29, 2012	Agency – late
UUUU.	Sarah Posey	April 2, 2012	Citizen/Public – late
VVVV.	Lynn Brookens	April 2, 2012	Citizen/Public – late
WWWW.	JoAnn Burdett	April 3, 2012	Citizen/Public – late
XXXX.	Barry & Donna Wallner	April 3, 2012	Citizen/Public – late
YYYY.	Derek Carrington	April 4, 2012	Citizen/Public – late
ZZZZ.	Karen Doris Wright	April 5, 2012	Citizen/Public – late
AAAAA.	Richard Ford	April 9, 2012	Citizen/Public – late
BBBBB.	Doug Schroeder	April 9, 2012	Citizen/Public – late
CCCCC.	Bob Gano	April 9, 2012	Citizen/Public – late
DDDDD.	Brandon Roth	April 11, 2012	Citizen/Public – late
EEEE.	Heinz Zwingler (by phone)	April 12, 2012	Citizen/Public – late
FFFFF.	Bob and Margaret Gano	May 2, 2012	Citizen/Public – late
GGGGG.	Heather Carrington	April 4, 2012	Citizen/Public - late
HHHHH.	Chuck Hughes	April 4, 2012	Citizen/Public - late
IIIII.	City of Jurupa Valley – Mayor Laura Roughton	April 5, 2012	Agency - late
JJJJJ.	Ed Hawkins	April 5, 2012	Citizen/Public - late
KKKKK.	Linda Lovett / Lovett's Children, Inc.	April 3, 2012	Citizen/Public - late

2.2 COMMENTS AND RESPONSES TO COMMENTS

The section includes all written comments on the DEIR received by the City and the responses to those comments in accordance with Section 15088 of the CEQA Guidelines. In accordance with the CEQA Guidelines, responses are prepared for those comments raising environmental issues. When responding to comments CEQA provides that lead agencies should focus on significant environmental issues and do not need to provide all information requested by reviewers, as long as a “good faith, reasoned analysis is provided” (CEQA Guidelines, §§ 15088(c), 15204). In addition, it should be noted that comments by public agencies should be limited to those aspects of a project that are within its area of expertise or that are required to be carried out or approved by the agency, and such comments must be supported by substantial evidence (CEQA Guidelines Section 15204).

2.2.1 MASTER RESPONSES TO COMMENTS

The City is providing master responses to address certain issues that were raised or implicated by one or more comment letters. Those master responses are numbered and provided below, and they are referred to throughout the comment-specific responses.

Master Response #1: Comments on Non-Environmental Issues

Section 15088 of the CEQA Guidelines states, “the lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response” (emphasis added). Where a commenter submits comments that do not raise environmental issues, there is no requirement under CEQA that the City respond (*Ibid.*; see also *Cleary v. County of Stanislaus* [1981] 118 Cal.App.3d.348 360 [holding that a Final EIR was adequate under CEQA where it did not respond to comments raising non-environmental issues]).

Master Response #2: Vague or Conclusory Comments

Some of the comments received on the DEIR state the commenters’ conclusions without elaborating on the reasoning behind, or the factual support for, those conclusions. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis” (CEQA Guidelines 15088(c)). These responses “shall describe the disposition of the significant environmental issues raised...[and] giv[e] reasons why specific comments and suggestions were not accepted” (CEQA Guidelines, 15088(c), emphasis added). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [Where a general comment is made, a general response is sufficient]).

Master Response #3: Late Comments

Certain comment letters were received from commenters after the close of the official public review and comment period. The original 60-day comment period was from Monday, August 1, 2011 to Friday, September 20, 2011 at 5:00 p.m. The comment period was extended an additional 60 days, to November 30, 2011 at 5:00 p.m., at the request of the City of Jurupa Valley.

Section 15088(a) of the CEQA Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments” (emphasis added). Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City following the close of the comment period have been included within this Final EIR (FEIR). Although not required by CEQA, the City has also provided a response to these comments.

Master Response #4: Recirculation

The responses to comments included in this FEIR and the textual edits included in the Draft EIR do not significantly alter the Proposed Project, change the DEIR’s significance conclusions to identify any new significant impacts, or result in a conclusion that an environmental impact resulting from the Proposed Project would be substantially increased. Instead, the information presented in the responses to comments merely “clarif[ies] or amplif[ies] or makes insignificant modifications” in the already adequate Draft EIR, as is permitted by CEQA Guidelines Section 15088.5(b).

Regarding recirculation of the Draft EIR, CEQA Guidelines Section 15088.5 requires the lead agency to recirculate an EIR only when significant new information is added to the EIR after public notice is given of the draft EIR's availability. New information added to an EIR is not significant unless the EIR has changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponents have declined to implement (CEQA Guidelines Section 15088.5). In summary, significant new information consists of:

- 1) Disclosure of a new significant impact
- 2) Disclosure of a substantial increase in the severity of an environmental impact
- 3) Disclosure of a feasible project alternative or mitigation measure considerably different from the others previously analyzed that would clearly lessen environmental impacts of the project but the project proponent declines to adopt it
- 4) The draft EIR being so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (CEQA Guidelines Section 15088.5(a)). In contrast, recirculation is not required where, for example, new information added to an EIR merely amplifies or clarifies or makes insignificant modifications in an adequate EIR (CEQA Guidelines Section 15088.5(b)).

The responses to comments and revisions to the Draft EIR present information that expands upon the Proposed Project and the analysis of the Proposed Project's impacts, but does not identify any new significant impacts from those presented in the DEIR circulated for public review. Additionally, the responses present supplemental information and analysis in response to requests from the commenters. This analysis, however, is used to supplement, expand, and provide further detail on the analysis already provided in the DEIR. Accordingly, this information merely "clarifies" or "amplifies" the analysis provided in the DEIR, and recirculation is not required.

In response to public comments on the DEIR and to avoid significant impacts of the Proposed Project, RPU and SCE have made modifications to the Proposed Project as described in Chapter 2, Proposed Project Description, of Volume II. Project modifications resulted in a slightly shorter 230 kV transmission line, fewer severe angles in the transmission line centerline, fewer total overhead structures, and fewer lattice towers. Following review of all resources, additional environmental analysis associated with these changes has been added, where relevant, throughout Chapter 3, Environmental Analysis, of Volume II. (For details see Sections 3.2.1, Aesthetics; 3.2.3, Air Quality; 3.2.5, Cultural Resources; 3.2.7, Hazards and Hazardous Materials; 3.2.8, Hydrology and Water Quality; and 3.2.15, Transportation and Traffic, of the DEIR.) Changes to the Proposed Project do not increase the significance of any impact levels as determined in the DEIR and, therefore, do not merit recirculation of the DEIR. These changes are summarized below and the environmental impact analysis presented within the EIR reflects these modifications.

- The 230 kV transmission line's route has been modified to avoid the Vernola Marketplace parking lot by following I-15 roughly south and to the east of the California Department of Transportation's right-of-way (ROW). Additionally, the route along the

Goose Creek Golf Club and Santa Ana River crossing has been slightly modified to utilize one double-circuit structure on each side of the river, instead of the previously presented two single-circuit structures. Finally, the route's path through the City of Riverside Water Quality Control Plant has been shifted to the north side of the plant property to reduce potential conflicts with current operations and possible future development at the plant. These routing changes are described in Section 2.3.1 in Chapter 2 of the DEIR (Volume II of this FEIR).

- The 69 kV subtransmission line will be placed underground in Segment A of the Riverside Energy Resource Center to Harvey Lynn/Freeman route in order to reduce potentially significant aircraft hazard and inconsistency with the Riverside County Airport Land Use Consistency Plan, as described in Section 2.3.2 in Chapter 2 of the DEIR.

Neither the clarifications to the DEIR provided through the responses to comments, the supplemental analysis provided in these responses, the clarification or addition of further mitigation measures, nor the revisions to the DEIR result in any increased impact in the DEIR's significance conclusions or changes to the DEIR "that deprive[d] the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement" (CEQA Guidelines Section 15088.5(a)). Thus, there is substantial evidence supporting the City's determination that recirculation of the DEIR is not required under CEQA (CEQA Guidelines Section 15088.5(a)).

Master Response #5: Lead Agency

CEQA Guidelines Section 15051 states (emphasis added):

"Where two or more public agencies will be involved with a project, the determination of which agency will be the Lead Agency shall be governed by the following criteria:

- (a) If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project would be located within the jurisdiction of another public agency.
- (b) If the project is to be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.
 - (1) The Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project.
 - (2) Where a city prezones an area, the city will be the appropriate Lead Agency for any subsequent annexation of the area and should prepare the appropriate environmental document at the time of the rezoning. The Local Agency Formation Commission shall act as a Responsible Agency.
- (c) Where more than one public agency equally meet the criteria in subdivision (b), the agency which will act first on the project in question shall be the Lead Agency.

- (d) Where the provisions of subdivision (a), (b), and (c) leave two or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate an agency as the Lead Agency. An agreement may also provide for cooperative.”

CEQA defines a “project” as the “whole of an action,” and forbids public agencies from considering only the “constituent parts, when determining whether it will have a significant effect” on the environment (CEQA Guidelines, §§ 15378, 15003(h)). Accordingly, and to take a conservative approach that ensured the full environmental impacts were captured, the City of Riverside included the 69 kV, the 230 kV, and all appurtenant facilities in its definition of the Proposed Project and fully analyzed the whole of that action in its DEIR. As to that Proposed Project—and although other public agencies may be called upon to issue limited project approvals—the two entities actually carrying out the RTRP are the City of Riverside and SCE. If approved, the City (a public agency) would carry out the 69 kV portion of the Proposed Project along with associated facilities, and SCE (not a public agency but rather an investor-owned utility) would carry out the 230 kV portion of the Proposed Project along with associated facilities. Accordingly, under Section 15051(a), set forth above, the City is the appropriate CEQA lead agency because it is the only public agency that is actually carrying out the Proposed Project.

Further, and to the extent that Section 15051(b) and (c) apply, the City is still the appropriate CEQA lead agency. This is because the City “will act first on the Project” by making a determination on the EIR and potentially approving the Proposed Project as a whole. If the City approves the Proposed Project, Southern California Edison (SCE) would be required to obtain a Certificate of Public Convenience and Necessity (CPCN) for the 230 kV portion of the Proposed Project, to be issued after the City’s action by the California Public Utilities Commission (CPUC). The CPUC would review SCE’s CPCN application and the City’s EIR before making a decision on the CPCN, consistent with its duties as a responsible agency under CEQA (CEQA Guidelines, § 15096). Accordingly, the City of Riverside is and remains the appropriate CEQA lead agency, and the commenters who have asserted the contrary are incorrect. Please see the CPUC’s letter of October 26, 2011 (Comment Letter L), in which it confirms that the CPUC is a responsible agency.

Master Response #6: Electric and Magnetic Fields (EMF)

The effects of EMF are not a CEQA issue because, as summarized below and in the Draft EIR, there is no direct link between exposure to EMF and potential environmental or human health impacts and because there are no defined or adopted CEQA standards for defining health risk from EMF. Nevertheless, the potential relevance and effects of EMF are discussed in Section 5.3, Electric and Magnetic Fields, of the DEIR for purposes of public disclosure.

Although some commenters assert that some scientific evidence is available supporting a correlation between EMF and health effects, multiple expert studies have concluded that there is no clear connection between EMF and potential health impacts (see discussion in the DEIR, Section 5.3). Further, the CPUC has considered multiple expert studies and concluded that “a direct link between exposure to EMF and human health effects has yet to be proven despite numerous studies including a study ordered by this Commission and conducted by the [California Department of Health Services]” (CPUC D06-01-042 [Findings of Fact #5]; see also

CPUC D93-11-013 [Findings of Fact # 7]). Likewise, recent literature on EMF confirms that any link between extremely low frequency magnetic fields and health effects is equivalent to the potential health effects of drinking coffee or eating pickled vegetables (“EMF and Your Health,” Electric Power Research Institute [EPRI 2012]). Accordingly, like the CPUC, the City has concluded that available expert research supports the conclusion that no direct link between EMF and health effects exists.

The CEQA Guidelines (Section 15151) provide that “disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts.” The DEIR cited expert evidence that exposure to EMFs is not a health risk while summarizing the conflicting opinion defining potential health effects of EMFs; as such, the discussion presented in Section 5.3 of the DEIR is adequate under CEQA.

Despite the City’s conclusion, measures to address Project-specific EMF emissions will nonetheless be included in the Field Management Plan (FMP), which is an Attachment in the CPCN (to be filed with the CPUC following certification of the EIR). FMPs are prepared in accordance with CPUC Decision No. 93-11-013 and Decision No. 06-01-042 relating to extremely low frequency (ELF)² EMF. The FMP for the Proposed Project will be prepared once a final project design has been completed and the CPCN application is ready for submittal to the CPUC. The FMP will include a project summary, background information regarding EMF and public health research, a description of the calculated magnetic field levels modeled for the Proposed Project, evaluation of the “no-cost and low-cost” magnetic field design options for the Proposed Project, and final recommendations for implementing “no-cost and low-cost” magnetic field design options for the Proposed Project.

Typical “no-cost and low-cost” magnetic field reduction design options that may be incorporated into the design of the Proposed Project are as follows:

- Utilizing structure heights that meet or exceed SCE’s preferred EMF design criteria
- Utilizing line construction that reduces the space between conductors compared with other designs
- Arranging conductors of proposed lines for magnetic field reduction
- Site selection of the substation site
- Placing major substation electrical equipment (such as transformers, switchracks, buses, and underground duct banks) away from the substation property lines
- Configuring the transfer and operating buses with the transfer bus closest to the nearest property line

Although the 69 kV subtransmission lines would not be regulated by the CPUC, RPU will also complete an FMP prior to construction of the 69 kV line components. This Field Management Plan would include similar low-cost/no-cost measures to reduce EMF as described above for the 230 kV transmission line FMP.

For additional information on electric and magnetic fields, please consult the publications “EMF and Your Health” from the Electric Power Research Institute (EPRI 2012) and “Questions and

² The extremely low frequency is defined as the frequency range from 3 Hertz (Hz) to 3,000 Hz.

Answers: Electric and Magnetic Fields Associated with the Use of Electric Power” prepared by the National Institute of Environmental Health Science-National Institutes of Health (NIEHS 2002).

Master Response #7: Economic and Social Impacts / Environmental Justice

Several commenters expressed concern that the Proposed Project would preclude future development of industrial, commercial or residential uses on the parcels crossed by the 230 kV component, and therefore, the Proposed Project would cause economic hardship. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not in economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effects because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

“Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.”

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant (CEQA Guidelines Section 15358(a)(2)). Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment” (CEQA Guidelines, § 15064(f)(6)). The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant.... Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview” (*Anderson First Coalition v. City of Anderson* [2005] 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)] [emphasis in original]). Accordingly, it is only “[w]hen there is evidence ... that economic and social effects caused by a project ... could result in a reasonably foreseeable indirect environmental impact, such as urban decay or deterioration, then the CEQA lead agency is obligated to assess this indirect environmental impact” (*Ibid*).

Several commenters also expressed concern about the potential adverse effects on property values from the Proposed Project. Potential visual impacts, as well as health and safety effects, are the primary concerns expressed by commenters associated with living and working near power lines. The potential visual impacts are thoroughly analyzed in Section 3.2.1, Aesthetics, of the DEIR. As discussed in Master Response #6, the effects of EMF are not a CEQA issue because there is no direct link between exposure to EMF and potential environmental or human health impacts and because there are no defined or adopted CEQA standards for defining health risk from EMF. Nevertheless, the potential relevance and effects of EMFs are discussed in Section 5.3, Electric and Magnetic Fields, of the DEIR.

Consequently, under CEQA, economic impacts to businesses and land owners are only relevant if the magnitude and the losses are so severe that they would result in adverse physical changes to the environment. The Lead Agency has no evidence of, and the commenters have presented no evidence of, adverse physical changes arising from economic impacts as a result of the Proposed Project. Therefore, no additional analysis of economic impacts related to the construction, operation, or maintenance of the Proposed Project is required.

Several commenters further asserted that there is a connection between the direct and cumulative visual and aesthetic impacts of the Proposed Project and potential economic impacts on businesses and commercial uses and future public agency revenue generation due to visual “blight.” The Lead Agency has no evidence of, and the commenters have provided no substantial evidence of, any potential relationship between reduced visual quality and the actual potential financial losses that would be incurred. Further, there is no correlation between the court cases (which involved the development of several shopping centers and those shopping centers’ effect on other existing local land uses and businesses) presented by the commenters as examples of blight and the proposed Project (which will not introduce any shopping or commercial uses that might serve as competition to existing businesses). These cases include:

- *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004);
- *Friends of Davis v. City of Davis* (2000);
- *Citizens for Quality Growth v. City of Mt. Shasta* (1988);
- *El Dorado Union High School Dist. v. City of Placerville* (1983); and
- *Christward Ministry v. Superior Court* (1986).

Reduction of visual quality and character were analyzed in Section 3.2.1, Aesthetics, of the DEIR, with the recognition that significant visual impacts will occur in certain commercial areas (e.g., Goose Creek Golf Club). However, the DEIR (Section 3.2.1) also found that other developed commercial areas would not be significantly impacted. Ultimately, the commercial value of visual resources, the economic aspects of reduced visual quality, and the associated modification of consumer or user habits is beyond the scope of CEQA requirements, as described above within this Master Response.

Some commenters expressed concerns about the loss of use within the ROW. As stated in the DEIR, a 50-foot maintenance buffer around each tubular steel pole (TSP) and a 100-foot maintenance clearance buffer around each lattice steel tower (LST) will be provided. In most cases, these horizontal clearance distances provide adequate area to locate and operate equipment and stage material and personnel for routine and emergency construction, restoration, inspection, and ongoing maintenance activities. Topographical features, property dimensions, environmental restrictions, limitations and other conditions may cause these horizontal clearances to be increased or decreased depending on the particular circumstance. All measurements are taken from the face of the tower foundation.

Due to federal, State, and utility regulations and policies, structures are not permitted to be constructed in the ROW; however, structures may be constructed up to the ROW if adequate vertical clearances are met. Land uses that are compatible with the utility ROW and operational criteria—including parking lot and loading travel lanes, recreation uses, open space uses, certain

agricultural crop production—may be permitted; therefore, no parcels would be entirely precluded from development.

Assertions that development would be restricted to such an extent as to preclude the functionality of commercial, industrial, or residential uses is not based in fact; SCE currently allows many uses that are compatible with operational criteria along the Mira Loma-Vista transmission line in industrial and commercial areas in the vicinity of the Proposed Project. Furthermore, it is also likely that alternate configurations of any future development would be able to occur on the parcels. Regardless, the current land owners would receive ROW compensation appropriate for the property value, as discussed in Section 2.4.1 of the DEIR.

Environmental Justice

In addition, several commenters alleged that the City of Jurupa Valley residents are disproportionately impacted by the Proposed Project based on income, and that Environmental Justice should have been analyzed within the DEIR. Environmental Justice is a term often used to describe the idea that environmental laws and regulations should be applied evenly across all segments of society, so that projects do not result in the disproportionate infliction of environmental impacts on populations comprising ethnic minorities and/or underprivileged groups. An analysis of Environmental Justice, however, is a required element of environmental review under the National Environmental Policy Act (NEPA), not CEQA (see United States Code, title 42, §§ 4331(a), 4342, 4344). Under CEQA, and as set forth above, a lead agency has an obligation to analyze impacts on the physical environment, not social or economic impacts. Accordingly, an Environmental Justice analysis is not required.

On February 11, 1994, President Clinton issued an “Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (Executive Order 12898, 1994). This Order is designed to focus federal attention on environmental and human health conditions in minority communities and low-income communities. The Order is further intended to promote non-discrimination in federal programs substantially affecting human health and the environment and to provide for information access and public participation relating to such matters.

Even though not required by CEQA, this analysis is provided to achieve compliance with the letter and spirit of Executive Order 12898 by addressing the question of whether and how the impacts of the Proposed Project and alternatives may disproportionately affect minority and low-income populations. This section analyzes the distributional patterns of minority and low-income populations at a regional level as well as using census tracts traversed and within 0.5 mile of the Proposed Project and alternative routes to characterize the distribution of such populations. A “census tract” is a geographic region defined for the purpose of taking a census. Although not required under CEQA, environmental justice is assessed for the Proposed Project.

As defined by the “Final Guidance for Incorporating Environmental Justice Concerns,” contained in the Guidance Document of the United States Environmental Protection Agency’s NEPA Compliance Analysis (EPA 1998), minority (people of color) and low-income populations are identified where either:

- The minority or low-income population of the affected area is greater than 50 percent of the affected area's general population; or
- The minority or low-income population percentage of the affected area is meaningfully greater (50 percent or greater per EPA Guidance Document) than the minority population percentage in the general population of the jurisdiction or other appropriate unit of geographic analysis (i.e., County or Native American Reservation) where the affected area is located.

In 1997, the President's Council on Environmental Quality issued Environmental Justice Guidance (CEQ 1997, available at <http://ceq.hss.doe.gov/nepa/regs/ej/justice.pdf>) that defines minority and low-income populations as follows:

- "Minorities" are individuals who are members of the following population groups: American Indian or Alaskan Native; Asian or Pacific Islander; Black not of Hispanic origin; or Hispanic (without double-counting non-white Hispanics falling into the Black/African-American, Asian/Pacific Islander, and Native American categories)
- "Low-income populations" are identified as populations with mean annual incomes below the annual statistical poverty level.

The following analysis describes the numbers of existing low income and minority population both within the region (Table 2-2) and within 0.5 mile of the Proposed Project and alternatives (Tables 2-3, 2-4, and 2-5). It should also be noted that the majority of the Proposed Project is located within the City of Riverside (both new Wilderness and Wildlife Substations, 69 kV substation upgrades, all new 69 kV lines and a significant percentage [42%] of the 230 kV line).

TABLE 2-2. REGION LOW INCOME AND MINORITY POPULATION CHARACTERISTICS

Jurisdiction	Total Population	Low Income Population (%)	Minority Population (%)
Riverside County	2,109,464	13.4%	32.7
San Bernardino County	2,005,287	18.4%	36.5%

Source: U.S. Census Bureau 2006-2010 available at: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

Proposed Project

Table 2-3 identifies the minority and low-income populations contained within census tracts located within 0.5 mile of the Proposed Project centerline. As shown in Table 2-3, the Proposed Project's affected area crosses and/or is within 0.5 mile of 12 census tracts within Riverside County. Data presented in Table 2-3 indicate that the proportions of both minority and low-income households in the affected area fall below the 50 percent threshold and, by this criterion, would not be considered low-income or minority communities under the EPA's guidance.

As shown at the end of Table 2-3, within 0.5 mile of the entire Proposed Project centerline (230 kV and 69 kV lines), the total population is 60,787 persons with 49.3 percent of the total population minority and low-income communities between 1.9% and 27.0%.

TABLE 2-3. PROPOSED PROJECT ENVIRONMENTAL JUSTICE CHARACTERISTICS

Census Tract	Total Population	Total Minority (Percentage Minority)	Median Household Income	Proportion of the Population Living Below the Poverty Level (Percentage Low-Income)
Riverside County				
406.16	7,610	4635 (60.9%)	\$103,750	1.9%
406.15	9,024	5309 (58.8%)	\$111,334	2.0%
404.04	3,309	1569 (47.4%)	\$65,816	14.5%
406.07	9,317	4724 (50.7%)	\$74,474	11.1%
309	3,308	1689 (51.1%)	\$57,171	8.4%
402.01	5,897	2907 (49.3%)	\$59,408	9.6%
410.04	4,590	2223 (48.4%)	\$41,946	27.0%
409.02	5,040	1932 (38.3%)	\$58,450	13.3%
406.03	2,376	1102 (46.4%)	\$55,208	4.0%
404.02	4,224	1672 (39.6%)	\$63,272	11.6%
410.02	3,312	1612 (48.7%)	\$47,105	24.3%
407.03	2,780	508 (18.3%)	\$87,964	11.5%
Total	60,787	29,882 (49.2%)		

Source: U.S. Census Bureau 2006-2010 available at: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

Van Buren Offset Alternative

Table 2-4 identifies the minority and low-income populations contained within census tracts located within 0.5 mile of the Van Buren Offset Alternative centerline. As shown in Table 2-4, the Van Buren Offset Alternative crosses and/or is within 0.5 mile of 18 census tracts within Riverside County. Data presented in Table 2-4 indicate that the proportions of both minority and low-income households in the affected area fall below the 50 percent threshold and, by this criterion, would not be considered low-income or minority communities under the EPA's guidance.

As shown at the end of Table 2-4, within 0.5 mile of the entire 230 kV portion of the Van Buren Offset Alternative centerline (the 69 kV subtransmission line centerlines for this alternative would be the same as for the Proposed Project), the total population is 98,718 persons with 44.3 percent of the total population minority and low-income communities between 1.9% and 27.0%.

TABLE 2-4. VAN BUREN OFFSET ALTERNATIVE ENVIRONMENTAL JUSTICE CHARACTERISTICS

Census Tract	Total Population	Total Minority (Percentage Minority)	Median Household Income	Proportion of the Population Living Below the Poverty Level (Percentage Low-Income)
Riverside County				
406.16	7,610	4635 (60.9%)	\$103,750	1.9%
406.15	9,024	5309 (58.8%)	\$111,334	2.0%
404.05	5,353	2014 (37.6%)	\$74,752	3.5%
404.04	3,309	1569 (47.4%)	\$65,816	14.5%
406.07	9,317	4724 (50.7%)	\$74,474	11.1%
309	3,308	1689 (51.1%)	\$57,171	8.4%
402.01	5,897	2907 (49.3%)	\$59,408	9.6%
410.04	4,590	2223 (48.4%)	\$41,946	27.0%
405.02	6,202	3314 (53.4%)	\$49,477	14.4%
409.02	5,040	1932 (38.3%)	\$58,450	13.3%
405.03	3,876	1751 (45.2%)	\$30,711	10.2%
404.03	5,801	2600 (44.8%)	\$66,271	18.7%

Census Tract	Total Population	Total Minority (Percentage Minority)	Median Household Income	Proportion of the Population Living Below the Poverty Level (Percentage Low-Income)
402.02	2,821	1008 (35.7%)	\$54,250	14.2%
406.03	2,376	1102 (46.4%)	\$55,208	4.0%
404.02	4,224	1672 (39.6%)	\$63,272	11.6%
405.01	6,878	3146 (45.7%)	\$53,987	16.2%
410.02	3,312	1612 (48.7%)	\$47,105	24.3%
407.03	2,780	508 (18.3%)	\$87,964	11.5%
Total	98,718	43,715 (44.3%)		

Source: U.S. Census Bureau 2006-2010 available at: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

Eastern Route

Table 2-5 identifies the minority and low-income populations contained within census tracts located within 0.5 mile of the Eastern Route centerline. As shown in Table 2-5, the Eastern Alternative crosses and/or is within 0.5 mile of one census tract in San Bernardino County and 10 census tracts within Riverside County. Data presented in Table 2-5 indicate that the proportions of both minority and low-income households in the affected area fall below the 50 percent threshold and, by this criterion, would not be considered low-income or minority communities under the EPA's guidance.

As shown at the end of Table 2-5, within 0.5 mile of the entire Eastern Route 230 kV transmission line centerline (the 69 kV subtransmission line centerlines for this alternative would be the same as for the Proposed Project), the total population is 50,618 persons with 47.4 percent of the total population minority and low-income communities between 8.4% and 39.4%.

TABLE 2-5. EASTERN ROUTE ENVIRONMENTAL JUSTICE CHARACTERISTICS

Census Tract	Total Population	Total Minority (Percentage Minority)	Median Household Income	Proportion of the Population Living Below the Poverty Level (Percentage Low-Income)
San Bernardino County				
40.04	5,076	2353 (46.4%)	\$50,755	12.9%
Riverside County				
404.04	3,309	1569 (47.4%)	\$65,816	14.5%
308	6,973	2474 (35.5%)	\$45,547	11.6%
309	3,308	1689 (51.1%)	\$57,171	8.4%
402.01	5,897	2907 (49.3%)	\$59,408	9.6%
401.01	4,287	2367 (55.2%)	\$45,957	18.7%
301.04	6,922	3803 (54.9%)	\$54,359	19.0%
302	4,633	1426 (30.8%)	\$55,823	9.2%
402.02	2,871	1008 (35.7%)	\$54,250	14.2%
402.03	3,626	2066 (57.0%)	\$32,500	39.4%
402.04	3,716	2354 (63.3%)	\$38,947	25.5%
Total	50,618	24,016 (47.4%)		

Source: U.S. Census Bureau 2006-2010 available at: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

No Project Alternative

The No Project Alternative would not impact minority and low-income populations directly or indirectly. This alternative would not result in the displacement of homes and businesses, because it would not change the existing conditions. No loss of scenic or economic resources would result because land would not be utilized for the transmission line under the No Project

Alternative. The Proposed Project or alternatives would not be constructed under the No Project Alternative and, therefore, this alternative would have no environmental justice impacts.

Impact Analysis Methodology

As defined by the “Final Guidance for Incorporating Environmental Justice Concerns in EPA’s NEPA Compliance Analysis” (EPA 1998), minority and low-income populations are identified where either:

- The minority or low-income population of the affected area is greater than 50 percent of the affected area’s general population; or
- The minority or low-income population percentage of the area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

As defined by the EPA’s “Toolkit for Assessing Potential Allegations of Environmental Injustice” (EPA 2004), a disproportionate environmental justice impact would occur if an adverse unavoidable environmental impact associated with the Proposed Project would be:

- Predominantly borne by any segment of the population, including, for example, a minority population and/or a low-income population; or
- Suffered by a minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect or impact that will be suffered by a non-minority population and/or non-low-income population.

Impact Analysis

Data presented in Tables 2-3, 2-4, and 2-5 for the Proposed Project and alternatives indicate that the proportions of both minority and low-income households in the census tracts fall below the 50 percent threshold. The Proposed Project and alternatives would not result in disproportionate impacts to minority and low-income populations. It should be noted that significant visual impacts were identified for operational effects of the Proposed Project. As discussed in Section 3.21 (Aesthetics), the 230 kV transmission line would degrade the scenic quality of the Santa Ana River corridor, and impact sensitive viewers traveling Van Buren Boulevard (a City-designated Parkway and Gateway), Santa Ana River Trail users, and residences in the Bradford Street, Julian Drive, Auld Street, Viceroy Avenue, and 68th Street neighborhoods. As planned, the Proposed Project, including integrated EPEs, would avoid impacts to the maximum extent possible, but not to a less than significant level. Significant impacts in these areas would be a result of the proximity of the transmission line (in the immediate foreground), typically as viewed in the context of the Santa Ana River scenic backdrop.

Because these impacts would occur at various locations along the entire centerline, impacts would be evenly distributed among receptors in census tracts with less than 50 percent minority populations and those census tracts containing greater than 50 percent minority populations. Therefore, the Proposed Project’s visual impacts would not be predominantly borne by any segment of the population within census tracts 0.5 mile of the Proposed Project centerline (i.e., the affected area), and would not be suffered by a minority population in a way appreciably more

severe or greater in magnitude than the adverse effect or impact that would be suffered by a non-minority population. Similarly, the Project's significant and unavoidable impacts to air quality, agriculture, and cumulative hydrology would occur on an area-wide basis and, therefore, would not result in a disproportionate impacts to any minority or low-income population. As such, the Proposed Project's significant impacts would not occur disproportionately to minority populations versus the entire population impacted.

This Environmental Justice analysis is, again, not required by CEQA; therefore, its inclusion in the FEIR is for informational purposes and does not warrant the recirculation of the DEIR.

Master Response #8: Involvement of the City of Jurupa Valley

Several commenters alleged that the Lead Agency's coordination efforts and impact assessment passively neglected, failed to recognize, or purposefully excluded the City of Jurupa Valley. The RTRP DEIR is a full and comprehensive analysis as required by CEQA. Per the requirements of the Public Resources Code 21000–21177, the CEQA Guidelines, and the City of Riverside's Local CEQA Guidelines (adopted via Resolution No. 21106), the RTRP DEIR complies with CEQA requirements. Commenters also allege that very little was done to include the City of Jurupa Valley in the DEIR. (The City of Jurupa Valley incorporated on July 1, 2011 and the DEIR was released August 1, 2011.) Commenters also allege that the DEIR contains factually inaccurate statements and omits any meaningful analysis relating to the newly incorporated City of Jurupa Valley. It has been asserted by the City of Jurupa Valley and additional commenters that the DEIR must be recirculated because the City of Jurupa Valley was allegedly deprived of the opportunity to present information germane to the Proposed Project.

As documented in DEIR Chapter 7, Public and Agency Coordination, the City of Riverside's public participation program incorporated numerous outreach methods, including newsletters, media announcements, open houses, agency contacts, and agency and elected official briefings. The City extensively consulted with the public, including individuals, agencies, and organizations that are now within the incorporated limits of the City of Jurupa Valley. Further, and discussed below in more detail, the City of Riverside has honored the requests from the City of Jurupa Valley for information related to the Proposed Project, and even doubled the length of the public comment period on the DEIR at the City of Jurupa Valley's request. In all, the public involvement approach for the proposed RTRP has been flexible, and evolved with the Proposed Project based on level of public interest, types of public comments, issues identified, and stage of the planning process. In some instances, additional newsletters were published, public meetings were held, or agency presentations were conducted beyond originally identified efforts of the City. See also Master Response #4 regarding recirculation.

The public and agency outreach as outlined in Chapter 7 commenced in 2006 and has continued throughout the DEIR development. Nine informational Public Open Houses were held in both the City of Riverside and parts of unincorporated Riverside County. Sites within Riverside County where public meetings were held subsequently incorporated into the City of Jurupa Valley. Additionally, as stated above, the City of Jurupa Valley requested and was granted an additional 60 days to comment on the DEIR.

As detailed in Chapter 7 of the DEIR, ample opportunities were provided for public outreach and involvement including:

- Seven newsletters (March 2006, Jan. 2007, April 2007, June 2007, Dec. 2008, Jan. 2009, Sept. 2009)
- Scoping Meeting announcement, Nov. 2009
- Notice of Preparation (Nov. 18, 2009)
- A total of 30 paid display advertisements in English and Spanish published in local area newspapers to announce all public open houses
- Project information was placed on the Riverside Public Utilities (RPU) website at www.riversidepublicutilities.com.
 - In April 2007, a comment form was added to the website to provide additional opportunities for the public to provide comments to RPU prior to selection of the environmentally superior routes. Team contact information also was provided. The website can be viewed in either English or Spanish.
- Nine Public Open Houses, including one on April 25, 2007 at Indian Hills Golf Club, one on February 12, 2009 at Jurupa Community Services District, and one on October 14, 2009 at Patriot High School. All three of these locations were subsequently incorporated into the City of Jurupa Valley.
- A Technical Advisory Committee (TAC) that met four times (Dec. 19, 2006/March 28, 2007/June 6, 2007/Dec. 17, 2008)
- 27 Agency and Elected Official briefings; including briefings prior to and after the public release of the DEIR on Aug. 1, 2011 (see revised Table 7.2-4 below)
- One public scoping meeting (Dec. 3, 2009)
- Notice of Availability/Notice of Completion of Draft EIR (Aug. 1, 2011) was mailed directly to the City of Jurupa Valley

Finally, it should be noted that the public circulation period of the DEIR did provide adequate time for the City of Jurupa Valley to prepare and submit several public records act requests and a 100+-page comment letter, identified in the Responses to Comments under Letter P. Again, the public comment period was extended at the City of Jurupa Valley's request to allow additional time to review the DEIR.

TABLE 7.2-4. AGENCY AND ELECTED OFFICIAL BRIEFINGS (REVISED)

Date	Jurisdiction or Agency	Items Discussed during Meeting / Agency Actions or Comments Received
January 20, 2006	RPU Board	Project presentation.
February 17, 2006	RPU Board	Project presentation.
March 14, 2006	Riverside City Council	Project presentation.
May 23, 2006	Greater Riverside Chambers of Commerce—ED Committee	Project presentation.
May 23, 2006	Riverside Downtown Partnership	Project presentation.

Date	Jurisdiction or Agency	Items Discussed during Meeting / Agency Actions or Comments Received
June 14, 2006	California Independent System Operator (CAISO) Board of Governors and Operations Committee	Project presentation / Project approved; board recommends SCE complete project as soon as possible.
June 23, 2006	City of Rialto Henry Garcia, City Administrator	Briefing Packet; no comments received.
June 23, 2006	Riverside Unified School District Superintendent Susan J. Rainey	Briefing Packet; no comments received.
June 23, 2006	Alvord Unified School District Superintendent Paul Jessup	Briefing Packet; no comments received.
June 23, 2006	Colton Joint Unified School District Superintendent Dennis Byas	Briefing Packet; no comments received.
June 23, 2006	Jurupa Unified School District Superintendent Elliott Duchon	Briefing Packet; no comments received.
June 26, 2006	RPU Board	Project presentation.
October 20, 2006	RPU Board	Project presentation.
November 7, 2006	Riverside City Council	Project presentation.
December 19, 2006	TAC Meeting #1—SCE, RPU, Riverside County Flood Control, Riverside County Parks, Riverside City Planning Dept.	Discussed Proposed Project, schedule, preliminary routes, and public involvement process.
February 26, 2007	Jurupa Community Services District (JCSD)	Project presentation; JCSD Board voted in favor of a resolution to oppose 230 kV transmission alignments through the District.
March 13, 2007	Riverside County Airport Land Use Commission	Project summary presentation; staff recommended filing an application with the preferred 69 kV route and noted the conflict with the current zoning (Zone A) for the Riverside Municipal Airport.
March 19, 2007	Jurupa Unified School District (JUSD) Board	Project summary presentation; JUSD Board voted 5-0 in opposition to the proposed SCE 230 kV transmission lines.
March 28, 2007	TAC Meeting #2—SCE, RPU, Riverside County Flood Control, Riverside County Parks, Riverside City Planning Dept., Riverside County Airport Land Use Commission, City of Colton Planning Division, Riverside County Supervisor John Tavaglione's office	Discussed project status, agency and public comments, impact assessment process.
April 4, 2007	RPU Board and Council Members, County of Riverside, County of San Bernardino, City of Colton, City of Grand Terrace	Briefing Packet mailed, no comments received.
May 15, 2007	California Public Utilities Commission (CPUC)	Project briefing, description and discussion of CPUC involvement. CPUC will provide comments on the DEIR during public review.
May 16, 2007	Riverside County Supervisor John Tavaglione	Project briefing.

Date	Jurisdiction or Agency	Items Discussed during Meeting / Agency Actions or Comments Received
June 6, 2007	TAC Meeting #3—Riverside City Planning Dept., Riverside County Airport Land Use Commission, City of Colton Planning Division, Riverside City Planning Dept., Supervisor Tavaglione's office, Supervisor Buster's Office, Senator Dutton's office, Assemblyman Jeffries' office	Discussed route selection and alternative route ranking process.
June 15, 2007	RPU Board	Project presentation.
December 17, 2008	TAC Meeting #4—SCE, RPU, City of Colton Electric Department, CPUC, City of Colton Planning Division, Riverside City Planning Dept., Riverside County Airport Land Use Commission, Riverside County Parks, Riverside County Planning Div., Supervisor Tavaglione's office, Supervisor Caliva's office, Assemblyman Nestande's office, Assemblyman Jeffries' office	Discussed current routes under consideration, why some routes were altered or eliminated, next steps in public outreach.
November 11, 2009	Greater Riverside Chamber of Commerce Good Morning Riverside	Project briefing.
December 3, 2009	Riverside Planning Commission	Project presentation / scoping meeting.
December 9, 2009	Riverside Downtown Partnership Board Meeting	Project briefing.
July 14, 2011	Riverside County Airport Land Use Commission	Agenda item: RTRP 69 kV subtransmission lines near Airport
August 3, 2011	City of Norco	Project presentation
September 13, 2011	City of Jurupa Valley	Project presentation
September 28, 2011	City of Eastvale	Project presentation

In that the City of Jurupa Valley was not incorporated until July 1, 2011, the City of Riverside and SCE reached out to the County and municipal agencies in whose jurisdiction the Proposed Project was located. Chapter 7 of the DEIR describes public and agency coordination associated with the Proposed Project. Early in Proposed Project development, a technical advisory committee (TAC) was formed to establish a group representing a range of opinions from the local area in a forum small enough to allow for thorough education of the participants, detailed discussion of issues and potential environmental impacts, and informal dialogue. The TAC included representatives from County (Riverside County Regional Park & Open-Space District, Flood Control District, Airport Land Use Commission, Planning Department, and two Supervisorial Districts) and municipal agencies that had administrative jurisdiction in the Proposed Project area. The purpose of the TAC was to allow members to share their knowledge of the Proposed Project area and of potential issues during environmental studies and evaluation of alternative routes. TAC members were encouraged to share their thoughts on Proposed Project studies throughout the planning process. New members were subsequently added to the TAC based on an identified need for representation or as recommended by existing members.

Contrary to the commenters' allegations, the City of Riverside fully cooperated with the City of Jurupa Valley and, as discussed, kept residents fully apprised of the Project's status. For example, the City of Riverside responded to requests received from the City of Jurupa Valley following the incorporation in July 2011. The City of Riverside received a Public Records Act Request dated September 28, 2011 from the City of Jurupa Valley. The letter requested to

inspect and obtain copies of documents that pertained to the DEIR, and provided a list within the letter. The City of Riverside advised the City of Jurupa Valley in two separate letters dated October 20, 2011 and October 21, 2011 that the documents were available for their review. A second Public Records Act Request was received from the City of Jurupa Valley dated November 14, 2011. This request, like the first, requested additional documents pertaining to the RTRP. The City of Riverside advised the City of Jurupa Valley on December 8, 2011 that the documents were available for their review as requested.

In addition to the Public Records Act Requests, the City of Jurupa Valley requested an extension to the 60-day public review period for the DEIR. The City of Riverside agreed to this request and extended the review period by another 60 days, for a total 120-day public review period for the DEIR. Section 15105(a) of CEQA states, “the public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances.” In response to the City of Jurupa Valley request, the City of Riverside decided that the recent incorporation of Jurupa Valley presented “unusual circumstances,” and therefore extended the review period to accommodate the request.

In addition to these notification and consultation efforts, the City of Riverside fulfilled its obligations under CEQA by fully analyzing all potential impacts to the area currently incorporated into the City of Jurupa Valley. Specifically, existing documents were used to consider documented and planned land uses and consistency with the existing Riverside County General Plan 2025 area plans (which applies to the City of Jurupa Valley until and unless the City of Jurupa Valley adopts its own General Plan) and other relevant documents.

Moreover, the EIR presented updated text and figures to correctly represent jurisdictional changes that occurred on July 1, 2011 during final preparation of the DEIR. For example, on page 3-2 of the DEIR, the City of Jurupa Valley is described, along with how it was incorporated into the impact analysis sections. All figures in the DEIR have been updated in response to comments to explicitly show the relationship of the RTRP components within city boundaries, including the City of Jurupa Valley. Some minor omissions in this text updating have been noted and are presented in Volume II of this FEIR. None of these affect the conclusions of the DEIR’s analysis of the Proposed Project or identification of significant environmental impacts, as the mere creation of a new jurisdictional boundary does not result in the creation of new environmental impacts. Impacts to the City of Jurupa Valley (including localized impacts) are identical to impacts to Riverside County in the same locations. Land use categories, habitats, roads, residence locations, schools, etc. are the same. The creation of the City of Jurupa Valley was characterized as a transfer of municipal authorities from the County of Riverside to the new city (see Jurupa Valley Incorporation, Negative Declaration dated November 2009). This same document affirms that no land use changes would occur, no changes to the physical environment would occur (other than those already planned under the County of Riverside General Plan), and that the City of Jurupa Valley would adopt zoning ordinances, policies and goals stated in the County of Riverside General Plan and the Jurupa Area Land Use Plan. The City of Riverside took these statements in good faith and conducted its analysis accordingly. See Chapter 3 of the DEIR for impact analysis prepared per CEQA Guidelines Section 15126.

Some commenters further claimed that the DEIR is in violation of CEQA Guidelines Section 15124(d)(1)(A) (EIR shall include a “list of the agencies that are expected to use the EIR in their decision making”) because the City of Jurupa Valley is not listed as a Responsible Agency.

CEQA Guidelines Section 15381, which defines a Responsible Agency, states that “responsible agency means a public agency other than the lead agency which has discretionary approval over the project.” The components of the Proposed Project that would cross through the City of Jurupa Valley include a portion of the 230 kV transmission line, which is considered an electrical facility under CPUC General Order Number 131-D (GO 131-D), that would be owned and operated by SCE. Since SCE is an investor-owned utility, final responsibility for approving this component of the Proposed Project would come under the jurisdiction of the CPUC in issuing a CPCN. Additionally, and as stated on page 3-239 of the DEIR, Section XIV B of GO 131-D, which applies to all electrical facilities 50 kV and over, states that: “Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission’s [CPUC’s] jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters” (emphasis added). Under these circumstances and because the City of Jurupa Valley does not have jurisdiction to issue any discretionary approvals for the Proposed Project, the City of Jurupa Valley would not be considered a Responsible Agency for the Proposed Project.

Because of these reasons stated above, the DEIR is fully adequate under CEQA, all environmental impacts within the newly incorporated City of Jurupa Valley were fully analyzed, and all of CEQA’s procedural requirements have been met.

Master Response #9: Post Hoc Rationalization / Commitment

For the RTRP, environmental review and route siting of both the 230 kV transmission and 69 kV subtransmission lines were conducted iteratively in a concerted effort to identify and avoid impacts to the environment, as shown in DEIR Chapter 6 and Appendix D, Siting Study, to the DEIR, and in response to California Independent System Operator (CAISO) direction to SCE to build RTRP, including the 230 kV transmission line and other elements (see page ES-1 of the DEIR). A reasonable range of non-transmission alternatives was also investigated as discussed in Chapter 6 of the DEIR. Some amount of preliminary engineering is required for this process to both identify alternatives and determine their feasibility. These activities are not actions that foreclose alternatives or mitigation measures but actually support the spirit and intent of CEQA by providing a more accurate account of potential impacts to the environment. Indeed, CEQA Guidelines Section 15004 confirms that CEQA review should be undertaken at a time “late enough to provide meaningful information for environmental assessment” and “concurrently” with planning efforts in order to streamline environmental review. Accordingly, the City’s efforts to provide a detailed description of the Proposed Project and of potentially feasible alternatives were necessary to enable a good faith and reasoned comparison of environmental impacts among different Proposed Project and alternative alignments. Chapter 6 and Appendix D (Siting Study) of the DEIR reviews this process. No “*post hoc* rationalization” may be concluded from a careful review of this chapter; further, the City has made no decision on the Proposed Project other than to pursue the environmental review.

Following a decision on the RTRP, either to approve or not, only then would the City commit to the detailed design and construction of the Proposed Project. This is accurately described, as comment P-8 notes, in that detailed design, easement acquisition, material procurement and construction management would only be undertaken “upon successful completion of PHASE 1” (environmental work [emphasis added]) and only following the Project being brought back

before the City of Riverside for a potential subsequent approval. Although CAISO directed SCE to build the RTRP, it did not specify the particular Project components or alignment, nor did it specify the timeframe in which the RTRP should be built. In other words, and just as required by CEQA, no Project approvals will be issued (if, indeed, any are issued at all) until after the completion of the CEQA process. Therefore, No “*post hoc* rationalization” occurred during the CEQA process for the RTRP, as the details of the Proposed Project had not yet been presented for approval.

Finally, CEQA specifically requires a lead agency to retain a consulting firm to prepare an EIR immediately after determining that one is required (Pub. Res. Code § 21151.5(b)). Thus, the City’s hiring of a consulting firm to prepare an EIR to analyze the proposed Project’s impacts is simply part of the CEQA process mandated by the State Legislature.

Master Response #10: Alternatives

Master Response #10a: Undergrounding

Numerous comments and questions were submitted regarding undergrounding the 230 kV transmission line portion of the Proposed Project, particularly for all or portions of the transmission line in the City of Jurupa Valley. Although speaking to a variety of aspects of this topic, they are interrelated and generally under the theme of “below-ground installation of transmission lines and its feasibility for RTRP.” For clarification and to connect relevant information that may be discussed in separate sections in the DEIR, these comments group into several discrete categories that may be best discussed together in this master response. Please also consult Master Response #15 (FAA and ALUC Issues) regarding obstructions to airspace.

During the comment period for the DEIR, the Riverside County Airport Land Use Commission (ALUC) submitted a comment regarding the significant impact that would occur within the Airport Influence Area of the Riverside Municipal Airport that could potentially impact airport operations. The ALUC advised that one area of the above-ground 69 kV subtransmission line would be found inconsistent with the 2005 Riverside Airport Land Use Compatibility Plan. As a result, RPU modified the proposed 69 kV subtransmission line route so that it would travel underground in the vicinity of the airport land use zones along Doolittle Avenue, between Jurupa Avenue and Morris Street. Also, as a result of review by the Federal Aviation Administration, new poles along Wilderness Avenue, north of Jurupa Avenue, would be equipped with obstruction lighting. On April 12, 2012, ALUC conducted a development review and determined that the proposal to establish 69 kV subtransmission lines within the Riverside Municipal Airport Influence Area, as revised to place all portions within Airport Compatibility Zone A underground, is consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan. A copy of the entire ALUC Development Review determination is located in Attachment A in Volume I of the FEIR.

The DEIR reviews environmental impacts and feasibility concerns associated with undergrounding the 230 kV transmission portion of the Proposed Project as a potential Proposed Project alternative in Chapter 6, Alternatives, Section 6.4.3. Additionally, the DEIR reviewed environmental impacts and feasibility concerns (pages 6-26 through 6-39) associated with undergrounding limited portions of the transmission lines as a means of potential mitigation in numerous sections of the DEIR. As discussed in Section 6.4.3 of the DEIR, undergrounding of the 230 kV line in the current environmental setting would only impart benefit to aesthetic

resources and be either neutral or more impactful to all resources considered under CEQA. See Section 6.4.3, Alternative Technologies, subheading Underground 230 kV Transmission Line for complete discussion of methods, environmental impacts, and feasibility of transmission undergrounding.

The DEIR does not deny that undergrounding of transmission lines in the voltage range of the Proposed Project is technologically possible, stating on page 6-28: “While technically possible, the high cost and installation requirements tend to prohibit the application of underground transmission systems when a feasible overhead transmission line alternative is available.” This holds true for the entire route (as it concerns a potential Proposed Project alternative) and also for limited sections of the 230 kV route (as it concerns a potential mitigation measure). The DEIR describes in detail how undergrounding all or portions of the 230 kV component of the Proposed Project would be accomplished for the RTRP (see pages 6-26 and following in the DEIR). However, for the Proposed Project, the proposed overhead alternative along the same alignment is feasible, meets Proposed Project objectives, reduces impacts, and is most cost-effective.

Some reviewers cited below-ground installation precedents on other similar-voltage transmission projects (principally Pacific Gas and Electric’s [PG&E] 230 kV Jefferson to Martin project) as justification for undergrounding the 230 kV portion of the Proposed Project. Although undergrounding high-voltage lines is becoming more common, as a function of land use constraints in increasingly urbanized landscapes and as technologies advance, all projects are not equal. For the conditions of the Proposed Project, undergrounding was eliminated from consideration because of its increased environmental impacts and its failure to meet the objectives of the Proposed Project. The underground portion of the Jefferson to Martin 230 kV transmission line was routed in a setting of dense development and urban sprawl south of San Francisco (CPUC Jefferson-Martin 230 kV Transmission Project FEIR, 2003). Although it would be inappropriate to speculate on PG&E’s justification for selected technologies on the Jefferson to Martin project, overhead lines in areas of dense urban development such as this are typically not feasible due to conflicts with overhead support structure (lattice tower or monopole) placement among existing buildings or other structures and the need for a continuous wide ROW to accommodate the overhead line clearances and sway. Although the process of undergrounding transmission lines through densely developed areas can be difficult due to the various logistical considerations with regard to existing structures, utilities, and roadways, it is often necessary in order to allow the passage of transmission lines through such areas. These conditions do not apply to the Proposed Project’s 230 kV transmission line route. Under CEQA, each project must be evaluated based on its own objectives and physical environment in order to appropriately evaluate impacts and identify reasonable alternatives.

Other reviewers exhibited confusion about different types of undergrounding (transmission, sub-transmission, distribution, and telecommunications) and attempted to use descriptions of undergrounding other Proposed Project elements as justification for undergrounding the 230 kV portion of the Proposed Project. These Proposed Project elements are discussed in appropriate places throughout the DEIR, primarily in Chapters 2 and 6. The scale of construction for below-ground installation of a 230 kV transmission line is not comparable to these other Proposed Project elements. To clarify the differences already presented for commenters, they are presented together here:

- 1) For undergrounding of 69 kV subtransmission lines, a duct bank trench four feet wide and six feet deep would be required. A single trench would be required for circuit installation with an approximately 15-foot-wide work area on either side of the trench. This would result in an approximately 34-foot wider disturbance corridor; however, in restricted areas, all work could be conducted from one side of the trench, resulting in a 19-foot wide disturbance area. Eight-foot-wide, 20-foot-long, and eight-foot-deep concrete vaults would be installed for each circuit at approximately 2,000- to 2,500-foot intervals, based on conductor reel length. Transition structures would be used to return lines to overhead installation. For trenches, approximately 127,000 cubic feet of earth would be excavated per mile of line. For the RTRP, any underground subtransmission installation would be below existing roads, because of the routed Proposed Project centerline through the City of Riverside.
- 2) Distribution undergrounding for the Proposed Project would be required in short segments to remove conflicts between the proposed 230 kV transmission line and existing distribution lines (existing SCE local distribution lines). Distribution undergrounding is at a small scale and is commonly done for new installations in residential areas and to reduce overhead conductor density in many cities. For the RTRP, the distribution undergrounding was proposed due to the infeasibility of keeping the low voltage lines above-ground and causing a physical conflict with the proposed 230 kV transmission line. Distribution undergrounding involves a small duct bank trench two feet wide and four feet deep. The DEIR estimated a conservative construction disturbance corridor of 32 feet for impact assessment. Seven-foot-wide, 14-foot-long, and eight-foot-deep concrete vaults would be installed at the ends of undergrounded sections. Smaller transition structures would be used to return lines to overhead installation. For trenches, approximately 42,000 cubic feet of earth would be excavated per mile of line. All disturbance would be in existing SCE ROWs.
- 3) Underground installation of telecommunication lines would involve simple trenching using backhoe excavation techniques. The trench would be 1.5 feet wide and three feet deep. Within this trench, a simple PVC conduit and thin fiber optic cable would be installed and re-buried. Pull boxes at transitions would be five feet wide, six feet long, and five feet deep. For trenches, approximately 24,000 cubic feet of earth would be excavated and then replaced per mile of telecommunications line.
- 4) Below-ground installation of a double-circuit 230 kV transmission line would require two duct banks (one for each circuit), each with a five-foot-wide by six-foot-deep trench. Trenches would be 20 feet apart, for proper conductor spacing. A 20-foot work area would be required on either side of trenches, resulting in a 70-foot-wide disturbance corridor, all in new ROW. Ten-foot-wide, 30-foot-long, and ten-foot-deep concrete vaults would be installed for each circuit at approximately 2,000-foot intervals. Transition structures, typically much larger than the single steel poles proposed as part of the Proposed Project, would be used to return conductors to overhead installation. For trenches, approximately 380,000 cubic feet of earth would be excavated per mile of 230 kV transmission line. Because of operational requirements (e.g., heat dissipation, root intrusion, access requirements), land use activities above the line would be most restrictive.

As can be seen by this summary taken from information in the DEIR, the four types of underground installation are not at comparable scales. To underground the entire 230 kV portion

of the Proposed Project would require the excavation of in excess of 4.2 million cubic feet of earth, which would lead to an increase in significant air quality impacts (discussed on page 6-32 of the DEIR) compared to the Proposed Project due to excavation and truck trips to haul the excess waste. Undergrounding would also result in additional restrictions on 100% of new ROW through mostly open space lands as compared to overhead ROW. Underground ROW is unique compared to overhead ROW. The simple reason for this is that instead of having footings installed at each above-ground support structure, underground ductbanks (concrete-encased ducts to house the cable) continuously run underneath the ROW at a minimum of 36 inches below grade. Also, large underground vaults that facilitate the jointing of cables are typically installed every 1,500 to 2,000 feet along the ductbanks. As such, SCE would require unimpeded access to all vaults for routine maintenance and in the event of an emergency. If future grading is required, the minimum cover above the ductbanks must be 36 inches. Also, deeply rooted vegetation along the trench line(s) would be prohibited, as the roots can penetrate the concrete-encased ductbanks. Furthermore, any underground infrastructures that generate heat must be separated from the ductbanks or cables at a minimum of 10 feet. Accordingly, 100% of underground ROW would have restrictions as described above.

Undergrounding of any of the other Proposed Project elements does not establish a justification for undergrounding of the 230 kV transmission line because of differences in technologies, construction practices, feasibility, and environmental impacts as discussed in Chapter 6 of the DEIR. Environmental impacts associated with undergrounding of the 230 kV line are thoroughly discussed in the DEIR on pages 6-29 through 6-39. Impacts to all CEQA resources are assessed. Except for a reduction in visual impacts associated with overhead structures and a minor reduction in possible avian collision risk, impacts associated with undergrounding of the 230 kV transmission line would either be the same or more significant across resources.

Costs for undergrounding an entire line (for example, as a project alternative) typically run from 10 to 20 times the cost of comparable overhead lines, as discussed in the DEIR on page 6-29. Also stated on page 6-29 of the DEIR, per-mile costs are even greater for below-ground installation of short segments (such as those considered as a potential mitigation measure) because of the greater cost associated with large transition structures (underground cables require transition structures to connect from overhead to underground lines). Although presenting exact project costs during preliminary engineering for a project whose construction would be competitively bid is inappropriate in an EIR and somewhat speculative (note, however, that the DEIR states that the Proposed Project would roughly cost well over one hundred million dollars, page 2-1), increasing project costs by 10 to 20 times for a large public infrastructure project should be sufficient to justify infeasibility on economic grounds alone. An underground option may be infeasible on economic grounds but is also dismissed from further consideration based on numerous significant environmental impacts. With a feasible overhead route identified for the Proposed Project, underground installation of the 230 kV transmission line does not present a reasonable alternative.

Master Response #10b: Eastern Route

A number of commenters questioned the dismissal of the so-called “Eastern Routes” that would follow the Santa Ana River east from the proposed Wildlife 230 kV Substation site. As described in Chapter 6 of the DEIR, the Santa Ana River East Corridor was exhaustively investigated as a potential corridor for siting a 230 kV transmission line in the June 2006 Siting Study for the

Proposed Project. A direct route within this corridor would appear to be the shortest and most direct path between the proposed 230 kV substation and the existing Mira Loma to Vista #1 transmission line. The corridor encompassed the entire river corridor from the proposed Wildlife Substation to the Mira Loma to Vista #1 230 kV transmission line, approximately two miles west of the Vista Substation. North of the Riverside-San Bernardino County Line, the corridor widens to include predominantly industrial and agricultural areas situated on the north side of the Santa Ana River. The corridor includes those areas to the east and west of Riverside Avenue. The alternative routes within the Santa Ana River East Corridor would exit the proposed Wildlife Substation and travel northeast, generally paralleling the Riverside City limits. The routes continue along the south side of the Santa Ana River and parallel existing RPU 69 kV subtransmission lines to Mission Boulevard. Another alternative route evaluated crosses the north side of the river into the City of Jurupa Valley, near the Union Pacific Railroad bridge, approximately 0.5 mile east of the Wildlife Substation. This alternative does not parallel existing overhead utilities, and would require crossing back to the south side of the river because of dense residential development near California State Route 60. Moving further northeast and beyond Mission Boulevard are two additional alternative routes located on both sides (south and north) of the Santa Ana River. These alternatives would continue adjacent to the river northeast to the Mira Loma to Vista #1 230 kV transmission line. Refer to Figure 6.2-3, which shows the location of the route segments that were evaluated within this corridor.

Developing a feasible eastern alternative posed serious challenges from constructability, regulatory, land use constraint, and environmental perspectives as detailed below and as described in Chapter 6, Section 6.4.4, page 6-46 of the DEIR. Additionally, see Attachment F to this FEIR for more details. Because of an assortment of siting constraints (e.g., flood control levees and other flood protection structures, residential development encroaching the corridor from the north and south, active flood zones, no feasible structure placement locations at Fleetwood Drive), engineering flexibility is severely limited to minimize environmental impacts. Avoidance of floodways would result in a large number of residential and commercial property takes. In addition, the eastern corridor presents potential environmental impacts and permitting issues in excess of the other possible routes investigated by SCE in 2008. Ultimately, it was determined that construction and operation of a transmission line within this corridor would not avoid or minimize environmental effects and would create new adverse impacts to numerous environmental resources as compared to the Proposed Project. Sections of the Eastern Route as noted in the Siting Study would be within the city limits of Jurupa Valley.

Issues and impacts are discussed in more detail in Chapter 6 of the DEIR (pages 6-46 through 6-50). These issues and adverse impacts are such that they eliminate the eastern routes from further consideration. At the request of some commenters, additional details are compiled here. Key environmental issues affecting eastern routes include:

- Biological Resources
 - Routes present most severe impacts to Santa Ana Wetlands Mitigation Bank, federally listed endangered species in San Bernardino County, and Multi-Species Habitat Conservation Plan Critical Areas/Criteria Cells
- Cultural Resources
 - Routes near four historical landmarks, two National Register of Historic Places properties, four historically distinct neighborhoods

- Hydrology
 - 230 kV transmission structures would be required to be placed within the floodplain and would result in extensive floodway encroachment and limited or no structure access during floods or periods of high water levels; proximity of utility structures to flood control/protection structures create public safety issue during floods; transmission structures would be required to be placed on Riverside County Flood Control and Water Conservation District levees due to the very limited ROW widths within this corridor (also see response to Comment P-206).
- Land Use
 - Eastern routes would be located in proximity to the privately owned Flabob Airport, potentially causing air traffic pattern/obstruction conflicts with this facility. These routes would also cross City of Colton proposed mixed use development.
 - Routes could involve multiple crossings of the Santa Ana River.
 - Eastern route crosses California State Route 60, which may cause major disruption to public services and safety.
 - Routes that were considered within this corridor would impact a number of sensitive receptors or areas, including six city and/or county parks (Carlson, Mount Rubidoux, Tequesquite, Martha McLean-Anza Narrows, Rancho Jurupa, and Fairmont) in addition to other County park district land (Proposition 13). One of the routes would be located adjacent to the Crestmore Manor/Riverside County Regional Park and Open-Space District Headquarters. The route would also traverse recently constructed cabins, disc golf, and rock climbing areas associated with the Rancho Jurupa Park. The routes would be highly visible to park visitors. This would result in likely opposition by the cities/County and a greater impact to lands dedicated for recreational purposes. Construction and operational impacts to the recreational experience within the parks would likely be greater than the Proposed Project due to the potential placement of transmission line structures within the parks. Some of these parks/lands are also Land and Water Conservation Fund (LWCF)-funded projects, much like the Proposed Project. Potential routes within this corridor would also adversely impact the Jurupa Hills Country Club and Fairmont Golf Course. Land use impacts would be expected to be greater than those associated with the Proposed Project.

Accordingly, and as set forth in the DEIR, the Eastern Route Alternative remains infeasible and is environmentally less desirable than the Proposed Project.

Master Response #10c: Initial Rejection of I-15 Route

Chapter 6 of the DEIR reviews the process of route identification, refinement, and dismissal undertaken to develop the Proposed Project and its Alternatives. Many commenters raised questions regarding some earlier routes, including early western routes that were considered but dismissed. Page 6-7 of the DEIR states, “Alternative routes within this corridor were originally eliminated from further study due to impacts to existing commercial and residential development adjacent to I-15. However, upon further investigation, an alternative was successfully sited through the area and subsequently became part of the Proposed Project as described below and in Chapter 2 (I-15 Route).” This early route closely paralleled I-15 and was closely sited along the

eastern edge of the California Department of Transportation (Caltrans) ROW from near the Santa Ana River to the tie-in point at the Mira Loma to Vista #1 230 kV transmission line.

Further investigation revealed that there was insufficient clearance (less than 50 feet) between the Caltrans ROW and buildings associated with the Vernola Marketplace, which at the time was just beginning construction but has since been completed. Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment suggestion by the Vernola Marketplace property owner that was received during the DEIR public review and comment period and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's primary parking area. The tower footings would be placed outside of Caltrans ROW. An aerial easement would be required from Caltrans, as some of the arms that support the conductors on one of the poles would encroach upon Caltrans ROW. This change is reflected in Chapter 2, Section 2.3.1, of Volume II (redlined DEIR) of this FEIR.

Additionally, a proposal was submitted by Caltrans for the development of an interchange at Cantu-Galleano. These issues made siting closely along the eastern margin of the Caltrans ROW infeasible due to the lack of adequate open space that would be required for the 230 kV transmission line (100-foot ROW is required). Because of extensive existing and planned residential and commercial development on the west side of I-15, crossing the interstate near the Limonite interchange and siting north in the City of Eastvale was also infeasible. In addition, the planned Limonite interchange that is proposed by Caltrans and discussed above would further make this option infeasible, as it would use the remaining open space on the west side of I-15 near Limonite Avenue. Additionally, there was insufficient width between the west edge of the I-15 ROW and structures associated with the commercial development on the west side of the interstate. As a result, investigations of initial I-15 routes were infeasible as originally identified.

Master Response #11: General Order 131-D

Some comments suggested that because the RTRP spans multiple jurisdictions, not just the City of Riverside, and because SCE will file a CPCN application with the CPUC, any action taken first by the City of Riverside would divest the CPUC of its authority over the RTRP. Comments also suggested that the identification of the City of Riverside as the Lead Agency usurped the CPUC's authority and obligation to perform environmental review and scoping activities regarding the RTRP. As set forth below, these comments are incorrect.

The designation of the City as Lead Agency does not deprive the CPUC of any jurisdiction over the RTRP or any responsibilities under CEQA. First, the CPUC's own regulations provide that a CPCN must be obtained from the CPUC for any project involving transmission components 200 kV and above:

A. Certificate of Public Convenience and Necessity (CPCN)

No electric public utility shall begin construction in this state of any new electric generating plant having in aggregate a net capacity available at the busbar in excess of 50 megawatts (MW), or of the modification, alteration, or addition to an existing electric

generating plant that results in a 50 MW or more net increase in the electric generating capacity available at the busbar of the existing plant, or of major electric transmission line facilities which are designed for immediate or eventual operation at 200 kV or more (except for the replacement of existing power line facilities or supporting structures with equivalent facilities or structures, the minor relocation of existing power line facilities, the conversion of existing overhead lines to underground, or the placing of new or additional conductors, insulators, or their accessories on or replacement of supporting structures already built) without this Commission's having first found that said facilities are necessary to promote the safety, health, comfort, and convenience of the public, and that they are required by the public convenience and necessity.

This requirement is set forth in Section III.A. of CPUC General Order 131-D (GO 131-D), which was made effective by the CPUC in 1995 to set forth the obligations of electrical utilities seeking to construct projects to improve or expand their electrical systems. Pursuant to GO 131-D, a utility seeking to construct a project for operation at 200 kV or more must obtain a CPCN (GO 131-D § III.A.). No provision of law or other CPUC regulation negates that obligation simply because the project at issue may be carried out in part by another agency that also asserts discretionary review authority over a portion of the project.

In addition, the fact that the City of Riverside has prepared a DEIR as the Lead Agency for the RTRP does not divest the CPUC of any authority or obligation to perform its own independent environmental review of the Proposed Project.³ (See CPUC Comment Letter Dated October 26, 2011 [confirming that the CPUC is undertaking its own independent review of the City's EIR pursuant to its role as a responsible agency].) The CPUC must comply with CEQA regardless of whether another agency has already undertaken environmental review for a project. In performing that function, the CPUC may consider relevant information in a CEQA analysis already performed by another agency. In particular, GO 131-D specifically states that whereas an applicant for a CPCN may elect to submit its own Proponent's Environmental Assessment (PEA) containing information regarding the potential environmental effects of a proposed project, equivalent information regarding the project's impacts may be provided in lieu of a PEA:

"A PEA or equivalent information on the environmental impact of the project in accordance with the provisions of CEQA and this Commission's Rule of Practice and Procedure, Rules 17.1 and 17.3." (GO 131-D, § IX.A.1.h)

With respect to the RTRP, this FEIR prepared by the City of Riverside constitutes such equivalent information on the environmental impact of the Proposed Project. SCE's CPCN application (which has not yet been completed or filed) therefore may include this FEIR for consideration by the CPUC in lieu of a PEA. In either case, the CPUC must still apply its own independent judgment regarding the environmental effects of the RTRP in its role as a CEQA responsible agency (CEQA Guidelines, title 14, § 15096). GO 131-D also specifically acknowledges that the CPUC must carry out this CEQA obligation before issuing a CPCN:

"Construction of facilities for which a CPCN...is required...shall not commence without either a finding that it can be seen with certainty that there is no possibility that the

³ See Master Response #5 regarding the roles of the City of Riverside and the CPUC as Lead Agency and Responsible Agency, respectively.

construction of those facilities may have a significant effect on the environment or that the project is otherwise exempt from CEQA, or the adoption of a final EIR or Negative Declaration.” (GO 131-D § IXV [sic])

Because the CPUC must perform its CEQA duties regardless of other agency action on a project, the CPUC’s discretion over the RTRP is not affected by any action by the City of Riverside acting first as the Lead Agency.

Some comments also suggested that because portions of the RTRP will be located in other jurisdictions, those jurisdictions should also have been identified as having discretionary review authority over the Proposed Project. However, GO 131-D clarifies that where an electrical utility project is subject to the CPUC’s jurisdiction, a local agency’s authority to regulate such a project is preempted by the authority of the CPUC:

“This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission’s jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters....” (GO 131-D § XIV.B.)

With respect to the RTRP, although a portion of the Proposed Project would be located within local jurisdictions outside of the City of Riverside, those portions of the Proposed Project would be subject to approval by the CPUC. Accordingly, pursuant to GO 131-D, any discretionary authority those local jurisdictions may have exercised over the RTRP would be preempted by the CPUC’s decision on the RTRP. It should also be noted that although the City of Riverside is acting as the Lead Agency with discretionary review over the RTRP, the City of Riverside is acting in that regard because it is an agency proposing to carry out part of the Proposed Project and acting first, not merely because portions of the RTRP would be located within the City (CEQA Guidelines, title 14, § 15051; *Citizens Task Force on Sohio v. Board of Harbor Commissioners* (1979) 23 Cal. 3d 812, 814).

Master Response #12: Land Use Plan Consistency

The checklist questions posed in Appendix G to the CEQA Guidelines was used as the basis for the Draft EIR’s analysis. The checklist includes, under the topic of land use, the following question:

Would the project conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

While a proposed project (or action) may be approved even though an inconsistency with applicable land use plans or policies may occur, CEQA requires that the evaluation be made, and any inconsistencies identified and analyzed, for consideration by decision-makers.

Where there is an inconsistency between the project (230 kV transmission component) or alternatives and a local plan, such inconsistencies have been identified but would not require

plan amendments, as the CPUC has land use authority over transmission lines and substations in local jurisdictions.

Although the Proposed Project (230 kV transmission line component) is exempt from local land use and zoning regulations and discretionary permitting, GO 131-D, Section XIV.B, requires that in locating a project, “the public utility shall consult with local agencies regarding land use matters.” Consequently, the public utility is required to obtain any non-discretionary permits.

During the feasibility, siting, and DEIR development processes, land use plans in the study area of the Proposed Project were systematically collected and reviewed for applicable policies, and planning staff at the potentially affected local agencies were consulted. During this process, Riverside County was considering a change in the General Plan and the Zoning Ordinance to address development standards relating to public utilities. A General Plan provides long-term land use-related direction, while a Zoning Ordinance identifies specific immediate uses and development standards consistent with the policies of the General Plan. According to discussions with Riverside County Planning staff on September 29, 2009, Riverside County General Plan Amendment 1073 to Land Use Element Policy 6.2 (LU 6.2) regarding public utility uses was approved at the Planning Commission on May 13, 2009. Text associated with LU 6.2 now reads as follows:

“LU 6.2 Notwithstanding the Public Facilities designation, public facilities shall also be allowed in any other land use designation except for the Open Space-Conservation and Open Space-Habitat land use designations. For purposes of this policy, a public facility shall include all facilities operated by the federal government, the State of California, the County of Riverside, any special district governed by the County of Riverside or any city, all facilities operated by any combination of these agencies and all facilities operated by a private person for the benefit of any of these agencies.”

Article XVIII, Section 18.2a of Riverside County Zoning Ordinance (Ordinance No. 348) describes the “Scope of Regulations” for private and public projects. If General Plan Land Use Policy 6.2 and Section 18.2a of Ordinance 348 are consistent, a public utility may be allowed in any zone with an approved Public Use Permit. As described above, the Proposed Project (230 kV transmission line component) would not be subject to such a permit.

A plan consistency analysis is provided in the Land Use section of the DEIR (pgs. 3-241 through 3-251). An inconsistency between a proposed project and an applicable plan is a legal determination, not a physical impact on the environment. Accordingly, and although land use inconsistencies are discussed in the Land Use analysis, such an inconsistency does not necessarily mean that there will be physical impacts to other resources. Often, there is no agreed-to objective standard by which to judge the significance of a project’s inconsistency with the various policies and objectives enumerated in adopted plans. Inconsistency with a plan alone does not mandate a significant impact finding, but may be taken into consideration in determining impact significance. Where EPEs and mitigation measures avoid or reduce impacts, they likewise reduce the degree of inconsistency. Significant impacts are disclosed in the DEIR relative to aesthetics, including urban areas (DEIR pg. 3-57). However, compliance with County of Riverside General Plan policies C 25.2 LU 13.5 or LU 25.5 was not specifically addressed in the DEIR in either the Aesthetics section or Land Use section. Consistency with policy JURAP 7.13 was addressed in Land Use (p. 3-243).

Several commenters questioned the Proposed Project's consistency relative to C 25.2 and LU 25.5. A consistency evaluation regarding these two policies is presented in Table 2-6 below.

Several commenters stated that significant impacts would occur due to non-consistency with JURAP 7.13, which states:

“Discourage utility lines within the river corridor. If approved, lines shall be placed underground where feasible and be located in a manner to harmonize with the natural environment and amenity of the river” (emphasis added).

Non-consistency with local policy does not, in and of itself, constitute a significant impact. As stated above and in the DEIR, CEQA Guidelines (Appendix G) were used as a basis for determining impact significance, with the question asked if the project would conflict with land use plan (environmental protection) policies, and if those impacts are: 1) potentially significant; 2) less than significant with mitigation; 3) less than significant; or 4) “no impact.” This is determined by looking at the extent to which policies are applicable, and consistency as a whole (not isolated instances of inconsistency). The premise of the conformity determination with JURAP 7.13 is based on the fact that:

- a) the policy seeks to *discourage* and does not *explicitly prohibit* high voltage transmission lines;
- b) there is NOT a County (City of Jurupa Valley) *approval process* involved with the siting of the line; and
- c) undergrounding is not feasible from an economic and environmental standpoint, though it may be feasible technically, as argued by several commenters. “Feasible,” according to CEQA (15364), means “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” A general response to undergrounding feasibility is covered in Master Response #10a.

The Proposed Project, therefore, is consistent with JURAP 7.13 (see Draft EIR p. 3-243), and overall impacts to land use plans are less than significant.

In addition, a number of commenters stated that the Proposed Project is not consistent with objectives and policies contained in the City of Riverside General Plan 2025 (Table 2-6) and policies contained in the Riverside County General Plan, including the Jurupa Area Plan and Eastvale Area Plan (Table 2-7). According to the City of Riverside General Plan 2025, an *Objective* is an overall statement of community aim and consists of a broad statement of purpose or direction. A *Policy* provides guidance to the City in its review of development proposals and other actions taken, and policies are the basis on which the consistency evaluation is conducted. Nevertheless, both objectives and policies were analyzed for the City of Riverside General Plan 2025. An applicability and consistency analysis has been prepared to address these comments. To the extent any of these policies are inapplicable to the Project, the Project would not result in any inconsistency with those policies. The table below presents both objectives and policies cited by the commenters, as well as those covered in the DEIR.

TABLE 2-6. LAND USE OBJECTIVES/POLICY CONSISTENCY ANALYSIS—CITY OF RIVERSIDE

Objective/Policy	Applicability (Yes/No-Rationale)	Consistency ¹	
		Yes	No
City of Riverside General Plan 2025			
Objective LU-2, Recognize and enhance the Santa Ana River's multiple functions: a place of natural habitat, a place for recreation and a conveyance for stormwater runoff.	Yes. During the Proposed Project siting, the Santa Ana River's multiple functions, including natural habitat, recreational amenities, and hydrological functions were recognized and the project would not change the multiple functions of the Santa Ana River. The project would not enhance these functions, however, BMPs, EPEs and Mitigation Measures were identified to minimize effects on these functions, including EPEs HYDRO-04, HYDRO-05, REC-01, REC-02, REC-03, BIO-01, BIO-07 and BIO-10, as well as Mitigation Measure MM-REC-01.	X	
Objective LU-3, Preserve prominent ridgelines and hillsides as important community visual, recreational and biological assets.	Yes. Prominent ridgelines and hillsides were identified during Proposed Project siting to protect visual, recreational and biological assets.	X	
Policy LU-3.1, Pursue methods to preserve hillside, open space and natural habitat.	Yes. Methods were pursued during Proposed Project siting and during the development of BMPs and EPEs identified to minimize hillside, open space and natural habitat impacts, including EPEs BIO-01, BIO-07, BIO-10, HYDRO-04, and HYDRO-05.	X	
Objective LU-4, Minimize the extent of urban development in the hillsides, and mitigate any adverse impacts associated with urbanization.	No. The Proposed Project would not be located in hillside areas according to Section 17.08.120 of the City of Riverside Municipal Code.	—	—
Policy LU-4.3, Work closely with the County of Riverside, emphasizing the City's [of Riverside] need to participate in the development review of projects proposed in surrounding unincorporated areas. Work to ensure that such developments proceed in concert with City of Riverside standards.	No. The Proposed Project is an energy infrastructure project, not a land development project, and it would not result in the type of impacts to that would be expected with a typical development project.	—	—
Policy LU-5-1, Minimize public and private development in and in close proximity to any of the City's arroyos.	No. According to the City of Riverside General Plan 2025, Figure 3, Riverside Park, the Proposed Project is not in or in close proximity to the City's arroyos.	—	—
Policy LU-6.1, Enforce and adhere to the special protections for agricultural areas set forth in Proposition R and Measure C.	Yes. The Proposed Project is located in an agricultural area (Arlanza-La Sierra Lands) as set forth in Proposition R and amended by Measure C. One of the ways Measure C promotes the preservation of agricultural uses in this area is by developing and implementing public service and infrastructure standards compatible with and appropriate for this area. As stated in Measure C, "Any future roads or utility service shall be located so as to protect the wildlife refuge." The Proposed Project is not physically located in the wildlife refuge.	X	

<u>Objective/Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
	<p>The Proposed Project may, however, cause temporary disturbance to the designated agricultural area as a result of site preparation associated with structure construction setup areas, wire-stringing tension/pull and splicing sites, and/or guard structure locations. However, the location of the line is primarily at the edge of this agricultural land.</p> <p>Once constructed, the transmission line would allow for agricultural uses under and adjacent to the line. From a CEQA perspective (i.e., impacts to the physical environment), the lands would continue to be available for agriculture uses and would be compatible with the agricultural area. As such, the temporary disturbance to these lands would be less than significant after implementation of EPE AGR-01 and Mitigation Measure MM AGR-01.</p>		
Policy LU-7-4, Continue to participate in the Multi-Species Habitat Conservation Plan (MSHCP) with Riverside County.	Yes. The City of Riverside participates in the MSHCP with Riverside County. The signatories considered “permittees” include the City of Riverside.	X	
Objective LU-8, Emphasize smart growth principles through all steps of the land development process.	<p>Yes. Many of the principles of smart growth, including compact building design, creation of a range of housing opportunities and choices, creation of walkable neighborhoods, strengthening and direct development towards existing communities, and providing transportation choices are not applicable to the Proposed Project.</p> <p>Where smart growth principles apply to the Proposed Project, emphasis was given throughout the planning process to those principles, such as preservation of community character, open space, farmland, natural beauty, and critical environmental areas, by developing appropriate siting criteria to avoid and minimize impacts on such areas. Community and stakeholder involvement was fostered throughout the planning process through public involvement and outreach.</p>	X	
Policy LU-9.5, Encourage the design of new commercial developments as integrated centers, rather than as small individual strip development.	No. The Proposed Project is not a commercial development. In addition, City of Riverside design guidelines are meant for use by homeowners, business owners, architects, and developers in achieving superior quality and design of new construction or additions to existing buildings.	—	—

<u>Objective/Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
Policy LU-9.7, Protect residentially designated areas from encroachment by incompatible uses and from the effects of incompatible uses in adjacent areas. Uses adjacent to planned residential areas should be compatible with the planned residential uses and should employ appropriate site design, landscaping and building design to buffer the nonresidential uses.	Yes. As discussed for Policy LU-9.5 above, City of Riverside design guidelines are meant for use by homeowners, business owners, architects, and developers in achieving superior quality and design of new construction or additions to existing buildings. Both proposed substations (Wilderness and Wildlife) are situated on City-owned land. A design review approval is not required, as the provisions of Title 19 (Zoning) of the Municipal Code do not apply to any building, improvements, lots, or premises owned, leased, operated or controlled by the City or any City project for public purposes by the City of Riverside (Section 19.040.110). While the proposed substations are not subject to the provisions of Title 19, they would be designed in conformance with the development standards of Title 19 and would conform to the Citywide Design and Sign Guidelines, which will ensure a less than significant aesthetic impact.	X	
Policy LU 10.3, Time the provision of capital improvements to ensure that all necessary public services and facilities for an area planned for new urban development are in place when development in the area occurs.	No. The Proposed Project is not a capital improvement planned for an area of new urban development.	—	—
Policy LU 10-4, Require development projects to be timed and phased so that projects are not occupied prior to the provision of necessary urban services.	No. The Proposed Project is an energy infrastructure project and not a development project which would be phased so that it is not occupied prior to the provision of necessary urban services.	—	—
Objective LU-11, Create a network of parkways to establish stronger linkages between Riverside's neighborhoods, major elements of its natural environment and neighborhood parks and schools.	No. The Proposed Project is an energy infrastructure project. It would not create a network of parkways to establish stronger linkages between Riverside's neighborhoods, major elements of its natural environment and neighborhood parks and schools.	—	—
Objective LU-15, Recognize Van Buren Boulevard as a significant parkway, linking neighborhoods along its path to the Santa Ana River, the Arlington Heights Greenbelt, Victoria Avenue and the California Citrus State Historic Park.	No. The Aesthetics section of the DEIR (Section 3.2.1) recognizes Van Buren Boulevard as a significant parkway, linking neighborhoods along its path to the Santa Ana River. The General Plan 2025, however, does not specifically prohibit the siting of subtransmission lines.	—	—
Objective LU-21, Avoid land use/transportation decisions that would adversely impact the long-term viability of the March Air Reserve Base/March Inland Port, Riverside Municipal and Flabob Airports.	Yes. Refer to Policy LU-21.3 below.	X	

<u>Objective/Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
Policy LU-21.3, Work to limit the encroachment of uses that potentially pose a threat to continued airport operations, including intensification of residential and/or commercial facilities within identified airport safety zones and areas already impacted by airport noise.	Yes. During the comment period for the DEIR, the Riverside County Airport Land Use Commission (ALUC) submitted a comment regarding the significant impact that would occur within the Airport Influence Area of the Riverside Municipal Airport that could potentially impact airport operations. The ALUC advised that above-ground lines would be found inconsistent with the 2005 Riverside Airport Land Use Compatibility Plan. As a result, RPU modified the proposed 69 kV project route so that it would travel underground in the vicinity of the airport land use zones along Doolittle Avenue, between Jurupa Avenue and Morris Street. Also, as a result of review by the Federal Aviation Administration, new poles along Wilderness Avenue north of Jurupa Avenue, will be equipped with obstruction lighting. The revised Project was considered by ALUC on April 12, 2012 and a finding of consistency was made. The Proposed Project does not result in the intensification of residential and/or commercial facilities within identified airport safety zones and areas already impacted by airport noise.	X	
Objective LU-22, Enhance and ensure the long-term viability of Riverside Municipal Airport by developing facilities that efficiently serve present and anticipated future needs and encouraging increased business and corporate usage.	No. The Proposed Project would not affect the economic business and corporate usage of the Riverside Municipal Airport.	—	—
Objective LU-29, Minimize the visual impact of aerial facilities on the City's landscape.	Yes. The Proposed Project would implement BMPs and EPEs to minimize impacts to visual resources, including EPEs AES-01, AES-02, AES-03, and AES-06.	X	
Objective OS-1, Preserve and expand open space areas and linkages throughout the City and sphere of influence to protect the natural and visual character of the community and to provide for appropriate active and passive recreational uses.	Yes. As stated in Policy OS-1.1 below, the Proposed Project considers impacts to open space. The Proposed Project is an energy infrastructure project and would not expand open spaces and linkages throughout the City and sphere of influence to protect the natural and visual character of the community and to provide for appropriate active and passive recreational uses.	X	

<u>Objective/Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
Policy OS-1.1, Protect and preserve open space and natural habitat wherever possible.	Yes. The Proposed Project considers impacts to open space and natural habitats through the environmental review procedures and policy framework followed in preparation of the DEIR. The Proposed Project considers impacts to open space and natural habitats and species that could occur during Project construction and Project maintenance after construction and includes BMPs and EPEs to minimize such impacts (EPEs BIO-01, BIO-07, and BIO-10).	X	
Policy OS-1.15, Recognize the value of major institutional passive open spaces, particularly cemeteries, as important components of the total open space systems and protect their visual character.	Yes. During the siting and alternative development process, passive open space and cemetery locations were identified and recognized as important features of the city, and the visual character of these areas were protected by the implementation of visual resource BMPs and EPEs such as EPEs AES-01, AES-02, AES-03, and AES-06..	X	
Objective OS-2, Minimize the extent of urban development in the hillsides, and mitigate any significant adverse consequences associated with urbanization.	No. The Proposed Project is not located in hillsides according to Section 17.08.120 of the City of Riverside Municipal Code.	—	—
Policy OS-2.4, Recognize the value of ridgelines, hillsides and arroyos as significant natural and visual resources and strengthen their role as features which define the character of the City and its individual neighborhoods.	No. During the alternatives development process, ridgelines, hillsides and arroyos were recognized as important features of the City, and not crossed by the Proposed Project, in accordance with Section 17.08.120 of the City of Riverside Municipal Code.	—	—
Objective OS-3, Preserve designated agricultural lands in recognition of their economic, historic and open space benefits and their importance to the character of the City of Riverside.	Yes. Refer to Policy LU-6.1 response above.	X	
Policy OS-3.3, Protect valuable agricultural land from urban development through the use of agricultural zoning districts and other appropriate development regulations, as well as financial and tax incentives..	Yes. Refer to Policy LU-6.1 response above.	X	
Objective OS-8, Encourage the efficient use of energy resources by residential and commercial users.	Yes. RPU provides consumer educational material on improving energy efficiency. RPU also provides programs, such as in-home energy audits, to make customers more aware of their energy usage and ways to conserve.	X	

<u>Objective/Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
Policy OS-8.2, Encourage incorporation of energy conservation features in the design of all new construction and substantial rehabilitation projects and encourage the installation of conservation devices in existing developments.	Yes. RPU offers a number of rebate programs for customers that encourage installation of specific energy-efficient measures.	X	
Objective OS-8.3, Encourage private energy conservation programs that minimize high energy demand and that use alternative energy sources.	Yes. One example is RPU's load management program involving time-of-use rates, which encourage customers to use electric energy during off-peak periods. These rates have been in effect for several years, including 2007 when the highest historical demand was experienced on RPU's electric system.	X	
Objective OS-9, Encourage the efficient use of energy resources by the City of Riverside.	Yes. The City of Riverside has implemented multiple initiatives and programs across all City departments to promote energy efficiency and renewable energy, foster alternative fuel vehicle use, and improve water use efficiency. Examples include: Grease-to-Gas anaerobic digestion; Green Action Plan; Cleaning Up Riverside's Environmental Program (CURE); Green Power Radio Show; and Sustainability Workbook.	X	
Policy PF-6.3, Promote and encourage energy conservation.	Yes. RPU provides both energy conservation and load management programs.	X	

¹ See Applicability Rationale**TABLE 2-7. LAND USE POLICY CONSISTENCY ANALYSIS—RIVERSIDE COUNTY AND OTHER COMMUNITIES**

<u>Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
Riverside County General Plan (City of Jurupa Valley General Plan)			
LU 1.3, Notify city planning departments of any discretionary projects within their respective spheres-of-influence in time to allow for coordination and to comment at public hearings.	No. According to the General Plan, in order to implement the General Plan, the County of Riverside must perform a number of administrative functions that are not necessarily exclusive to land use issues, and this policy relates to that administration. The intent of these policies is to provide directions to allow for the continued operation of non-conforming uses, as well as to ensure a coordinated planning effort between the County and cities, LAFCO, service providers, and the County Airport Land Use Commission. Furthermore, the portion of the Proposed Project within the County is exempt from local land use regulation, zoning regulations, and discretionary permits.	—	—

<u>Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
LU 3.3, Promote the development and preservation of unique communities in which each community exhibits a special sense of place and quality of design.	No. Broad/vague policy that makes conformance assessment difficult. Policies in this section (LU 3.x) focus on achieving compact, transit-adaptive development, identifying open space separators to provide edges between communities, and enhancing or creating the distinctiveness of each community. The Lead Agency interprets this policy as being related to habitable building and site construction.	—	—
<p>LU 4.1, Require that new developments be located and designed to visually enhance, not degrade the character of the surrounding area through consideration of the following concepts:</p> <ul style="list-style-type: none"> a. Compliance with the design standards of the appropriate area plan land use category. b. Require that structures be constructed in accordance with the requirements of the County's zoning, building, and other pertinent codes and regulations. c. Require that an appropriate landscape plan be submitted and implemented for development projects subject to discretionary review. d. Require that new development utilize drought tolerant landscaping and incorporate adequate drought-conscious irrigation systems. e. Pursue energy efficiency through street configuration, building orientation, and landscaping to capitalize on shading and facilitate solar energy, as provided for in Title 24 of the California Administrative Code. f. Incorporate water conservation techniques, such as groundwater recharge basins, use of porous pavement, drought tolerant landscaping, and water recycling, as appropriate. g. Encourage innovative and creative design concepts. h. Encourage the provision of public art. i. Include consistent and well-designed signage that is integrated with the building's architectural character. 	No. This level of policies is intended for the design of communities related to street and lot layout, site design and planning, building orientation and configuration, access, and other architectural and landscape architectural features. The Lead Agency interprets this policy as being related to habitable building and site construction. Riverside County planning staff considers structures to be habitable buildings, not public use facilities, such as transmission lines. Landscape plans will be submitted for the design of the Wilderness and Wildlife Substations that include the use of drought-tolerant vegetation and irrigation. Mitigation of noise and lighting would be achieved by implementing Environmental Protection Elements as described in the DEIR. DEIR pages 3-51 and 3-52 provide discussion regarding lighting mitigation, and impacts from noise are not expected to be significant, as described on page 3-274 of the DEIR.	—	—

<u>Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
<p>j. Provide safe and convenient vehicular access and reciprocal access between adjacent commercial uses.</p> <p>k. Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.</p> <p>l. Mitigate noise, odor, lighting, and other impacts on surrounding properties.</p> <p>m. Provide and maintain landscaping in open spaces and parking lots.</p> <p>n. Include extensive landscaping.</p> <p>o. Preserve natural features, such as unique natural terrain, drainage ways, and native vegetation, wherever possible, particularly where they provide continuity with more extensive regional systems.</p> <p>p. Require that new development be designed to provide adequate space for pedestrian connectivity and access, recreational trails, vehicular access and parking, supporting functions, open space, and other pertinent elements.</p> <p>q. Design parking lots and structures to be functionally and visually integrated and connected.</p> <p>r. Site buildings access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity.</p> <p>s. Establish safe and frequent pedestrian crossings.</p> <p>t. Create a human-scale ground floor environment that includes public open areas that separate pedestrian space from auto traffic or where mixed, it does so with special regard to pedestrian safety.</p>			

<u>Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
<p>LU 4.2, Require property owners to maintain structures and landscaping to a high standard of design, health, and safety through the following:</p> <ol style="list-style-type: none"> Provide proactive code enforcement activities. Promote programs and work with local service organizations and educational institutions to inform residential, commercial, and industrial property owners and tenants about property maintenance methods. Promote and support community and neighborhood based efforts for the maintenance, upkeep, and renovation of structures and sites. 	<p>No. With the exception of the Wilderness and Wildlife Substations, RPU and SCE would not own any property related to the Proposed Project. Easements and rights-of-way would be acquired to construct, operate, and maintain the transmission lines. The substations would be operated and maintained according to all applicable codes; however, the Lead Agency has no authority to provide code enforcement, promote programs, or perform similar functions within the county related to the construction of the transmission line or substations. Landscaping would be planted around the Wilderness and Wildlife Substations. Regardless, the Lead Agency interprets this policy as being related to habitable building and site construction.</p>	—	—
<p>LU 5.4, Ensure that development and conservation land uses do not infringe upon existing public utility corridors, including fee owned rights-of-way and permanent easements, whose true land use is that of “public facilities”. This policy will ensure that the “public facilities” designation governs over what otherwise may be inferred by the large scale general plan maps.</p>	<p>No. The intent of this policy is related to encroachment of non-compatible land uses on infrastructure and public utilities, not the converse. The Proposed Project is not within a public facilities corridor in Riverside County or the City of Jurupa Valley.</p>	—	—
<p>LU 6.1, Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts.</p>	<p>Yes. This policy is applicable to the Proposed Project. See LU 6.2 below.</p>	X	
<p>LU 6.2, Direct public, educational, religious, and utility uses established to serve the surrounding community toward those areas designated for Community Development and Rural Community uses on the applicable Area Plan land use maps. These uses may be found consistent with any of the Community Development, Rural Community, or Rural foundation designations, including the Rural Village Overlay, as well as the Open Space – Rural and Agriculture designations, under the following conditions: (AI 1,3)</p> <ol style="list-style-type: none"> The facility is compatible in scale and design with surrounding land uses, and does not generate excessive noise, traffic, light, fumes, or odors that might have a negative 	<p>Yes. An amendment to General Plan Policy LU-6.2 was passed by Riverside County, and the revised policy language is included on page 3-240 of the DEIR. The Proposed Project was found consistent with this policy because, if General Plan Land Use Policy 6.2 and Section 18.2a of Ordinance 348 are consistent, a public utility may be allowed in any zone with an approved Public Use Permit. The Proposed Project (230 kV transmission line component) would not be subject to such a permit. The Proposed Project would traverse lands that fall into Community Development, Rural Community, and Open Space-Water designations and, therefore, the Project would be consistent with the policy. Please see expanded discussion above in introduction to Master Response #12.</p>	X	

<u>Policy</u>	<u>Applicability</u> (Yes/No-Rationale)	<u>Consistency¹</u>	
		Yes	No
impact on adjacent neighborhoods. b. The location of the proposed use will not jeopardize public health, safety, and welfare, or the facility is necessary to ensure the continual public safety and welfare.			
LU 6.3, Consider the positive characteristics and unique features of the project site and surrounding community during the design and development process.	Yes. This policy is applicable to the Proposed Project and the positive and unique features of the Project site and surroundings were considered during the siting process, which considered environmental resources and specific conditions, where possible.	X	
LU 6.4 Retain and enhance the integrity of existing residential, employment, agricultural, and open space areas by protecting them from encroachment of land uses that would result in impacts from noise, noxious fumes, glare, shadowing, and traffic.	Yes. The Proposed Project would not introduce substantial new sources of new fumes, glare, or traffic. The shadowing effect of the structures would be brief and minor, and would not impact land uses. Noise generated by the Proposed Project would be subject to reasonable applicable agency ordinances.	X	
LU 7.1, Accommodate the development of a balance of land uses that maintain and enhance the County's fiscal viability, economic diversity, and environmental integrity.	No. The Proposed Project is a utility project, not an economic development project.	—	—
LU 7.6, Create practical incentives for business development, and avoid disincentives.	No. The development of the Proposed Project is not related to business incentives. However, the Project would provide the opportunity for additional business opportunity through direct and indirect job creation and related economic activities attributable to Project construction.	—	—
LU 7.8, Stimulate industrial/business-type clusters that facilitate competitive advantage in the marketplace, provide attractive and well landscaped work environments, and fit with the character of our varied communities.	No. The Proposed Project is not purposed to stimulate industrial or business clusters.	—	—
LU 7.10, Locate job centers so they have convenient access to the County's multi-modal transportation facilities.	No. The development of the Proposed Project is not related to the location and siting of job centers.	—	—
LU 7.11, Encourage the involvement of business leaders in overall economic development strategies.	No. The development of the Proposed Project is not related to business leader involvement with economic development strategies.	—	—
LU 7.12, Improve the relationship and ratio between jobs and housing so that residents have an opportunity to live and work within the County.	No. The development of the Proposed Project is not related to housing. However, the Project would provide direct and indirect job creation and related economic activities attributable to Project construction, and help to reduce the jobs to housing imbalance.	—	—

Policy	Applicability (Yes/No-Rationale)	Consistency¹	
		Yes	No
LU 9.2, Require a fiscal impact analysis for specific plans and major development proposals so as not to have a negative fiscal impact on the County.	No. Fiscal analysis not required by CEQA. Also see Master Responses #7 and #12.	—	—
LU 10.1, Provide sufficient commercial and industrial development opportunities in order to increase local employment levels and thereby minimize long-distance commuting.	No. The Proposed Project is not related to the development of land to provide commercial and industrial development that may affect employment or commuting.	—	—
LU 10.2, Ensure adequate separation between pollution producing activities and sensitive emission receptors, such as hospitals, residences, and schools.	Yes. The development of the Proposed Project would entail temporary emissions from equipment during construction. This is described within the Air Quality impact analysis within the DEIR. The Proposed Project emissions are less than the applicable SCAQMD localized thresholds of significance. Therefore, short-term project construction and long-term operational maintenance emissions will not expose sensitive receptors to substantial pollutant concentrations. Air Quality impacts would be less than significant.	X	
LU 12.2, Locate employment and service uses in areas that are easily accessible to existing or planned transportation facilities.	No. The development of the Proposed Project is not related to the siting or locating of employment areas or services as related to public transport, and is not pertinent to the policies that address land use issues related to circulation.	—	—
LU 13.5 Require new or relocated electric or communication distribution lines, which would be visible from Designated and Eligible State and County Scenic Highways, to be placed underground.	Yes. The Proposed Project is not within view of Designated and Eligible State and County Scenic Highways, and undergrounding of the Project is not feasible.	X	
LU 14.2, Review all proposed projects and require consistency with any applicable airport land use compatibility plan as set forth in Appendix L and as summarized in the Area Plan's Airport Influence Area section for the airport in question.	Yes. During the comment period for the DEIR, the Riverside County Airport Land Use Commission (ALUC) submitted a comment regarding the significant impact that would occur within the Airport Influence Area of the Riverside Municipal Airport that could potentially impact airport operations. The ALUC advised that above-ground lines would be found inconsistent with the 2005 Riverside Airport Land Use Compatibility Plan. As a result, RPU modified the proposed 69 kV Project route so that it would travel underground in the vicinity of the airport land use zones along Doolittle Avenue, between Jurupa Avenue and Morris Street. Also, as a result of review by the Federal Aviation Administration, new poles along Wilderness Avenue, north of Jurupa Avenue, will be equipped with obstruction lighting. The revised Project was considered by ALUC on April 12, 2012 and a finding of consistency was made. The Proposed Project does not result in the intensification	X	

<u>Policy</u>	<u>Applicability</u> <u>(Yes/No-Rationale)</u>	<u>Consistency¹</u>	
		Yes	No
	of residential and/or commercial facilities within identified airport safety zones and areas already impacted by airport noise.		
LU 14.7, Ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace.	Yes. See LU 14.2 above.	X	
LU 18.1, Require that structures be designed to maintain the environmental character in which they are located.	No. According to the City of Jurupa Valley planning staff, "structures" include only "habitable buildings" and do not include public use facilities, such as transmission lines and utility lines. The policy is, therefore, not applicable to the Proposed Project.	—	—
LU 21.2 Protect lands designated as Open Space-Mineral Resource from encroachment of incompatible land uses through buffer zones or visual screening.	No. the Proposed Project does not cross Open Space-Mineral Resource designated lands.	—	—
LU 23.1, Accommodate the development of commercial uses in areas appropriately designated by the General Plan and area plan land use maps.	No. Policy applies to commercially designated properties within the Community Development General Plan Foundation Component, as depicted on the area plan land use maps; however, the Proposed Project will allow for the continued and future operation of commercial businesses.	—	—
LU 23.5, Concentrate commercial uses near transportation facilities and high density residential areas and require the incorporation of facilities to promote the use of public transit, such as bus turnouts.	No. Policy applies to commercially designated properties within the Community Development General Plan Foundation Component, as depicted on the area plan land use maps.	—	—
LU 23.9, Require that commercial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area.	No. The Lead Agency interprets this policy as being related to habitable commercial building and site construction.	—	—
LU 24.1, Accommodate the continuation of existing and development of new industrial, manufacturing, research and development, and professional offices in areas appropriately designated by General Plan and area plan land use maps.	No. Policy applies to Industrial and Business Park designated properties within the Community Development General Plan Foundation Component, as on the area plan land use maps. However, the Proposed Project will allow for the continued and future operation of commercial businesses.	—	—
LU 24.8, Require that industrial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area.	No. Policy applies to Industrial and Business Park designated properties within the Community Development General Plan Foundation Component, as on the area plan land use maps, and the Proposed Project is not within this area.	—	—
LU 25.1, Accommodate the development of public facilities in areas appropriately designated by the General Plan and area plan land use maps.	No. Policy applies to Public Facility designated properties within the Community Development General Plan land use designation, as depicted on the area plan land use maps, and the Proposed Project is not within this area.	—	—

Policy	Applicability (Yes/No-Rationale)	Consistency¹	
		Yes	No
LU 25.3, Require that new public facilities protect sensitive uses, such as schools and residences, from the impacts of noise, light, fumes, odors, vehicular traffic, parking, and operational hazards.	No. Policy applies to Public Facility designated properties within the Community Development General Plan land use designation, as depicted on the area plan land use maps, and the Proposed Project is not within this area.	—	—
LU 25.5. Require that public facilities be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area.	No. Policy applies to Public Facility designated properties within the Community Development General Plan land use designation, as depicted on the area plan land use maps, and the Proposed Project is not within this area.	—	—
OS 20.2. (Multipurpose Open Space Element Policy) Prevent unnecessary extension of public facilities, services, and utilities, for urban areas, into Open Space-Conservation designated areas.	Yes. The Proposed Project is consistent with OS 20.2 as detailed in the DEIR (Page 3-240 & 3-241). If General Plan Land Use Policy 6.2 and Section 18.2a of Ordinance 348 are consistent, a public utility may be allowed in any zone with an approved Public Use Permit. The Proposed Project (230 kV transmission line component) would not be subject to such a permit. The Proposed Project would traverse lands that fall into Community Development, Rural Community, and Open Space-Water designations and, therefore, the Project would be consistent with the policy.	X	
C 25.2: Locate new and relocated utilities underground when possible. All remaining utilities shall be located or screened in a manner that minimizes their visibility by the public.”	Yes. The feasibility of undergrounding the transmission line is discussed in Master Response #10a and the DEIR (Chapter 6). The remaining above-ground facilities would be screened to the extent possible. The dense urban setting of most of the Project area precludes screening and location of transmission line structures and conductors to minimize visibility by the public. Siting of the transmission line away from high sensitivity viewers to the extent possible given the requirements of the Project achieves compliance (e.g., minimizes) with this policy. Significant impacts (as described in the DEIR) would remain for the Project, but are avoided to the extent possible; therefore, the Project is consistent with Policy C 25.2, and impacts on land use plans would not be significant. Please see expanded discussion above in introduction to Master Response #12.	X	

Policy	Applicability (Yes/No-Rationale)	Consistency¹	
		Yes	No
JURAP 1.2, Truck terminals, as well as draying, freight and trucking operations, or other industrial/manufacturing use which could be expected to generate substantial truck traffic, shall not be allowed in Business Park on the Jurupa Area land use map.	No. This is a policy related to the Business Park Policy Area, and is intended to maintain the integrity of business park uses and protect the residential areas that surround these industrial and business park uses from the introduction of new incompatible industrial uses, industrial truck traffic, and dangerous traffic congestion at railroad grade crossings. However, the Proposed Project would not generate significant increases in the number of trucks or general traffic to cause dangerous congestion at railroad grade crossings.	—	—
JURAP 7.2, Require development, where allowable, to be set back an appropriate distance from the top of bluffs, in order to protect the natural and recreational values of the river and to avoid public responsibility for property damage that could result from soil erosion or future floods.	Yes. The Proposed Project would be consistent with this policy because the Project would not significantly impact the natural or recreational values of the river, and protection measures would be implemented to minimize the risk of soil erosion and flooding risks.	X	
JURAP 7.3. Encourage future development that borders the Policy Area to design for common access and views to and from the Santa Ana River.	Yes. The Proposed Project would not prohibit visual and access opportunities from lands adjacent to the Santa Ana River Policy Area.	X	
JURAP 7.13, Discourage utility lines within the river corridor. If approved, lines shall be placed underground where feasible and shall be located in a manner to harmonize with the natural environment and amenity of the river.	Yes. The Proposed Project is consistent with JURAP 7.13 given that there is no feasible alternative route or undergrounding option. Please see expanded discussion above in introduction to Master Response #12.	X	
JURAP 12.1, Require development to adhere to standards detailed in the Design and Landscape Guidelines for Development in the Second Supervisorial District.	No. These standards are applicable to residential, commercial, and wireless communication projects. No standards for electrical transmission projects are contained in this reference.	—	—
Eastvale Area Plan			
EAP 1.2: Require development, where allowable, to be set back an appropriate distance from the top of bluffs, in order to protect the natural and recreational values of the river and to avoid public responsibility for property damage that could result from soil erosion or future floods.	Yes. The Proposed Project would be consistent with this policy because the Project would not significantly impact the natural or recreational values of the river, and protection measures would be implemented to minimize the risk of soil erosion and flooding risks.	X	
EAP 1.3: Encourage future development that borders the Policy Area to design for common access and views to and from the Santa Ana River.	Yes. The Proposed Project would not prohibit visual and access opportunities from lands adjacent to the Santa Ana River Policy Area.	X	

Policy	Applicability (Yes/No-Rationale)	Consistency¹	
		Yes	No
EAP 1.13: Discourage utility lines within the river corridor. If approved, lines shall be placed underground where feasible and shall be located in a manner to harmonize with the natural environment and amenity of the river.	Yes. The Proposed Project is consistent with JURAP 7.13 given that there is no feasible alternative route or undergrounding option. See Master Response #10a.	X	
EAP 7.1, Require development to adhere to standards detailed in the Design and Landscape Guidelines for Development in the Second Supervisorial District.	No. These standards are applicable to residential, commercial, and wireless communication projects. No standards for electrical transmission projects are contained in this reference.	—	—
City of Norco General Plan			
Policy 2.4.1d. The City shall identify prominent vista points and visual corridors for the purpose of preserving these vital elements of the community's character.	Yes. The Proposed Project would not interfere with efforts of the City to identify vista points and visual corridors. In addition, no prominent vista points or corridors would be affected by the Proposed Project in Norco.	X	

¹ See Applicability Rationale

Master Response #13: Data Collection and Notice of Preparation

CEQA Guidelines Section 15125(a) requires that an “EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.”

Baseline conditions were established at the date of publication of the Notice of Preparation (NOP); however, a good faith effort was made to incorporate new data and ongoing changes in the affected environment from the time the NOP was issued in November of 2009 (DEIR Chapter 3, Section 3.1.2). This includes land use, biological resources, visual resources, and coordination with the various agencies, including Riverside County, the City of Jurupa Valley, the Jurupa Area Recreation and Park Department, and the Riverside County Airport Land Use Commission.

Projects not submitted or approved are speculative, because they have either not entered into the formal application process, the application is not deemed complete/accepted, or they may change substantially or be canceled/withdrawn before being granted approval. Given the speculative nature of such proposed projects, acquisition of the properties' ROW should facilitate any necessary redesign or relocation of the project. The potential projects list used by the City for purposes of evaluating cumulative and other impacts was developed by City staff through coordination with the Riverside County Planning Department. That list initially reflected all known projects as of the NOP date, but was then updated after the NOP's issuance to refresh the data and ensure that all projects identified by applications or approvals were accounted for. Accordingly, in all instances of commenters' assertions that the Proposed Project would disrupt future development, the applications for those projects were not deemed complete by the

governing agency or there is insufficient information on submittal dates, approval dates, site plans and designs, or other information to attribute an impact on any property that would prove an adverse environmental impact to the currently undeveloped property. This is consistent with the approach required by CEQA, which allows agencies to use the NOP conditions as the baseline for purposes of determining potential impact (CEQA Guidelines Section 15125).

Master Response #14: Local Benefits of 230 kV Route

A number of commenters stated that the Proposed Project's 230 kV component would provide no benefits to residents outside of the City of Riverside and that most of the impacts of the Proposed Project would be borne by surrounding communities (e.g., the City of Jurupa Valley). Although much of the Proposed Project's transmission line would be located in the City of Jurupa Valley (49.8% of the I-15 Route length and 33 transmission structures), a significant portion totaling more than 50.2% of the I-15 Route length would also be located in unincorporated Riverside County (5.2% of the I-15 Route length and 5 transmission structures), the City of Norco (2.6% of the I-15 Route length and a single transmission structure), and the City of Riverside (42.4% of the I-15 Route length and 36 transmission structures). Both the new Wildlife and Wilderness substations and 11 miles of subtransmission lines would be entirely located within the boundaries of the City of Riverside. Therefore, it is without foundation that the City of Jurupa Valley would get all of the impacts and none of the benefits. Potentially significant impacts identified in the DEIR (see Section ES.8), such as aesthetic, agriculture, and air quality impacts, would be distributed across the area and occur not only in the City of Jurupa Valley, but also in the City of Norco, unincorporated Riverside County, and the City of Riverside. Potentially significant aesthetic impacts would be concentrated along the Santa Ana River corridor, primarily affecting sensitive viewers using the trail and parks in this area within the City of Riverside and adjacent unincorporated Riverside County. Of residences viewing the proposed 230 kV transmission line in the immediate foreground (i.e., within 500 feet of the proposed transmission line), 47% are in the City of Riverside and only 19% are in the City of Jurupa Valley (see Section 3.2.1 of the DEIR). The Proposed Project's conversion of Farmland designated as Prime Farmland (0.7 acre), Unique Farmland (0.7 acre), and Farmland of Statewide Importance (0.1 acre) would not be isolated to the City of Jurupa Valley. Potentially significant cumulatively considerable air quality impacts from construction are related to non-attainment criteria pollutants and are assessed at the air basin level; they are not specific to the City of Jurupa Valley (see Section 3.2.3 of the DEIR).

Although it includes a power transmission component, the RTRP is limited in geographic extent and serves as a local project. The proposed 230 kV transmission line is 9.7 miles long, but the straight-line distance between its ends is only around 6 miles. It does not merely pass through cities in the Project area to deliver power to some distant recipients. In fact, the line's terminus at the proposed Wildlife Substation would be approximately 800 feet from the border of the City of Jurupa Valley. The City of Riverside is surrounded by a group of interdependent cities and unincorporated communities. Residents move among area cities daily and are dependent on neighboring communities for goods, services, employment, entertainment, cultural events, and other needs.

Additionally, RTRP would improve the reliability of the regional transmission system, which includes all cities within the Proposed Project area and adjacent unincorporated Riverside and San Bernardino counties. The Proposed Project would provide a more reliable electrical system

during major outages, such as the loss of a major generating facility or of another high-voltage transmission line, and would strengthen electrical reliability within Riverside by providing a second source of power to the City. This more reliable electrical system within the City of Riverside, in turn, would provide more reliable energy to critical infrastructure and public facilities, such as schools (University of California, Riverside), hospitals (Riverside Community Hospital and Kaiser Foundation Hospital), fire/police departments, government facilities (County of Riverside Administration Building – Emergency Operations Center, which serves as the primary emergency operations center for the entire county of Riverside), water facilities (Mills Filtration Plant, under the Western Municipal Water District, which serves the cities of Norco, Jurupa Valley, Eastvale, and Riverside), and wastewater treatment facilities (under contract to treat Jurupa Community Services District sewage). These facilities currently benefit other nearby communities and cities outside of the City of Riverside, including the City of Jurupa Valley, which relies on the City of Riverside to provide electricity for the treatment of sewage. The City of Riverside also provides the Metropolitan Water District facilities in Riverside with electricity.

Master Response #15: FAA and ALUC

Since the publication of the DEIR for public review, RPU and SCE re-evaluated the potential impacts of the Proposed Project. The 69 kV subtransmission lines were reviewed by the ALUC with regard to air navigation and consistency with the Riverside Municipal Airport Land Use Compatibility Plan. As a result, RPU would underground a section of the subtransmission line as well as adhere to other conditions established by the ALUC to be compatible with the airport land use compatibility plan. SCE's aviation consultant reviewed the 230 kV transmission lines and, as a result, SCE may be required to file 23 structures and one catenary with the Federal Aviation Administration associated with the 230 kV line. The catenary may require marking and the FAA may require lighting some of the structures due to Visual Departure Flight Procedures. Detailed explanations of the re-evaluations are described below.

Initial consultation with ALUC (69 kV subtransmission lines) and FAA (230 kV transmission line) commenced prior to the public release of the DEIR. Although those consultation processes were not completed prior to the CEQA public comment period, the DEIR provided a worst-case analysis with regard to potential structure locations. Accordingly, the DEIR provided a full and complete disclosure to the public of the Project's potential environmental impacts, and CEQA's informational disclosure requirements were fully met. That the DEIR provided a worst-case analysis is evidenced by the fact that the completion of the ALUC review and consultation process actually confirmed that, with Project modifications, no potentially significant impact will result. Furthermore, and as stated in the DEIR (Section 3.2.9), SCE will submit a Notice of Proposed Construction or Alteration (Form 7460-1) of the 230 kV transmission line Proposed Project component, including construction-related equipment that might impact air navigation (e.g., cranes), for review to the FAA electronically and as far in advance of construction as possible. Submittal of the notice would occur when final design of the 230 kV transmission line is completed and the precise location of transmission structures within the proposed ROW is known. SCE will furnish a copy of all FAA No Hazard determinations to the CPUC prior to construction of the 230 kV transmission line. Project adherence to the determinations of the FAA would ensure that potential conflicts with Riverside Municipal Airport would be less than significant.

69 kV Subtransmission Line

During the public comment period for the DEIR, the ALUC submitted a comment regarding the significant impact that would occur within the Airport Influence Area of the Riverside Municipal Airport that could potentially impact airport operations. The ALUC advised that above-ground lines would be found inconsistent with the 2005 Riverside Airport Land Use Compatibility Plan. As a result, RPU modified the proposed 69 kV subtransmission line route so that it would travel underground in the vicinity of the airport land use zones along Doolittle Avenue, between Jurupa Avenue and Morris Street. Also, as a result of review by the Federal Aviation Administration, new poles along Wilderness Avenue, north of Jurupa Avenue, would be equipped with obstruction lighting.

On April 12, 2012, the ALUC conducted a public hearing and determined that the proposal to establish 69 kV subtransmission lines within the Riverside Municipal Airport Influence Area, as revised to place all portions within Airport Compatibility Zone “A” underground, is consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan. A copy of the entire ALUC Development Review determination is located in Attachment A of Volume I of this FEIR. ALUC made its consistency determination subject to the following conditions:

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take off or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator or FAA-approved obstruction lighting.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.
3. In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, the permittee shall be required to take all measures necessary to eliminate such interference.

The following conditions would apply to all 159 pole locations within the Airport Influence Area:

4. Prior to final inspection and within five (5) days after construction reaches its greatest height, Riverside Public Utilities or its designated representative shall submit Form 7460-2, Notice of Actual Construction or Alteration, to the Federal Aviation Administration in accordance with the requirements of the Determination of No Hazard to Air Navigation issued for that structure. The requirement for submittal is also applicable in the event the project is abandoned.

5. The specific coordinates, height, top point elevation, power and frequencies of the proposed pole structure shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.
6. Temporary construction equipment used during actual construction of the structure shall not exceed the height of the proposed structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
7. Temporary construction equipment exceeding 15 feet in height shall not be erected or stored within the boundaries of Airport Compatibility zone A. Riverside Public Utilities shall utilize all feasible means to minimize storage of equipment not exceeding 15 feet in height within the boundaries of Airport Compatibility Zone A.
8. The maximum height of the proposed structure, including all mounted appliances and obstruction or aviation safety lighting (if any), shall not exceed the height above ground level specified for that structure in column 3 (labeled “AGL”) of Table 1052-A, and the maximum elevation at the top of structure shall not exceed the elevation above mean sea level specified for that structure in column 4 (labeled “AMSL”) of Table 1052-A.

The following additional conditions apply to the pole locations identified as E5, E6, E7, E8, E9, E10, F4, F5, F6, F7, F8, F9, F10 and F11, generally located along Wilderness Avenue, northerly of Jurupa Avenue:

9. The structure shall be marked/lighted in accordance with FAA Advisory Circular 70/7460-1 K change 2, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red) & 12.
10. In addition to complying with the requirements of Condition No. 4 above, Riverside Public Utilities or its designated representative shall submit Form 7460-2, Notice of Actual Construction or Alteration, to the Federal Aviation Administration (FAA) at least 10 days prior to the start of construction (emphasis added), so as to provide for the addition of a note (by FAA officials) to the “Take-off Minimums and (Obstacle) Departure Procedures” in the U.S. Terminal Procedures publication.
11. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, shall be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

The following additional condition applies to the remaining pole locations within the Airport Influence Area:

12. The Federal Aviation Administration has conducted aeronautical studies of this proposal and has determined that neither marking nor lighting of the proposed pole structures (Other than RPU Structure ID Numbers E5 through E10 and F4 through F11 as specified above) is necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, such marking and /or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.

230 kV Transmission Line

Since the publication of the DEIR for public review, SCE evaluated the 230 kV transmission line to determine if, or to what extent, this proposed transmission line might be affected by FAA Part 77 (14 CFR 77), which specify notification and obstruction criteria enforced by the FAA. The evaluation was conducted by Aviation Systems, Inc. aviation consultants. Of the 77 structures that are part of the 230 kV transmission line, 23 would require FAA filing due to the proximity to the Riverside Municipal Airport. One catenary span exceeds 200 feet above ground level and requires filing with the FAA. Due to Visual Departure Flight Procedures, the FAA may require lighting structures within two nautical miles of runways. The catenary is over 200 feet above ground level and may require marking. No current Visual or Instrument procedures would be impacted. A copy of the evaluation is located in Attachment B of Volume I of this FEIR.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



August 8, 2011

Mr. George Hanson

City of Riverside Public Utilities

3901 Orange Street
Riverside, CA 92522

Re: SCH#2007011113 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "Riverside Transmission Reliability Project (RTRP);" located in the western and northern sections of the City of Riverside, and to the west and north into the cities of Norco and Jurupa Valley; Project is bordered to the north by S.R. 60 and existing Mora Loma to Vista Southern California Edison Transmission Lines, to the west by Interstate 15, and to the south and east by State Route 91 and the Santa Ana River roughly divides the project area into northern and southern halves; Riverside County, California.

Dear Mr. Hanson:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the above-referenced proposed Project.

A-1

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project site, the 'area of potential effect (APE)'. However, the absence of archaeological items at the surface level does not preclude their existence at the subsurface level once ground-breaking activity is underway.

A-2

The NAHC 'Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

A-2

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to C" A Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

A-3

Furthermore we recommend, also, that you contact the California Historic Resources Information System (CHRIS) California Office of Historic Preservation for pertinent archaeological data within or near the APE, at (916) 445-7000 for the nearest Information Center in order to learn what archaeological fixtures may have been recorded in the APE.

A-4

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation.

A-5

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

A-6

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

A-7

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code 5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government

A-8

Code 6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places and there may be sites within the APE eligible for listing on the California Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

A-8

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,


Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

California Native American Contact List

Riverside County

August 8, 2011

Pala Band of Mission Indians
Tribal Historic Preservation Office/Shasta Gaugher
35008 PalaTemecula Rd, PMB Luiseno
Pala , CA 92059 Cupeno
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(760) 891-3515
(760) 742-3189 Fax

Pauma & Yuima Reservation
Randall Majel, Chairperson
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Pauma Valley CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.
gov
(951) 506-9491 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
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(951) 763-4325 Fax

Rincon Band of Mission Indians
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San Manuel Band of Mission Indians
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26569 Community Center Drive Serrano
Highland , CA 92346
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(909) 864-3370 Fax

Santa Rosa Band of Mission Indians
Mayme Estrada, Chairwoman
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srbcioffice@yahoo.com
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(951) 658-6733 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
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mcontreras@morongo-nsn.
gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007011113; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Riverside Transmission Reliability Project (RTRP) of the City of Riverside and Southern California Edison.; located roughly in the Riverside Area, above and below the Santa Ana River; including sections of the cities of Riverside and Norco, Mira Loma and the Jurupa Valley; Riverside County, California.

California Native American Contact List

Riverside County

August 8, 2011

San Manuel Band of Mission Indians
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abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Serrano Nation of Indians
Goldie Walker
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Patton, CA 92369
(909) 862-9883

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
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(951) 695-1778 Fax

Cahuilla Band of Indians
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Prefers e-mail contact

Pechanga Cultural Resources Department
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ahoover@pechanga-nsn.gov
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(951) 694-0446 - FAX

La Jolla Band of Mission Indians
ATTN: Rob Roy, Environmental Director
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(951) 849-4676

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007011113; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Riverside Transmission Reliability Project (RTRP) of the City of Riverside and Southern California Edison.; located roughly in the Riverside Area, above and below the Santa Ana River; including sections of the cities of Riverside and Norco, Mira Loma and the Jurupa Valley; Riverside County, California.

California Native American Contact List

Riverside County

August 8, 2011

SOBOBA BAND OF LUISENO INDIANS

Joseph Ontiveros, Cultural Resource Department

P.O. BOX 487

Luiseno

San Jacinto , CA 92581

jontiveros@soboba-nsn.gov

(951) 663-5279

(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007011113; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Riverside Transmission Reliability Project (RTRP) of the City of Riverside and Southern California Edison.; located roughly in the Riverside Area, above and below the Santa Ana River; including sections of the cities of Riverside and Norco, Mira Loma and the Jurupa Valley; Riverside County, California.

2.2.2 RESPONSES TO COMMENTS

Comment Letter A: Dave Singleton, Native American Heritage Commission

Response to Comment A-1

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

Response to Comment A-2

Thank you for confirming that Native American cultural resources were not identified within the Proposed Project area. A mitigation measure addressing the discovery of unanticipated cultural resources is included in the DEIR as CUL-02:

“To avoid and/or minimize impacts to significant cultural resources, a qualified archaeologist will monitor ground disturbing activities near previously identified cultural resources. If a newly identified cultural resource or an unknown component of a previously identified resource is discovered during construction, the monitor will follow the Unanticipated Discovery Plan identified in EPE CUL-05. The monitor will have the authority to stop or redirect work, as required to fulfill mitigation measure CUL-02. In addition, any human remains discovered during Project activities will be protected in accordance with current state law as detailed in California Public Resources Code Sections 5097.91 and 5097.98, as amended.”

Response to Comment A-3

All Native American contacts provided within the Native American Heritage Commission (NAHC) letter have been contacted and have been provided with pertinent project information. NAHC originally provided a list of tribes to be contacted in a June 19, 2006 letter and again in a letter dated December 9, 2009. As described on pages 3-159 and 7-8 of the DEIR, all tribes listed on the NAHC DEIR comment letter, with the exception of the Rincon Band of Mission Indians, were contacted, and three of the tribes (Soboba Band of Luiseño Indians, Pechanga Band of Mission Indians, and Morongo Band of Mission Indians) requested further information. The City arranged meetings and site visits with these three tribes regarding the Proposed Project. As described in the above-referenced pages of the DEIR, further coordination with those interested tribes continued throughout the Proposed Project and development of the DEIR.

The Rincon Band of Mission Indians did not appear on previous letters provided by the NAHC (June, 2006 or December, 2009). Therefore, a letter containing pertinent project information was subsequently sent to the Rincon Band of Mission Indians on January 18, 2012, in response to this current comment letter from the NAHC. The Rincon Band of Mission Indians provided responses dated January 30, 2012 and February 29, 2012 indicating that the identified location of the Project is within the Aboriginal Territory of the Luiseño people, but is not within the Rincon Historic boundaries.

Additional letters to Tribes on the NAHC list updating them on RTRP were sent by RPU on March 20, 2012.

Avoidance of cultural resources is a listed Environmental Protection Element (EPE) within the DEIR, in Table 3.2.5-1. EPEs are included within the DEIR as part of the Proposed Project and

therefore would be implemented during construction to avoid or minimize impacts. Avoidance of cultural resources is the preferred EPE. However, if complete avoidance of impacts is not feasible (e.g., because of engineering constraints, safety considerations), the impacted portion of the cultural resource would be kept to a minimum in order to ensure that impacts remain less than significant. The text of EPE CUL-01 is included below:

“Avoid or minimize impacts to significant cultural resources. Ground disturbance or other impacts to each identified cultural resource would be avoided or minimized, unless the resource has been determined to be ineligible for the National Register of Historic Places (NRHP) and/or the California Register of Historical Resources (CRHR). Avoidance measures could include project redesign, flagging of site boundaries during construction, use of buffer zones, and construction monitoring.”

To the extent that impacts to cultural resources are unavoidable, then the City will implement the requirements of the Unanticipated Cultural Resources Discovery Plan as directed by the qualified archaeologist as part of Mitigation Measure CUL-02. The archaeologist has the authority to stop or redirect construction work to ensure that unanticipated resources are not impacted (see Mitigation Measure CUL-02).

Response to Comment A-4

As described on pages 3-157 and 3-158 of the DEIR, six separate cultural resources records searches of the Proposed Project area were conducted between April 2006 and February 2011. Collectively, the records searches provided locations and other data on previously recorded archaeological and historical resources and on previous cultural resource studies. Records were reviewed at the Eastern Information Center (EIC), housed at the University of California at Riverside, and at the San Bernardino Archaeological Information Center (SBAIC) at the San Bernardino County Museum. California Historical Resources Information System (CHRIS) records at both facilities were reviewed to determine the location of cultural resources in the study area. Also consulted for relevant properties were the National Register of Historic Places (NRHP), Archaeological Determinations of Eligibility (ADOE) provided by the EIC, the CRHR, California Historic Landmarks (CHL), California Points of Historical Interest, and the Directory of Properties in the Historic Property Data File (HDP). Historic U.S. Geological Survey (USGS) topographic quadrangles were also reviewed for the study area.

Response to Comment A-5

The National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations, Section 106 of the National Historic Preservation Act (NHPA), 36 CFR Part 800, and the Executive Orders mentioned in the comment are all federal measures that do not apply to RTRP. However, the procedures followed by RPU for contacting and providing information to Native Americans summarized in Response to Comment A-3 are consistent with federal Native American consultation requirements.

Response to Comment A-6

Potential for accidental discovery of archaeological resources and human remains is discussed on page 3-173 of the DEIR:

“No buried human remains have been previously recorded or discovered during recent surveys for this Proposed Project and, as such, no impacts to this type of resource are anticipated; however, should human skeletal remains be discovered at any time during implementation of the Proposed Project, construction in the vicinity will halt and the Coroner will be contacted immediately (California Public Resources Code 7050.5). If the Coroner determines that the remains do not require an assessment of cause of death and are probably Native American, then the NAHC will be contacted to identify the most likely descendents. Also, California Public Resources Code 5097.98 would be implemented according to the requirements of the regulation and pursuant to Mitigation Measure CUL-02.”

Response to Comment A-7

See Response to Comment A-3.

Response to Comment A-8

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

Jane F. Anderson, President
Kenneth J. McLaughlin, Vice President
Kathryn Bogart, Director
Robert "Bob" Craig, Director
Betty A. Anderson, Director



August 9, 2011

Riverside Transmission Reliability Project (RTRP)
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

Re: Riverside Transmission Reliability Project

Dear Mr. Hanson:

Please find attached Resolution No. 1928, adopted by Jurupa Community Services District's (JCSD) Board of Directors on December 10, 2007. The attached Resolution expresses JCSD's opposition to the Transmission Reliability Project. We understand the 60 day public review period for submitting written comments on the Draft Environmental Impact Report closes on September 30, 2011. Please accept Resolution No. 1928 as our comments and opposition.

If you have any questions, please feel free to contact me at (951) 685-7434.

Sincerely,

A handwritten signature in black ink, appearing to read "Eldon Horst", is written over a horizontal line.

Eldon Horst
General Manager

Enc. Resolution No. 1928

RESOLUTION NO.1928

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE JURUPA COMMUNITY SERVICES
DISTRICT EXPRESSING OPPOSITION TO
PROPOSED TRANSMISSION LINE ALIGNMENTS
THROUGH JURUPA COMMUNITY SERVICES
DISTRICT**

WHEREAS, Southern California Edison ("SCE") and the City of Riverside Public Utilities ("RPU") are both project proponents of the development of the Riverside Transmission Reliability Project ("RTRP"); and


WHEREAS, the development of RTRP contemplates construction of a 69 kilovolt (kV) transmission line within Jurupa Community Services District and a 230 kilovolt (kV) transmission line which is proposed to extend along Van Buren Boulevard between Etiwanda Avenue and the Santa Ana River (collectively referred herein as the "Transmission Lines"); and

WHEREAS, the residents of the Jurupa Community Services District (the "District") have brought to the attention of the Board of Directors a number of health, safety, and environmental concerns regarding the proposed alignment of the Transmission Lines; and

WHEREAS, the Board of Directors finds these concerns valid and credible and as such the Board wishes to express its opposition to the proposed alignment of the Transmission Lines.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Jurupa Community Services District is concerned for the health, welfare and safety of its citizens and therefore opposes any alignment which brings the Transmission Lines within the boundaries of the Jurupa Community Services District.

ADOPTED this 10th day of December, 2007.



President of the Board of Directors

ATTEST:



Secretary of the Board of Directors

B-1

CERTIFICATION

I, Eldon Horst, Secretary of the Board of Directors of Jurupa Community Services District, certify that the foregoing resolution was adopted by the Board of Directors at a regular meeting held on the 10th day of December 2007 by the following vote of the Directors:

AYES: James C. Huber, Paul E. Hamrick, Jack E. Smith, Kenneth J. McLaughlin, R.M. "Cook" Barela.

NOES: None

ABSENT: None

ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Jurupa Community Services District, this 10th day of December 2007.


Secretary of the Board of Directors

(SEAL)

B-1

Comment Letter B: Eldon Horst, Jurupa Community Services District**Response to Comment B-1**

Thank you for your comment; it has become part of the project record. As described in the DEIR, the Proposed Project would not construct 69 kV subtransmission lines within the Jurupa Community Services District service area. Comment Letter B includes Resolution No. 1928 of the Board of Directors for the Jurupa Community Services District dated December 10, 2007. In this resolution, it states opposition to a 230 kV transmission line that is proposed to extend along Van Buren Boulevard between Etiwanda Ave. and the Santa Ana River. However, since the time of this Resolution No. 1928, the Proposed Project alignment for the 230 kV transmission line has been modified and no longer extends along Van Buren Boulevard between Etiwanda Ave. and the Santa Ana River. Figure 2.3-1 of the DEIR illustrates the proposed alignment of the 230 kV transmission line, which would generally parallel the Santa Ana River west from the proposed Wildlife Substation to Interstate 15, then north parallel to Interstate 15 to the interconnection along an existing 230 kV transmission line.

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

464 WEST 4th STREET, 6th Floor MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-6890

TTY (909) 383-6300

*Flex your power!
Be energy efficient!*

August 23, 2011

George Hanson
City of Riverside Public Utilities
3901 Orange Street
Riverside, CA 92522

Riverside Transmission Reliability Project DEIR. Riv-91-Various

Dear Mr. Hanson,

We have completed our review for the above noted project. The project comprises of the construction, operation, and maintenance of a new approximately 10-mile double circuit 230 kV transmission line, a new 230 kV substation (Wildlife substation), a new 230/69 kV substation (Wilderness substation), and five new 69 kV sub transmission line segments integrated into the City of Riverside Public Utilities existing transmission system. There will be three points in which the transmission lines will be crossing over State facilities: once over SR-60, once over the I-15, and once over SR-91. A good portion of the transmission lines will also be running alongside the I-15.

C-1

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We have the following comment(s):

Encroachment Permits

Any activities before, during, or after construction within, under, or over the State Highway Right of Way, an Encroachment Permit is required. Please refer to our Encroachment Permit Manual (chapter 600) which can be found in the following link:

C-2

http://www.dot.ca.gov/hq/traffops/developserv/permits/encroachment_permits_manual/index.html

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY

Office Chief

Community Planning/IGR-CEQA

"Caltrans improves mobility across California"

Comment Letter C: Daniel Kopulsky, California Department of Transportation**Response to Comment C-1**

Thank you for your comment; it has become part of the project record. One of the proposed 69 kV subtransmission lines would cross State Highway 91. The proposed 230 kV transmission line (I-15 Route) would parallel a section of I-15; however, the transmission line would not cross the roadway or interchanges. The Proposed Project would not cross or parallel State Highway 60. At one time during the Project planning process, alternatives were under consideration that would have required crossing State Highway 60; however, these are no longer under consideration by RPU.

Response to Comment C-2

An encroachment permit has been identified within Chapter 2, Table 2.9-1, of the DEIR as being required prior to construction.

City of Jurupa Valley

Laura Roughton, Mayor . Verne Lauritzen, Mayor Pro Tem . Micheal Goodland,
Council Member . Frank Johnston, Council Member . Brad Hancock, Council Member

August 29, 2011

George Hanson, Project Manager
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

Re: Draft Environmental Impact Report for Riverside Transmission Reliability Project

Dear Mr. Hanson:

On behalf of the newly-incorporated City of Jurupa Valley, I am writing to request that the City of Riverside, as lead agency under the California Environmental Quality Act ("CEQA") for the Riverside Transmission Reliability Project ("Project"), extend by at least sixty (60) days the public comment period for the Project's draft environmental impact report ("DEIR"). All comments therefore would be due not later than November 29, 2011, rather than the current deadline of September 30, 2011.

As you know, a substantial portion of the Project's 230-kV transmission line is proposed to be located within the City of Jurupa Valley. As a result, the City has significant environmental concerns regarding the Project's potential impacts, including but not limited to the Project's aesthetic impacts.

Although the Project has been in development since at least 2004, the City of Riverside is providing only sixty days for the public to submit comments on the DEIR. This time period is insufficient given the significance of the issues involved. Moreover, given the fact that the City of Jurupa Valley only incorporated on July 1, 2011, the City has had no previous opportunity to analyze the issues raised by the Project or to provide its comments for inclusion in the administrative record; indeed, even the Notice of Preparation for the DEIR was issued prior to the City's incorporation. For these reasons, we request that the City of Riverside extend the comment period on the DEIR to and including November 29, 2011.

D-1

In addition, due the significant resources that the City of Jurupa Valley will be forced to expend to analyze the Project's potential adverse impacts on the City and its residents, we request that the City of Riverside agree to reimburse the City of Jurupa Valley for the expert, staff, and legal expenses that will be incurred in reviewing the DEIR.

D-2

Please provide a written response to these requests as soon as possible, and not later than Thursday, September 8, 2011, so that we may react accordingly.

Thank you for your consideration of our request.



Stephen Harding
City Manager
City of Jurupa Valley

Comment Letter D: Stephen Harding, City of Jurupa Valley**Response to Comment D-1**

Thank you for your comment; it has become part of the project record. In addition, please see Master Response #8.

Response to Comment D-2

Thank you for your comment; it has become part of the project record. As the commenter may be aware, CEQA includes no requirement (nor even any recommendation) that a lead agency reimburse commenting parties for the costs associated with the preparation and submittal of comments. Accordingly, the City of Riverside cannot agree to reimburse the commenter for any costs associated with the commenter's review of the Draft EIR. In addition, please see Master Response #8.

Jane F. Anderson, President
Kenneth J. McLaughlin, Vice President
Kathryn Bogart, Director
Robert "Bob" Craig, Director
Betty A. Anderson, Director



September 15, 2011

Riverside Transmission Reliability Project (RTRP)
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

Re: Riverside Transmission Reliability Project

Dear Mr. Hanson:

Please find attached Resolution No. 2235, adopted by Jurupa Community Services District's (JCSD) Board of Directors on September 12, 2011. The attached Resolution expresses JCSD's opposition to the Transmission Reliability Project. We understand the 60 day public review period for submitting written comments on the Draft Environmental Impact Report closes on September 30, 2011. Please accept Resolution No. 2235 as our comments and opposition.

E-1

If you have any questions, please feel free to contact me at (951) 685-7434.

Sincerely,

A handwritten signature in black ink, appearing to read "Eldon Horst", written over a horizontal line.

Eldon Horst
General Manager

Enc. Resolution No. 2235

RESOLUTION NO. 2235

**RESOLUTION OF THE BOARD OF DIRECTORS OF
JURUPA COMMUNITY SERVICES DISTRICT
EXPRESSING OPPOSITION TO PROPOSED
TRANSMISSION LINE ALIGNMENTS THROUGH JURUPA
COMMUNITY SERVICES DISTRICT**

WHEREAS, Southern California Edison ("SCE") and the City of Riverside Public Utilities ("RPU") are both project proponents of the development of the Riverside Transmission Reliability Project (RTRP); and

WHEREAS, the development of RTRP contemplates construction of a new approximately 10-mile double-circuit 230,000 (230 kV) transmission line, a new 230 kV substation, a new 230/69 kV substation and five (5) new 69 kV subtransmission line segments into RPU's existing subtransmission system; and

WHEREAS, the proposed project location is located in the western and northern sections of the City of Riverside, with a small section in the City of Norco. It then extends north into the recently incorporated City of Jurupa Valley in Western Riverside County. The proposed project area is bordered to the north by State Highway 60 and the existing Mira Loma to Vista SCE 230 kV transmission lines, to the west by Interstate 15, and to the south and east by State Highway 91. The Santa Ana River roughly divides the proposed project area into northern and southern halves; and

WHEREAS, the residents within the Jurupa Community Services District service territory have concerns regarding the proposed alignment of the transmission lines; and

WHEREAS, the Board of Directors finds those concerns to be valid and credible and as such the Board wishes to express its opposition to the proposed alignment of the transmission lines.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Jurupa Community Services District is concerned for the health, welfare and safety of its

citizens and therefore opposes any alignment which brings the transmission lines within the boundaries of the Jurupa Community Services District service territory.

E-2

ADOPTED this 12th day of September 2011.



President of the Board of Directors

ATTEST:



Secretary of the Board of Directors

CERTIFICATION

I, Eldon Horst, Secretary of the Board of Directors of Jurupa Community Services District, certify that the foregoing resolution was adopted by the Board of Directors at a regular meeting held on the 12th day of September 2011, by the following vote of the Directors:

AYES: Jane F. Anderson, Kenneth J. McLaughlin, Kathryn Bogart, Robert Craig, Betty A. Anderson

NOES: None

ABSENT: None

ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Jurupa Community Services District this 12th day of September 2011.



Secretary of the Board of Directors

(SEAL)

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, ELDON HORST, Secretary of the Board of Directors of the Jurupa Community Services District, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2235.

DATED: 12th day of September 2011.

(SEAL)



Secretary of the Board of Directors

Comment Letter E: Eldon Horst, Jurupa Community Services District**Response to Comment E-1**

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

Response to Comment E-2

Thank you for your comment; it has become part of the project record. Please also see Master Response #2.



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

September 29, 2011

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Rancho Mirage

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Riverside

COMMISSIONERS

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Ed Cooper

John Guerin
Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Riverside Transmission Reliability Project (RTRP)

Attn.: George Hanson, Project Manager
City of Riverside Public Utilities Department
3901 Orange Street
Riverside CA 92522

RE: Draft Environmental Impact Report for the Riverside Transmission Reliability Project

Dear Mr. Hanson:

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a CD copy of this Environmental Impact Report (EIR), along with a copy of the Notice of Availability and Notice of Completion of the document. The document addresses both the 230,000-volt transmission lines that would be operated by Southern California Edison (SCE) and the 69,000-volt lines that would be operated by Riverside Public Utilities Department (RPU).

F-1

As you are aware, ALUC is charged by State law (Section 21670 of the California Public Utilities Code) with the mission of "protect[ing] public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

On page 3-200, the Draft EIR acknowledges a significant impact, namely, that the proposed project "would occur within the Airport Influence Area of the Riverside Municipal Airport and could potentially impact airport operations." This is particularly true in that "placement of 65- to 90-foot tall RPU 69kV subtransmission structures ... would occur" in Zones A, B1, and C, and "placement of 90- to 175-foot tall SCE 230kV transmission line structures ... would occur" in Zones B1 and C.

F-2

The Draft EIR then proceeds to state that undergrounding of the subtransmission lines, which would reduce the impacts to airport operations and air navigation safety to a less than significant level, is "infeasible as a mitigation measure, even for more limited sections of the project." The 69kV portion of the project was previously considered by the Airport Land Use Commission, which clearly advised that aboveground lines in Zone A would be inconsistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan (2005 RMALUCP) and that aboveground lines in Zone B1 would likely be found inconsistent on the basis that "critical community infrastructure facilities" are prohibited in such areas unless no feasible alternative location exists.

F-3

The EIR proceeds to explain the reasons why the proponent considers undergrounding infeasible: increased traffic impacts from placement within street rights-of-way, increased ground disturbance, excavation, and use of heavy equipment during the construction process, more prolonged outages in the event of malfunction, and economic considerations. While we recognize that impacts on airport operations and air navigation are among dozens of issues that decision-makers must consider when selecting project design, it is our position

that the option of undergrounding the portions of these facilities in Zones A and B1 should have been analyzed as an alternative to the project as proposed (given that the significance of this impact was recognized in the document), and that the reasons stated above are insufficient to demonstrate infeasibility.

F-3

Furthermore, it is our understanding as a result of telephonic discussions between ALUC staff and RPU representatives that, after considering the comments of ALUC Commissioners at the July 14, 2011 ALUC hearing, RPU had agreed to underground at least those portions of the 69kV project in Zone A. Therefore, if it is too late for undergrounding "in limited sections of the Project" to be analyzed as an alternative, we would request, at a minimum, that the Final EIR reflect the substance of the conversations between RPU and ALUC staff.

F-4

At this time, the status of your submittal to ALUC (ZAP1052RI11) is "continued off-calendar." To assure adequate analysis in the EIR in addressing consistency with the 2005 RMALUCP, your Department should return to ALUC for a determination of consistency or inconsistency prior to final action by the City regarding the proposed project. This is also an important step to protect your project from CEQA challenge due to inadequate process or analysis.

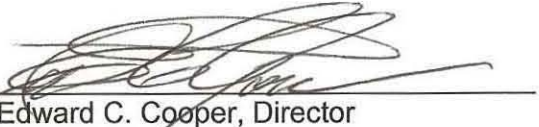
F-5

It is also our concern that, if a Final EIR declares an alternative or mitigation measure infeasible for a given project, a public agency cannot then implement such an alternative or mitigation measure for that project without issuing a new or revised environmental document.

F-6

Thank you for the opportunity to provide comments. If you have any questions, please contact John Guerin of ALUC staff at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION


Edward C. Cooper, Director

JG:bas

cc: Mark Ripley, Manager, Riverside Municipal Airport
Philip Crimmins, CALTRANS Division of Aeronautics

Y:\ALUC\Airport Case Files\Riverside\RTRP ZAP1052RI DraftEIR Response – ltr to RivPUD.doc

Comment Letter F: Edward C. Cooper, Riverside County Airport Land Use Commission**Response to Comment F-1**

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

Response to Comment F-2

Although the DEIR initially identified potentially significant and unavoidable hazards and land use impacts due to placement of overhead lines adjacent to the Riverside Municipal Airport (DEIR p. ES-12), revisions to the Project have been made in consultation with ALUC to place a portion of the 69 kV subtransmission lines underground (see ALUC Development Review determination in Attachment A of Volume I of this FEIR). These revisions would reduce these potentially significant impacts identified within the DEIR to a level of less than significant. Please also refer to Master Response #15 (FAA and ALUC issues).

Response to Comment F-3

Please refer to Master Responses #10a (Undergrounding) and #15 (FAA and ALUC issues). Although undergrounding the Project as a whole remains an infeasible alternative, the City determined that undergrounding a limited portion of the Project's 69 kV subtransmission overhead lines would be feasible in order to eliminate the potentially significant impacts to safety and land use adjacent to the Riverside Municipal Airport. Please see Response to Comment F-2, above.

Response to Comment F-4

The commenter is correct that limited portions of the Project's overhead lines will be undergrounded in the area of the Riverside Municipal Airport. Please refer to Response to Comment F-2 and Master Response #15 (FAA and ALUC issues).

Response to Comment F-5

The City has completed consultation with ALUC and incorporated revisions and conditions into the Project in response to ALUC's recommendations. Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment F-6

The City modified the Project to underground a limited segment of the Project's 69 kV subtransmission overhead lines at ALUC's request. This modification was made prior to the issuance of an FEIR. Accordingly, those modifications are now part of the Project that will be considered by the City Council. No "new or revised environmental document" is required in order to implement these changes. Please refer to Master Responses #15 (FAA and ALUC issues) and #4 (Recirculation).



CITY of NORCO

CITY HALL • 2870 CLARK AVENUE • NORCO CA 92860 • (951) 735-3900 • FAX (951) 270-5622

September 29, 2011

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

SUBJECT: City of Norco Comments on Cultural Resources Impacts,
Riverside Transmission Reliability Project Draft EIR

Dear Mr. Hanson:

Thank you for the opportunity to review the cultural resources impacts analysis relating to the Riverside Transmission Reliability Project. Within the City of Norco, it appears the only cultural resource impacted by the project is the Pedley Power Station in northeast Norco. As a matter of information, the City of Norco is in the final stages of completing a comprehensive historic resources survey relating to Norco's history prior to 1946. In the course of this work, we have determined that the Pedley Power Station and its related features are eligible for listing on the California Register of Historical Resources. We note that Power Engineers' cultural resources report also arrived at the same conclusion. Given the status of this facility as a cultural resource, it is subject to protection under the California Environmental Quality Act (CEQA). Certainly, the objective in this regard should be to avoid any activities that would result in a "significant adverse change" to this resource, as specified in CEQA.

G-1

Impacts to the Pedley Power Station identified in the draft EIR are limited to visual impacts from towers and overhead wires, and potential impacts from trenching under the power station's spillway. We concur with the report's conclusion that the visual impacts will not be significant; however, we do have some concerns regarding the potential impacts to the spillway from trenching. We also have some concerns regarding an apparent omission of information about Norco's historic resources program and the finding of integrity regarding the power station.

G-2

Page 3-164: Regional and Local: This section references City and County of Riverside cultural resources regulations, but does not mention the City of Norco. The City of Norco has a Cultural Resources Ordinance, Title 20 of its municipal code, and its General Plan Land Use Element includes a section (2.7) that addresses historical and archaeological resources. Page 3-170. Given that the Pedley Power Station's building walls and the canal and water distribution system in the vicinity of the building are largely present and recognizable, we believe the conclusion should be that the resource retains historic integrity per National

G-3

G-4

CITY COUNCIL

BERWIN HANNA
Mayor

KEVIN BASH
Mayor Pro Tem

KATHY AZEVEDO
Council Member

GREG NEWTON
Council Member

HARVEY SULLIVAN
Council Member

Letter to George Hanson, Project Manager
Riverside Public Utilities
Page 2
September 29, 2011

Register Bulletin 15's seven aspects of integrity (Location, Design, Setting, Materials, Workmanship, Feeling, and Association).

G-4

Page 3-170: Reference is made in this section to an underground telecommunication line that could disturb the Pedley Power Station's spillway. The section asserts that the spillway has limited integrity due to natural erosion and the effects of an adjacent horse trail. We believe the spillway retains historic integrity, as defined in National Register Bulletin 15. Should any trenching or digging be necessary in the vicinity of the power station, we recommend a qualified archaeologist be present to evaluate and determine the disposition of any cultural resources uncovered.

Should you wish to discuss any of these comments further, please contact the City's Cultural Resources Consultant, Bill Wilkman at 951 789-6004 or WilkmanHistory@aol.com.

Best regards,



Beth Groves
City Manager

c. Historic Preservation Commission

Comment Letter G: Beth Groves, City of Norco**Response to Comment G-1**

Thank you for your comment; it has become part of the project record. The Proposed Project would avoid the Pedley Power Station and hence avoid any potentially significant impact to this resource. Please also see Responses to Comments G-3 and G-4 below.

Response to Comment G-2

Thank you for your comment and your concurrence that visual impacts related to the Pedley Power Station will be less than significant; it has become part of the record. Please also see Responses to Comments G-3 and G-4, below.

Response to Comment G-3

In addition to the local land use regulations listed in the DEIR, the following are additional land use regulations adopted by jurisdictions with resources that may be affected by the Proposed Project:

Historic Preservation Element of the City of Riverside General Plan 2025

The purpose of this preservation element is to provide guidance in developing and implementing activities that ensure that the identification, designation, and protection of cultural resources are part of the City's community planning, development, and permitting processes. The SHPO recognized Riverside's historic preservation program with its designation as a Certified Local Government. Riverside's Historic Preservation Program established many goals, including a program of community education. The City Planning Department and Architectural Preservation Planning Services conducted a citywide reconnaissance survey and reviewed a variety of existing documentation relating to Riverside's Historic Preservation Program. The Proposed Project would be consistent with this regulation, and no land use impact due to plan inconsistency would occur.

City of Norco Municipal Code, Title 20, Cultural Resources

The purpose of this title is to promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City of Norco; City of Norco Municipal Code Title 20 sets forth guidelines for protecting the heritage of the City, for designation of landmarks and points of historical interest, for issuing certificates of appropriateness, and for preservation incentives. The Proposed Project would be consistent with this regulation, and no land use impact due to plan inconsistency would occur.

City of Norco Municipal Code, Title 2, Chapter 26, Historic Preservation Commission

This title establishes the Historic Preservation Commission for the City of Norco. The Proposed Project would be consistent with this regulation, and no land use impact due to plan inconsistency would occur.

City of Norco General Plan Land Use Element

In the Land Use Element of the General Plan for the City of Norco, one of the goals (2.7, Historical Resources) is to “preserve from development to the extent possible, the city’s historical and archaeological resources.” Policies include identifying and preserving the unique historical buildings that significantly identify and establish the community’s history and character, identifying and cataloguing any archaeological resources, and taking measures to preserve those resources that are considered unique and significant in the area’s history. The Proposed Project would be consistent with this regulation, and no land use impact due to plan inconsistency would occur.

The Multipurpose Open Space Element of the Riverside County General Plan 2008

This chapter sets forth policies for managing and reporting cultural resources, historic resources, and paleontological resources found on county property. Open Space (OS) Policies 19.2 to 19.4 address cultural resources, Policies OS 19.5 to 19.7 address historic resources, and Policies OS 19.8 to 19.10 address paleontological resources. The Proposed Project would be consistent with this regulation, and no land use impact due to plan inconsistency would occur.

Response to Comment G-4

Integrity is the authenticity of a resource’s historic identity as evidenced by the survival of physical characteristics that existed during its period of use. Integrity is the ability of a property to convey its significance. National Register Bulletin 15 (National Park Service [NPS] 1998) lists seven qualities that address integrity: Location, Design, Setting, Materials, Workmanship, Feeling, and Association. To be eligible to the NRHP, a resource must possess several, and usually most, of these aspects.

- **Location.** Location is the place where the historic property was constructed or the place where the historic event occurred. Integrity of location means that the resource has not been moved from its original location.
- **Design.** Design is the combination of elements that create the form, plan, space, structure, and style of a property. Design results from conscious decisions made during the original conception and planning of the property. Integrity of design means that a building or structure’s original plan, shape, and design elements remain intact.
- **Setting.** Setting is the physical environment of a historic property. Setting refers to the character of the place in which the property played its historical role. Setting may include topography, vegetation, simple man-made features, and relationships between buildings, other features, and open space. Integrity of setting means that the surrounding landscape has changed very little since the period of importance for the resource.
- **Materials.** Materials are the physical elements that were combined or deposited during a particular period and in a particular pattern or configuration to form a historic property. Integrity of materials means that the resource’s original building materials remain intact.
- **Workmanship.** Workmanship is the physical evidence of the crafts of a particular culture or people during a period in history or prehistory. Examples can include tooling,

carving, painting, turning, and joinery. Integrity of workmanship means that evidence of the craft and skills of the artisans who created the resource are still present.

- **Feeling.** Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. Feeling results from the presence of physical features that, taken together, convey the property's historic character. Integrity of feeling means the resource retains a link to and is able to evoke an earlier time and place.
- **Association.** Association is the direct link between an important historic event or person and a historic property. Integrity of association means the resource retains a link to an earlier time and place and conveys the link between the event or activity and the place where it occurred.

Because of vandalism and substantial deterioration of the Pedley Power Station, the integrity of this historical resource is debatable. However, as discussed in the DEIR in Section 3.2.5, the site as a whole is still eligible to the CRHR.

The Pedley Power Station and the Pedley Power Station spillway are separate features of the same site, and the integrity of the Pedley Power Station spillway is also open to question. However, as recommended by the commenter, Environmental Protection Elements EPE-CUL-01, EPE-CUL-02, EPE-CUL-04 and mitigation measure MM-CUL-02 require that a qualified archaeologist monitor ground disturbing activities near previously identified cultural resources, would ensure appropriate consideration of the disposition of cultural resources at the power station so that impacts would be less than significant.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

E-Mailed: September 30, 2011
rtrp@riversideca.gov

September 30, 2011

Mr. George Hanson
City of Riverside
Public Utilities Department
3901 Orange Street
Riverside, CA 92522

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed Riverside Transmission Reliability Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Due to the potentially significant cumulative air quality impacts from the proposed project, the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15126.4. Specifically, the lead agency should minimize or eliminate the project's significant adverse cumulative air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
- Reroute construction trucks away from congested streets or sensitive receptor areas,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:
 - ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT

H-1

devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations (i.e., if project construction goes beyond anticipated schedule).
- ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:
www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency

H-1

H-2

to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

↑ H-2

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:DG

RVC110816-01
Control Number

Comment Letter H: Ian MacMillan, South Coast Air Quality Management District**Response to Comment H-1**

Thank you for your comments, recommendations and mitigations. Additional mitigation measures recommended by the SCAQMD have been added to Table 3.2.3-8, as shown in Volume II of this FEIR. Text in Section 3.2.3 has been updated accordingly as shown in Volume II of this FEIR. These measures were recommended to further minimize or eliminate the Proposed Project's significant adverse air quality impacts in addition to the already identified mitigation measures within Section 3.2.3 of the DEIR, which already reduced impacts to a less than significant level. SCE and RPU have agreed to implement all of the SCAQMD-recommended mitigation measures save for SCAQMD's suggested measure to "encourage construction contractors to apply for AQMD 'SOON' funds." Such a measure is duplicative and would not reduce the significance level of an impact, nor is it an enforceable measure because it merely encourages contractors to apply for the funds. Specifically, there is no guarantee that applicants would *receive* SOON funds from SCAQMD even if applicants were to apply for them. The City cannot assume (for CEQA mitigation purposes) that SOON funding would actually be obtained. Additionally, the current SOON program announcement was only valid until June 5, 2012, per the SCAQMD's website (<http://www.aqmd.gov/tao/implementation/soonprogram.htm>); currently, there is no additional information on availability of program funding beyond this date. Additionally, SOON program funding was intended to allow for engine repower and retrofit to meet EPA-Certified Tier 3 or Tier 4 standards. Mitigation measure AQ-19 for the Proposed Project already requires all internal combustion engines/construction equipment operating on the Proposed Project to meet EPA-Certified Tier 3 emission standards or higher, such that any requirement to apply for SOON funding would be duplicative of measures that are already required. Accordingly, as the suggested measure is not enforceable and would not reduce significant impacts of the Proposed Project, it will not be implemented for the RTRP by the Lead Agency.

The Lead Agency has reviewed the mitigation measures at the suggested website and determined that the mitigation measures as presented in the DEIR, with the addition of the mitigation measures as noted above, are sufficient to reduce or avoid significant air quality-related impacts with the exception of cumulatively considerable impacts during construction. With regard to those significant and unavoidable impacts, the City has adopted all feasible mitigation. The commenter does not identify any other specific measures that it believes the City should have adopted to further reduce this impact. Accordingly, no further response is required.

Response to Comment H-2

The Lead Agency will provide all commenting agencies a written response to comments, as required by CEQA Section 21092.5 (a). *At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division.*

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

*Flex your power!
Be energy efficient!*

September 30, 2011

Mr. George Hanson
City of Riverside Public Utilities
3901 Orange Street
Riverside, CA 92522

Dear Mr. Hanson:

Re: Draft Environmental Impact Report for the Riverside Transmission Reliability Project;
SCH# 2007011113

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety, noise, and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

I-1

The Riverside Transmission Reliability Project (RTRP) proposal is for the construction and operation of new 230kV electrical transmission lines, 69kV subtransmission lines and two new substations. The project also includes improvements and upgrades to the existing electricity transmission system that, in addition to the new system components, will add transmission capacity to the City of Riverside Public Utility electrical system. Sections of the preferred routes of both the new 230kV transmission line and the new 69kV subtransmission line will be located in the Riverside Municipal Airport influence area and land use compatibility zones.

The Environmental Analysis in the Draft Environmental Impact Report (DEIR) concluded that this project proposal is subject to an airport land use compatibility review by the Riverside Airport Land Use Commission (ALUC). The DEIR also identifies significant unavoidable impacts in the proposed project for which there are no mitigation measures proposed. The unavoidable impacts are due to the location of transmission line support structures that exceed the height restrictions in various compatibility zones in the Riverside County Airport Land Use Compatibility Plan.

If the ALUC determines that the proposed project is inconsistent with the airport land use compatibility plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and Caltrans a copy of the proposed decision and findings. Caltrans reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC. Caltrans specifically looks at the proposed findings to gauge their relationship to the overrule. Also, pursuant to the California Public Utilities Code (PUC) Section 21670 et seq., findings should show evidence that the local agency is minimizing "...the public's exposure to excessive noise and safety hazards within areas around public airports

I-2

to the extent that these areas are not already devoted to incompatible uses.”

↑ I-2

As part of Federal Aviation Administration (FAA) grant assurances, if an airport sponsor receives federal funds for an airport, it is required that use of land adjacent to or in the immediate vicinity of the airport be restricted to activities and purposes compatible with normal airport operations.

I-3

Additionally, PUC Section 21658 prohibits public utilities from constructing poles, towers, transmission lines and substations to a height which obstructs air navigation in accordance with Federal Aviation Regulations Part 77 (FAR Part 77) unless the FAA has determined they do not constitute a hazard to air navigation. PUC Section 21659 prohibits structural hazards near airports.

I-4

FAA Advisory Circular 150/5370-2E “Operational Safety on Airports During Construction” should be incorporated into the project design in order to identify any permanent or temporary construction-related impacts (e.g. construction cranes, etc.) to the airport imaginary surfaces. This advisory circular is available at <http://www.faa.gov>. The FAA requires the filing of a Notice of Proposed Construction or Alteration (Form 7460-1) for certain project-specific activities in accordance with FAR Part 77 “Objects Affecting Navigable Airspace.” Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically to the FAA.

I-5

I-6

The project should also be coordinated with airport staff to ensure that it will be compatible with future as well as existing airport operations.

I-7

The protection of airports from incompatible land use encroachment is vital to California’s economic future. Riverside Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Any calculation of the feasibility of project alternatives must include any projected economic losses to the airport if the unavoidable impacts decrease the airport’s capabilities, efficiencies or operations. Although the need for compatible and safe land uses near airports is both a local and State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport.

I-8

These comments reflect the areas of concern to the Division with respect to airport-related noise, safety, and regional land use planning issues. We advise you to contact our District 8 office concerning surface transportation issues. If you have any questions, please call me at (916) 654-6223, or by email at philip_crimmins@dot.ca.gov.

I-9

Sincerely,


PHILIP CRIMMINS
Aviation Environmental Specialist

c: State Clearinghouse, Riverside County ALUC, Riverside Municipal Airport

**Comment Letter I: Philip Crimmins, California Department of Transportation,
Division of Aeronautics****Response to Comment I-1**

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

Response to Comment I-2

Thank you for your comment and information regarding ALUC procedures. Following publication of the DEIR, the City met with ALUC to discuss the Proposed Project. Discussions resulted in certain specific project changes to reduce impacts within the Riverside Municipal Airport Influence Area and land use compatibility zones. One of these changes was to underground a section of the proposed 69 kV subtransmission line in the vicinity of the airport land use zones along Doolittle Avenue, between Jurupa Avenue and Morris Street. On April 12, 2012, ALUC conducted a development review and determined that the proposal to establish 69 kV subtransmission lines within the Riverside Municipal Airport Influence Area, as revised to place all portions within Airport Compatibility Zone A underground, is consistent with the 2005 Riverside Municipal Airport Land Use Compatibility Plan. A copy of the entire ALUC Development Review determination is located in Attachment A of Volume I of this FEIR. Text has been modified in Chapter 2, Section 2.3.2 reflecting these changes in the Proposed Project, as shown in Volume II of this FEIR. Ultimately, with this change in the Project, the significant impacts to land use and hazards identified in the DEIR will be avoided and no proposal to “override ALUC” is necessary or proposed. Please also refer to Master Response #15 (FAA and ALUC issues).

Response to Comment I-3

The commenter asserts that, if an airport sponsor receives federal funds or grants for an airport, it is required that use of land adjacent to or in the immediate vicinity of the airport be restricted to activities and purposes compatible with normal airport operations. The Proposed Project is compatible with these operations; please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment I-4

The Proposed Project would not obstruct air navigation, in accordance with Federal Aviation Regulations Part 77 and the California Public Utilities Code. Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment I-5

FAA Advisory Circular 150/5370-2E will be utilized and consulted during final design of the Project as recommended by the commenter. Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment I-6

Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment I-7

Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment I-8

See Master Response #7 regarding social and economic impacts. See also Master Response #12 regarding land use plan consistency and Master Response #15 regarding FAA and ALUC.

Response to Comment I-9

Thank you for your comment and guidance. Caltrans District 8 has provided RPU with comments on the DEIR (see Comment Letter “C”).

Jane F. Anderson, President
Kenneth J. McLaughlin, Vice President
Kathryn Bogart, Director
Robert "Bob" Craig, Director
Betty A. Anderson, Director



RECEIVED

OCT 13 2011

Public Utilities
Administration

October 4, 2011

Mr. David H. Wright, General Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

Re: September 13, 2011 Riverside Transmission Reliability Project Meeting

Dear Mr. Wright:

On September 13, 2011, you spoke on behalf of the Riverside Public Utilities, regarding the Riverside Transmission Reliability Project. Some of Jurupa Community Services District's Board Members were in attendance at the meeting.

We would like to clarify some statements that were made at the meeting:

- Jurupa Community Services District does not receive Metropolitan Water District (MWD) water through the City of Riverside. We are 100% dependent on local groundwater sources.
- All of our wastewater is not treated by the City of Riverside. The District discharges wastewater to 1) The City of Riverside Treatment Plant, 2) the Inland Brine Line; and 3) Western Riverside County Regional Wastewater Authority.

J-1

As always, we look forward to working with you on upcoming projects and invite you to call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Eldon Horst", is written over a horizontal line.

Eldon Horst
General Manager

c.c. JCSD Board of Directors

Comment Letter J: Eldon Horst, Jurupa Community Services District**Response to Comment J-1**

Thank you for your comments and additional information regarding the Jurupa Community Services District and both water supplies and waste treatment; they have become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

City of Jurupa Valley

Laura Roughton, Mayor . Verne Lauritzen, Mayor Pro Tem . Micheal Goodland,
Council Member . Frank Johnston, Council Member . Brad Hancock, Council Member

September 28, 2011

George Hanson, General Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

Re: Public Records Act Request re Riverside Transmission Reliability Project

Dear Mr. Hanson:

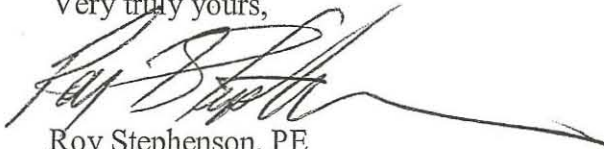
This letter constitutes a request to inspect and obtain copies of the documents specified here pursuant to the California Public Records Act, California Government Code sections 6250, *et. seq.* This request is made by the undersigned on behalf of the City of Jurupa Valley, and pertain to the Draft Environmental Impact Report ("DEIR") for the Riverside Transmission Reliability Project (the "Project"). The documents to which this request pertains are identified as follows:

1. Documents relevant to the "Project Alternatives" analyzed in the DEIR.
2. Documents relevant to the quantification of the current and future anticipated energy needs of the City of Riverside.
3. Documents relevant to any existing and/or proposed electricity generation facilities within the City of Riverside.
4. Documents relevant to any electricity energy conservation plans or requirements within the City of Riverside.
5. Any and all agreements with SCE relating to the Project.
6. Any and all agreements with consultants retained by the City for the Project.
7. Documents relevant to any and all analysis of the "Eastern Route" referenced in the DEIR.

8. Documents relevant to any and all analysis of the "Underground 230 kV Transmission Line" referenced in Section 6.4.3 of the DEIR.
9. Documents relevant to the Riverside County Flood Control and Water Conservation District's analysis of the "Eastern Route" referenced in the DEIR.
10. Documents relevant to the "June 2006 Siting Study" for the Project referenced in the DEIR.
11. Information relating to interconnection with other electric utility providers.
12. Copies of contracts with power providers to the City.
13. Any and all relevant reports, papers, correspondence and similar produced by consultants, RPU staff or the City of Riverside staff.

Please advise me of the time and date when I may inspect and arrange to obtain copies of the above identified public records at the Riverside Public Utilities offices or at any other location which you identify at which that process may occur.

Very truly yours,



Roy Stephenson, PE
City of Jurupa Valley
City Engineer

cc: City Manager, Steve Harding
Assistant City Manager, George Wentz
City Attorney, Peter Thorson

City of Jurupa Valley

Laura Roughton, Mayor . Verne Lauritzen, Mayor Pro Tem . Micheal Goodland,
Council Member . Frank Johnston, Council Member . Brad Hancock, Council Member

October 17, 2011

George Hanson, General Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

Dear Mr. Hanson:

“On September 28, 2011, the City of Jurupa Valley sent to the Riverside Public Utilities a request for inspection and of documents under the Public Records Act, Govt. Code Section 6250 et seq. Attached is a copy of that letter.

Under Govt. Code Section 6253(c), Riverside Public Utilities is required to “promptly notify the person making the request” within 10 days from the receipt of that request, and allowing for the inspection of responsive documents. To date, the City has not received any response. We request your immediate notification of when we can inspect those responsive documents.

We thank you for your anticipated prompt response.



Roy Stephenson, P.E.
City Engineer

cc: City Manager, Steve Harding
Asst. City Manager, George Wentz
City Attorney, Peter Thorson

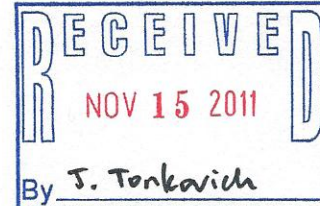
RS:tr

City of Jurupa Valley

Laura Roughton, Mayor . Verne Lauritzen, Mayor Pro Tem . Micheal Goodland,
Council Member . Frank Johnston, Council Member . Brad Hancock, Council Member

November 14, 2011

Mr. George Hanson
Project Manager
Public Utilities Department
3901 Orange St.
Riverside, CA 92501



Subject: Public Record Act Request for Riverside Transportation Reliability Project
(2nd Request)

Dear Mr. Hanson:

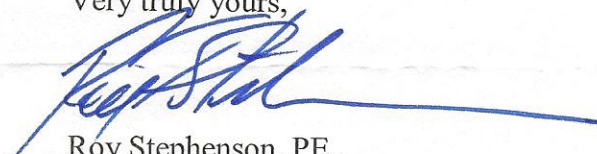
Thank you for providing most of the documents in the City of Jurupa Valley's first public records request. This letter sets forth a second request for additional documents pertaining to the following:

1. All documents relating to the June 14, 2006 California Independent System Operators Board Meeting including but not limited to "General Session Minutes" of said meeting and documentation upon which the CAISO Action was denied.
2. All documents relating to the RPU/SCE Agreement for completion of a System Impact and a Facility Study.
3. All documentation relating to system-wide improvements recommended by RPU/SCE.
4. Copies of any SCE filed applications and any CPUC or RPU filed environmental documents germane to the proposed transmission facility project.
5. Copies of any application of a Certificate of Public Necessity by or on behalf of SCE to the CUPC, in whole or in-part with any of the proposed facilities identified in the DEIR and copies of any actions or contemplated action by CPUC in response to the application.
6. Documentation relating to RPU's request and SCE produced "Interconnection Studies."
7. Copies of all correspondence and relevant information generated by the City of Riverside, RPU, SCE, the CPU, and the Governor's Office of Planning and Research (State Clearing House) pursuant to Section 21165 of CEQA and Sections 15051 – 15053 of the Guidelines.

8. The City of Jurupa Valley requests all information known to the City of Riverside, RPU, and SCE and their consultants regarding: (1) the identification, plotting, and analyses of the "initial westward route"; (2) the precise nature of "environmental conflicts" and "initial concerns" associated with "current and proposed urban development" in proximity to the "initial westward route" and (3) the precise identification and description of the "changes that addressed initial concerns." Specifically, since the "new corridor roughly follow(s) the old one" the City seeks all documentation relating to both the reasons associated with the initial rejection of the "Santa Ana River West Corridor" and what precisely predicated not only the reintroduction of the route but its elevation from "eliminated" to the "proposed project."
9. As indicated in the DEIR, a potential 230 kV alignment along the Santa Ana River, extending from the "Proposed 230 kV/69 KV Substation through Rubidoux and Belltown into San Bernardino County (see Figure 6.2-3, p. 6-13) was rejected based on the information presented in the SCE's "Preliminary Geology and Geotechnical Evaluation (SCE 2010)" (p. 6-12). The Lead Agency purports that the study concludes that "the Western (1-15 Route) and Van Buren (Offset) alternatives both are clearly more favorable than the Eastern Alignment Alternative" (p. 6-12). Among the list of references cited in the DEIR, the subject document appears to be SCE's "Preliminary Geology and Geotechnical Evaluation, Riverside Transmission Reliability Project: Double Circuit 230 kV T/L. Eastern, Western, and Van Buren Suggested Routes, Mira Loma-Vista #1 230 kV to Wildlife Substation. Riverside County, California, Revision 1" (SCE, June 10, 2010) (p. 8-19). Because the report's findings appear to constitute the Lead Agency's sole basis for rejecting a potential alternative transmission route, the substance of that report is important for stakeholder consideration. The City, therefore, requests a copy of the above-referenced geology and geotechnical evaluation.

Please advise me of the time and date when I may inspect and arrange to obtain copies of the above identified public records at the Riverside Public Utilities offices or at any other location which you identify at which that process may occur.

Very truly yours,



Roy Stephenson, PE
City of Jurupa Valley
City Engineer

cc: City Manager, Steve Harding
Assistant City Manager, George Wentz
City Attorney, Peter Thorson

Comment Letter K: Roy Stephenson, P.E., City of Jurupa Valley (September 28, 2011)**Roy Stephenson, P.E., City of Jurupa Valley (October 17, 2011)****Roy Stephenson, P.E., City of Jurupa Valley (November 14, 2011)**

These letters contained public records requests for Proposed Project documents and do not present any comments requiring a response in this FEIR. The City of Riverside responded in a timely manner to make all documents available as requested. As such, no response is provided, as described in Master Response #1 regarding non-environmental issues.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 26, 2011

Mr. George Hanson
Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501-3610

Subject: Cultural Resources Technical Report for the Riverside Transmission Reliability Project

Dear Mr. Hanson:

The California Public Utilities Commission (CPUC) is in the process of reviewing the Draft Environmental Impact Report (EIR) that the City of Riverside has prepared for the Riverside Transmission Reliability Project (RTRP). The CPUC is a Responsible Agency for this project under the California Environmental Quality Act (CEQA).

In order to adequately peer review the cultural resources analysis, the CPUC is hereby requesting an unabridged copy of the cultural resources technical report prepared for this project. The version of the cultural resources technical report included in the Draft EIR has been edited to protect the location and other specifics of sensitive cultural resources, which is appropriate for a document released to the public. The CPUC, however, cannot perform a complete peer review without obtaining a copy of the complete and unabridged cultural resources technical report.

The CPUC has contracted the services of a certified archaeologist and cultural historian, The Sanberg Group, to peer review the cultural resources analysis and cultural resources technical report. The contents of the unabridged cultural resources technical report will remain confidential and will only be shared with CPUC staff and its cultural resources consultant.

Please let me know if the unabridged cultural resources technical report can be made available to the CPUC for purposes of peer review. The cultural resources technical report can be sent directly to the following address:

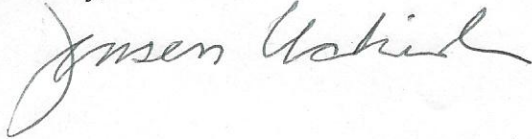
Dale Schneeberger
The Sanberg Group
15051 Leffingwell, Suite 102
Whittier, CA 90604-2100

L-1

Please call me at (415) 703-5484 if you have any questions regarding this request.

L-1

Sincerely,



Jensen Uchida

cc: Jeffrey Smith
Senior Planner
RMT, Inc.
4 West 4th Avenue, Suite 303
San Mateo, CA 94402

Milissa Marona
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, GO1
Rosemead, California 91770

John McGrew
Senior Project Manager
Power Engineers, Inc.
731 E. Ball Road, Suite 100
Anaheim, CA 92805

Dale Schneeberger
The Sanberg Group
15051 Leffingwell, Suite 102
Whittier, CA 90604-2100

Comment Letter L: Jensen Uchida, California Public Utilities Commission**Response to Comment L-1**

This letter consisted of a request for information, and confirms the CPUC's role as a CEQA responsible agency for the Project's environmental review. The City of Riverside provided the CPUC with an unabridged copy of the confidential Cultural Resources Technical Report, as requested, following verification of archaeological credentials to ensure that confidential information was released only to authorized individuals, pursuant to federal and State law. No comments were provided.



Jurupa Area Recreation and Park District

4810 Pedley Road ♦ Riverside, CA 92509 ♦ (951) 361-2090 ♦ Fax (951) 361-2095

www.jarpd.org

November 18, 2011

CITY OF RIVERSIDE
ATT: GEORGE HANSON, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92522

RE: RIVERSIDE TRANSMISSION RELIABILITY PROJECT
COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT

Mr. Hanson:

The Jurupa Area Recreation and Park District, JARPD, Board of Directors and staff have reviewed the State Clearinghouse Project No. 2007011113 Draft Environmental Impact Report for the Riverside Transmission Reliability Project. It is our understanding that the project is proposing for the construction, operation, and maintenance of a new approximately 10-mile double-circuit 230 kV overhead transmission line, two new 230 kV substations and five new 69 kV transmission lines which are approximately 11 miles in length. It is also our understanding that the report provided to the Jurupa Park District also indicates that portions of the proposed project are planned for and within the Jurisdictional Boundary Lines of the Jurupa Area Recreation and Park District. It is the duty and in the best interest of the citizens of the Jurupa Valley to inform its residents that the project does have an adverse impact and affects the residents and the visitors to Park District facilities and of its future planning for recreational activities, programs and facilities. It is also our understanding that the time period for which to comment on this subject has been extended to November 30, 2011.

M-1

At a regular meeting, on September 6, 2011, of the Board of Directors of the Jurupa Area Recreation and Park District, Resolution No. 2011-20 was unanimously passed in opposition of the proposed Riverside Transmission Reliability Project. The report has also previously been reviewed in both Study Sessions and Regular meetings of the JARPD Board of Directors on August 11, August 29 and September 6, of 2011. It is the opinion of the Board and staff that the DEIR fails to identify the Land Use and Planning Efforts of the Jurupa Valley as is now being reviewed by the City of Jurupa Valley, the JARPD and the County of Riverside. The I-15 Corridor and the Vernola Market Place Development are not identified as viable community projects for the Jurupa Valley and are clearly dismissed. A financial impact clearly is not recognized at all within the RTRP. In essence, the I-15 Corridor is simply a directional conduit for which to construct the RTRP.

M-2

General Manager
Dan Rodriguez

Office Manager
Emelyn Whittemore

Board of Directors

Stephen Anderson ♦ Brad Hancock ♦ Robert M. Hernandez ♦ Richard Lynch ♦ Richard Marcher

COMMENTS – RTRP

November 18, 2011

Page 2

The JARPD has a CFD that is one of the primary funding mechanisms to what is known as Vernola Park. The number of future housing units to the I-15 corridor are to be diminished if the RTRP is to be set in place and consequently reducing the CFD revenue to effectively maintain and operate the park. The lines must be 50 feet from the freeway as required by Cal-Trans and an additional 50 feet from the housing units. The RTRP places a major defect in the housing plan by proposing that the power lines themselves add 50 feet of clear space. Thus, building space will be cut a minimum of 150 feet along the Western boundary. Similar cutting will occur along limonite (Southern boundary) approximately a quarter of the way over to the center of Veronla Market Place parking lot. The previous maps showed the lines cutting West on Bellegrave to avoid the 'hill' built to accommodate the I-15 overpass. The RTRP forces the issue of the existing development plan to be redone. This causes a major concern and burden that is to be borne by the City of Jurupa Valley, JARPD and the development community.

M-3

The JARPD is minimally considered in the RTRP and disregards the future planning efforts of the Park District. The RTRP must incorporate adopted land uses of the community for Trails and Open Spaces by JARPD. The JARPD has an adopted Trails Master Plan which has not been recognized within the RTRP. An approved negotiation package for park land identifies a ten acre block of land at the intersection of 68th and Dana Streets which is now soured because of the proposed RTRP. According to the proposed RTRP, the land is now identified with two major towers that bifurcate the planned future park land and grossly impacts and limits community design for a park. This proposal will grossly decrease the property usefulness and its potential for adequate revenues to JARPD. With the mentioned comments, the DEIR is deficient in outlining the impacts to parks, recreation, open space and trails.

M-4

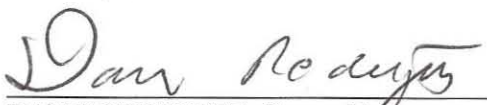
It is further noted that no mention of a study to discuss the effects of EMF's have been conducted. In many communities, this is a standard process and should not be ignored by the RTRP. No mention of affects to children and animals are included in the DEIR. Further, the residents of the Jurupa Valley will receive no benefit from the RTRP. The proposed RTRP will have a significant lesser impact if it utilizes the 'eastern route' through Riverside, (the Beneficiary), versus conveniently trying to justify use of properties of its neighboring communities, cities and districts.

M-5

M-6

If you have any questions regarding this communiqué, please feel free to contact my office at anytime.

Sincerely,



DAN RODRIGUEZ, General Manager
Jurupa area Recreation and Park District

Attachment: JARPD Board of Directors Resolution No. 2011-20 dated September 6, 2011

XC: Board of Directors - JARPD
City of Jurupa Valley
Jurupa Unified School District

RESOLUTION NO. 2011- 20

A RESOLUTION OF. THE BOARD OF DIRECTORS OF THE JURUPA AREA RECREATION AND PARK DISTRICT OPPOSING ELEMENTS OF THE AGENCY NOTICE OF AVAILABILITY & NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR SOUTHERN CALIFORNIA EDISON'S AND THE CITY OF RIVERSIDE TRANSMISSION RELIABILITY PROJECT (RTRP)

WHEREAS, the Board of Directors of the Jurupa Area Recreation and Park District have Received a Copy of the Agency Notice of Availability & Notice of Completion of Draft Environmental Impact Report for Southern California Edison's and the City of Riverside Transmission Reliability Project (RTRP), AND

WHEREAS, the Board of Directors has reviewed the RTRP at a Public Meetings on August 11,2011, August 29,2011 and September 6,2011 to review the RTRP in a Public Forum and to obtain comments from for the General Public, AND

WHEREAS, the Board of Directors acknowledges the requirement to return comment to the City of Riverside Public Utilities Department as part of the Agency Review Process by Friday, September 30, 2011, AND

WHEREAS, the Board of directors has noted that the project will have an adverse effect to the environment and a direct impact to the planning efforts for park and recreational facilities, AND

WHEREAS, Board of Directors has, on September 6,2011 and by Roll Call vote taken a position in opposition of the RTRP and with this Resolution will notify all Local and State Organizations of their concerns.

NOW THEREFORE BE IT RESOLVED THAT THE Board of DIRECTORS OF THE JURUPA AREA RECREATION AND PARK DISTRICT FINDS

1. That the RTP has a negative impact to the opportunities available for future and present park and recreation purposes for the citizens of the Jurupa Valley and adjoining communities.
2. That the cumulative negative impacts to the environment affect agriculture, recreational facilities, water quality improvements projects and negatively visually aesthetic designs.

M-7

M-8

RESOLUTION NO. 2011-20


Page 2


3. That the proposed project has a negative impact to the future economic potential of the 1-15 Corridor and more specific the Vernola Market Place. M-9
4. That the proposed project has a negative impact to negotiations by and between property owners, developers and the Jurupa Area Recreation and Park District to obtain park lands necessary to improve the quality of life issues regarding parks, recreation and trails. M-10
5. That the proposed project will decrease property usefulness, values and public revenues. M-11
6. That the proposed project will have less impact if it utilizes the "eastern route" through Riverside, the beneficiary, versus conveniently trying to justify use of the properties of its neighboring cities and districts. M-12
7. That the proposed project will have less negative impact if the transmission lines are placed underground. M-13

Resolution No 2011-20 was Adopted on the 6th day of September 2011 at 4393 Riverview Drive, Jurupa Valley, California, on motion made by Director Anderson and seconded by Director Davies. The undersigned, hereby certifies the foregoing Resolution No. 2011-20 was duly adopted by the Board of Directors of the Jurupa Area Recreation and Park District. M-14

Following roll call votes:

Hernandez AYE Lynch AYE Anderson AYE Marcher AYE Davies AYE


ROBERT HERNANDEZ, President
Board of Directors
Jurupa Area Recreation and Park District


DONALD DAVIES, Secretary of the Board
Board of Directors
Jurupa Area Recreation and Park District

Comment Letter M: Dan Rodriguez, Jurupa Area Recreation and Park District**Response to Comment M-1**

It is acknowledged that a portion of the Proposed Project would fall within the jurisdictional boundary of the Jurupa Area Recreation and Park District. The Proposed Project would not physically impact existing Jurupa Area Recreation and Park District facilities and would not result in any significant and unavoidable impact to Park District facilities (see Section 3.2.14 in Chapter 3 of the DEIR in Volume II). Please also see Response to Comment M-3, below.

Response to Comment M-2

Thank you for your comment regarding the I-15 Corridor and Vernola Marketplace; it has become part of the project record. See Master Response #7, regarding social and economic impacts, and Master Response #13, regarding data collection. Please also see Response to Comment M-3, below, and Master Response #12, which explains why the Project will not result in any significant land use impacts.

Response to Comment M-3

The commenter's statement that "building space will be cut a minimum of 150 feet along the Western boundary" of future planned housing units at Vernola Park is incorrect. A 100-foot-wide easement would be required for the proposed 230 kV transmission line ROW. The easement width is dictated by requirements for maintenance and safety, and for the swing of the conductors caused by wind (sometimes referred to as "blowout").

The commenter asserts that the Community Facility District (CFD) is a mechanism for the generation of funds that can be used to maintain Vernola Park. The City recognizes that this may be the case. However, many of the properties within the commenter's jurisdiction are currently undeveloped, and future development of those properties (if any) is speculative to forecast at this time. Moreover, the fees generated for the CFD by any future development improvements would be a function of the specific land-use type, size, and development intensity proposed—details that are not known and cannot be known today. Accordingly, the potential fees that could be generated by that future development, much less the potential impact that the proposed Project could have on those financial revenues (if any), are speculative to determine. CEQA does not require that lead agencies analyze the financial or economic impacts of their Projects unless those impacts result in a direct impact on the physical environment (see CEQA Guidelines Section 15145; Master Response #7). Here, the commenter does not provide any substantial evidence explaining how the Project might impact any specific housing or other developments, nor are any specific developments identified (other than the Vernola Marketplace as discussed below). Additionally, the commenter does not point to any substantial evidence explaining why it believes that every parcel along the Project alignment must be fully developed in order to provide sufficient funding to maintain Vernola Park, nor does the commenter cite to any substantial evidence showing that economic impacts (if any) would result in changes to the physical environment. Accordingly, the City's analysis is fully adequate and no further analysis is required.

In addition, the proposed Project would now be re-routed generally adjacent to I-15, behind the Vernola Marketplace. Caltrans permits, such as encroachment permits or transportation permits, or other conditions would be obtained or met (setback areas) as required. See Response to

Comment P-114, along with Chapter 2, Section 2.3.1, of the DEIR in Volume II for more information about this re-route. Ultimately, no potentially significant impact will result to the Vernola Marketplace as set forth in the EIR.

Response to Comment M-4

Trails were identified from the Jurupa Area Recreation Park District (JARPD) “Plan Trails and Bikeway System” map as provided by Frank Guerrero, Assistant to the General Manager. Recreational trails were also considered from the Riverside County General Plan (Figure C-7, “Trails and Bikeway System”) and the Jurupa Area Plan (Figure 7, “Trails and Bikeway System”). These trails are indicated on Table 3.2.14-2 of the DEIR, and potential recreation-related impacts to trails are discussed on pages 3-310 and 3-311 of the DEIR. Accordingly, the land use and trail plans identified by the commenter were fully considered and analyzed in the EIR, and the EIR’s conclusion that no significant impacts will occur from the Project is fully supported by substantial evidence in the record.

Analysis of the JARPD future park site (associated with the proposed CV Project) was conducted subsequent to the NOP. At that time, the site was under review by Riverside County as Tract No. 34202 (Amendment No. 2). The Tentative Map proposed at that time depicted single-family residences located within the park site identified by the commenter. Accordingly, it is unclear what “package for parkland” the commenter is referring to, and no further response can be provided. Please also see Master Response #13 regarding data collection. Recreational uses that are compatible with the utility ROW and operational criteria, including trails and open space uses, are generally permitted within the ROW between tower/pole locations.

Response to Comment M-5

Contrary to the commenter’s statement, an EMF study is not a “standard process.” EMF is discussed in Master Response #6 and in greater detail in Section 5.3, Electric and Magnetic Fields, of the DEIR.

Response to Comment M-6

Please see Master Response #14, regarding local benefits of the Proposed Project, and Master Response #10b, regarding the “Eastern Route” alternative referenced in the comment.

Response to Comment M-7

Thank you for your comment; it has become part of the project record. See Master Response #2 regarding vague and conclusory comments. Recreational impacts from the RTRP are disclosed in Section 3.2.14 of the DEIR.

Response to Comment M-8

Thank you for your comment; it has become part of the project record. Cumulative impacts as a result of the RTRP are disclosed in Chapter 4 of the DEIR. The only impacts that are cumulatively considerable are to air quality and hydrology. The commenter offers no evidence as to why it considers there to be cumulative impacts to “agriculture, recreational facilities, water quality improvements projects and negatively visually aesthetic designs.” Accordingly, no further response is possible. See Master Response #2 regarding vague and conclusory comments.

Response to Comment M-9

Thank you for your comment; it has become part of the project record. See Master Response #7 regarding social and economic impacts. Additionally, please see Response to Comment P-114, along with Chapter 2, Section 2.3.1, of the DEIR in Volume II for information regarding the re-route of the Project around the Vernola Marketplace.

Response to Comment M-10

Thank you for your comment; it has become part of the project record. See Master Response #2 regarding vague and conclusory comments. Recreational impacts from the RTRP are disclosed in Section 3.2.14 of the DEIR. With respect to impacts on negotiation and financial potential of the I-15 corridor, please see Master Response #7 regarding social and economic impacts.

Response to Comment M-11

Thank you for your comment; it has become part of the project record. See Master Response #7 regarding social and economic impacts.

Response to Comment M-12

Thank you for your comment; it has become part of the project record. See Master Response #10b regarding the Eastern Route.

Response to Comment M-13

Thank you for your comment; it has become part of the project record. See Master Response #10b regarding the “Eastern Route” alternative and Master Response #10a regarding undergrounding referenced in the comment.

Response to Comment M-14

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



November 28, 2011

Mr. George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

←
This comment is
superseded by the
comment received the
following day -
November 29, 2011

Dear Mr Hanson:

Attached please find comments prepared by the Energy Division of the California Public Utilities Commission (CPUC) in response to the Notice of Availability and Notice of Completion of the Draft Environmental Impact Report (SCH #2007011113) for the Riverside Transmission Reliability Project (RTRP). The comments have been submitted by the CPUC in it's capacity as a CEQA Responsible Agency for the project.

Thank you for giving us the opportunity to participate in the review of the RTRP DEIR. Please do not hesitate to contact me at (415)703-5484 if you have any questions regarding this matter.

Sincerely.

A handwritten signature in blue ink that reads "Jensen Uchida".

Jensen Uchida
Energy Division

Comments of the California Public Utilities Commission on the Riverside Transmission Reliability Project Draft Environmental Impact Report (SCH #2007011113)

EXECUTIVE SUMMARY

1. Page ES-2 and Figure ES-1. The figure shows the proposed 230/69 kV transmission line passing through Pedley Substation, but Pedley Substation is not listed in the accompanying text regarding substations that would require upgrades. Would the project result in the need for any upgrades to the Pedley Substation? Chapter 2 states that telecommunication upgrades would be required at this substation.
2. Page ES-3 (Figure ES-1) and throughout most of the figures in the document. Most of the figures in the document should be revised to accurately show the boundaries of the City of Jurupa Valley. Figure ES-1 also labels the communities of Mira Loma, Glen Avon, Pedley, and Rubidoux, but does not indicate that these are not incorporated cities. Clarification of incorporated versus unincorporated cities would aid the reader in understanding the jurisdictional boundaries of local agencies.
3. Page ES-9, Aesthetics Impacts. The summary implies that aesthetic impacts are limited to recreation users along the Santa Ana River Trail. A more accurate description would be to include that these impacts will result in a permanent effect to the users' experience of the Santa Ana River National Recreation Trail, portions of the Santa Ana River Regional Park, the Agricultural Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park.
4. Page ES-10, Table ES-2. The entry for hazards and hazardous materials refers to "the airport". For clarity purposes, we recommend that this statement be amended to refer to the Riverside Municipal Airport.
5. The executive summary implies that aesthetic impacts are limited to recreation users along the Santa Ana River Trail. A more accurate description would be to conclude that these impacts would result in a permanent effect to the users' experience of the Santa Ana River National Recreation Trail, portions of the Santa Ana River Regional Park, the Agricultural Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park

CHAPTER 1 – PURPOSE AND NEED

No comments.

CHAPTER 2 – PROPOSED PROJECT DESCRIPTION

1. Pages 2-64 and 2-65, Marshalling Yards. The Draft EIR indicates that there would be approximately two temporary marshalling yards that would each be approximately 2 to 20 acres in size. The Draft EIR fails to indicate the potential locations for these marshalling yards, and is excessively vague on the number and size of these temporary yards. Without this information, the Draft EIR cannot identify the potential impacts of these marshalling yards.

2. Pages 2-69 to 2-71, Access Roads and Spur Roads. The Draft EIR does not clearly differentiate between existing ROW and new ROW segments for the proposed 230 kV transmission lines. The Draft EIR also does not clearly identify the location of the proposed approximately 7.5 miles of new access roads. Would private property need to be obtained through eminent domain to establish new ROW and access roads, and if so, where are these properties located?
3. Page 2-70. "Wet crossings" and other work in water resources is mentioned, but the biological resources section (3.2.4) does not mention any in-stream crossings or work.
4. Page 2-78, Land Disturbance. The Draft EIR states "69 kV subtransmission lines would be constructed within public road ROWs or heavily disturbed areas and are not expected to disturb any previously undisturbed areas or unpaved areas." While the areas may be previously disturbed or paved, it should be assumed that there would be some earthwork associated with the installation of the transmission lines including pole placement. This disturbance needs to be quantified and carried through the analysis of effects in Section 3.
5. Page 2-78, Table 2.5-3. This table provides a summary of land disturbance activities for the construction of the new 230 kV transmission line, but similar tables are not provided for other aspects of the construction process, such as the installation of fiber optic cables, construction of new substations, improvements to existing substations, and construction of new 69 kV subtransmission lines. The Draft EIR should include either separate tables for each activity or one master table summarizing land disturbance activities for the entire project.

Similarly, the Draft EIR should provide tables summarizing the construction time for each project element, the number of construction vehicle trips for each project element, and the number of employees and number and type of construction vehicles required for each project element. Much of this information is provided in the text, but a set of reference tables would greatly improve the clarity of the project description.

6. Page 2-79, Section 2.5.3. The document specifies that, "approximately 12,090 cubic yards of overlying soil will be hauled off-site". More detail is required regarding the number of truck trips associated with the removal of material, the duration and timing when material would be removed, and the location where the excess material would be utilized. This additional information should be included in the analysis of effects in Section 3, particularly air quality and GHG emissions, as well as traffic.
7. Page 2-85 and Table 2.9-1. Change "waters of the States" to "waters of the U.S.".

The Santa Ana River is a navigable river, thus it would seem a permit under Section 404 of the Clean Water Act would be required. If this not the case for the project please explain the variance in the text.

CHAPTER 3 – ENVIRONMENTAL ANALYSIS

Section 3.2.1 - Aesthetics

1. Methodology. Draft EIR Section 3.2.1 Aesthetics and Appendix E provide an extensive explanation of a process used to evaluate visual resource impacts. The Draft EIR states that this process is based on the Bureau of Land Management Visual Resource Management System (VRM) and employs a visual contrast rating evaluation. There are a number of technical ways in which the impact methodology used varies from the VRM methodology and criteria it employs. Most of these are minor variations and are applicable to the project evaluation at

hand. However, some steps employ criteria and logic that is not contained in the VRM system, are difficult to understand, and reflect on the objectivity of the analysis.

One example of this logic is found in Table 10 of the Aesthetics and Visual Resources Technical Report that summarizes the inventory and analysis of scenic quality and visual integrity criteria. "Scenic Quality" attributes are used in the analysis only in relation to natural areas and parks while "Visual Integrity" is applied only to developed areas. There are seven factors used to evaluate the scenic quality of a landscape in the VRM system. These are land form, vegetation, water, color, adjacent scenery, scarcity, and cultural modifications. They are applicable to any characteristic landscape, from natural to developed areas. Visual integrity is not a term used in the VRM system. Factoring scenic quality and visual integrity out as separate evaluations and then equating them as in Table 16 of the Technical Report and the contained impact summary tables does not present a balanced evaluation. Within this context, it is difficult to understand why some parks are evaluated based on scenic quality while others are considered for visual integrity. It is difficult to understand with five golf courses in the study area why any one of them would be rated high in scarcity, rated high in ephemeral and non-visual conditions, and given an "A Class". Given the study area in its entirety, it could be argued that the highest level of scarcity and most intact landscape should be reserved for the relatively natural landscape of the Santa Ana River Corridor.

2. Photo Simulations. The purpose of photo simulations is to present a realistic image of pre- and post-project conditions. Upon examination, there is an accuracy challenge with using these images as photo simulations in the environmental document. It is industry standard to use imagery that simulates what the human eye sees, which is an approximately 50mm focal length. Traditionally, with an analog camera using 35mm film, a 50-55mm lens is used for photos to produce prints that would have no apparent wide angle or telephoto distortion.

The baseline photos on which the simulations were made are wide-angle images presenting a perspective makes the facilities seem further away and smaller than would actually appear as viewed by the naked eye.

Some of the simulations appear to have a distorted image (beyond the wide-angle base photo cited above) of the tubular steel poles (TSPs) that misleads the viewer further as to the potential impacts. The project description identifies the height of the TSPs to be between 95 and 170 feet. Figure 3.2.1-14, for example, shows a TSP that, given the single story-residence in the image with a roofline approximately 15 feet above grade and at approximately the same viewing distance as the TSP, would appear to be about 45 to 60 feet high.

3. Level of Detail. The mapping and description of the proposed transmission line routes and alternatives does not show tower locations nor provide a level of detail that allows field evaluation and verification.
4. Tower Design. The visual simulations show at least three different tower designs for the 230 KV transmission line. Where lattice steel towers (LSTs) versus TSPs are to be located is not provided.
5. Page 3-4, Scoping Issues. Three aesthetic scoping issues are not addressed in the Draft EIR. These issues include:
 - Consistency with the Riverside County General Plan (see also comment regarding page 3-17)

- Proposed use of LSTs versus TSPs
 - Whether proposed towers block views to distant mountains
6. Page 3-17, Riverside General Plan Policies. This section identifies open space and conservation policies that affect visual resources. Policy LU 6.2 is specifically noted as not allowing public facilities within open space designations. Reference is made to Draft EIR Section 3.2.9 for the impact discussion. However, that section addresses only habitat impacts, omitting consideration of aesthetic impacts. The analysis is therefore not complete. An impact conclusion should be made about the visual effects of the transmission line through the General Plan zone relative to the policy.
 7. Pages 3-23 through 3-49, Photo simulations. Some of the simulations appear to have a distorted image of the tubular steel poles (TSPs) that misleads the viewer as to the potential impacts. The project description identifies the height of the TSPs to be between 95 and 170 feet. Figure 3.2.1-14, for example, shows a TSP that, given the single story-residence in the image with a roofline approximately 15 feet above grade and at approximately the same viewing distance as the TSP, would appear to be about 45 to 60 feet high.
 8. Page 3-29, Figure 3.2.1-16, Photo Simulation Viewpoint 4. It is not clear why there are two separate lines and LSTs in this simulation.
 9. Page 3-55, 69 kV Transmission Lines. The analysis concludes that aesthetic impacts for all segments the subtransmission line sections would be less than significant. There are many instances where it may not be possible to substantiate this conclusion.

The analysis states that there are no highly sensitive areas where 69 kV lines would be "out of scale or in contrast with the existing landscape to the extent where the landscape character would be substantially degraded, and impacts would be less than significant." Figure 3.2.1-24, one of many figures cited, clearly illustrates proposed TSPs in a residential area that are more than three times taller than existing utility service lines. It is difficult to accept the conclusion. (Note: Figure 3.2.1-24 shows a distorted scale of the base image of the "proposed project" as compared to the "existing conditions" as evidenced by a size comparison of the vegetation behind the white-roofed structure (see also comment 2 regarding photo simulations).

For many streets where the new 69 kV subtransmission line would be located, it is not clear in the project description on which side of the street the line is to be placed. It is implied from some of the simulations that existing utility lines would be combined with the new line, thus avoiding cumulative visual effects and reducing impacts. However, this collocation is not called out in the project description nor is it included as a mitigation measure.

Another potential impact example that is not addressed relates to the relatively tall utility poles along Indiana Avenue that already exist for some distance on the south side of the street. If the new 69 kV subtransmission line is located on the north side of the street, a visual utility canyon would effectively be created. If this is the case, then an impact determination of less than significant is questionable.

10. Page 3-56, Wilderness Substation. This substation location is common to all alternatives. While user sensitivity is identified as high, the aesthetic impacts are described as moderate to less-than-significant. The analysis states that: "Impacts would be reduced substantially with the installation of landscape screening." However, landscape screening is not referenced in the

project description or any specific mitigation measure. The conclusion of moderate to less-than-significant impacts is therefore not valid.

11. Page 3-57, Light and Glare. The analysis is dedicated to construction lighting. Though lighting environmental protection elements (EPEs) are included in the project description, light and glare EPEs should be referenced and a determination made that there is no significant impact.
12. Page 3-57, Significant Unavoidable Impacts / 230 kV Transmission Line. The conclusion reached is that a significant visual impact would result from the 230 kV transmission line. Proposed EPEs consist solely of using materials and finishes to minimize reflected glare; and no other mitigation is proposed. No analysis was conducted nor mitigation proposed associated with the structure types, colors, and finishes that could be used to minimize the visual impacts relative to the site-specific characteristic landscape setting. An example is presented in Figure 3.2.1-23 where a tubular steel tower, if such a tower were technically possible in that location, might better mimic the form, scale, and color the palm trees present than the lattice tower structure shown in the photo simulation.

Opportunities to combine or at least coordinate the proposed transmission line with existing facilities or to identify types and colors of transmission line structures to reduce visual complexity and avoid a cumulative effect of two parallel lines were not considered. Figure 3.2.1-15 appears to present such a situation. However, Figure 3.2.1-23 illustrates that the proposed transmission line would include an underbuild of existing service lines even though this action is not included in the project description or as a mitigation measure.

Section 3.2.2 – Agricultural and Forestry Resources

1. Page 3-65, City of Riverside General Plan. The Draft EIR states, “The Proposed Project is not inconsistent with Agricultural Preservation – Proposition R and Measure C policies identified in the Rancho La Sierra Specific Plan.” This statement is made in the regulatory setting section of the analysis and should be moved to the impact assessment.
2. Page 3-67, Environmental Impacts. The Draft EIR states, “from a CEQA perspective, impacts to designated *Farmland of Local Importance* are not considered significant for this Project, and consequently, do not require mitigation.” The EIR needs to provide reasoning for why these impacts are not significant in order for this statement to be valid.
3. Page 3-68, Wildlife and Wilderness Substations. The Draft EIR states that the Wildlife and Wilderness Substations would be located on land classified as *Farmland of Statewide Importance*, and states that the development of these two substations would have no impact on agricultural resources. The EIR does not explain why the conversion of land from *Farmland of Statewide Importance* to a utility use would have no impact on agricultural resources. Without further explanation, this assertion is invalid.
4. Page 3-68, Optic Fiber Cable. The Draft EIR does not address the impacts of installation of optic fiber cable on agricultural resources.

Section 3.2.3 – Air Quality and Greenhouse Gas Emissions

1. Page 3-92, Table 3.2.3-15. The table lacks accounting for truck trips associated with delivery of material to the site(s) and removal of excess soils. Greenhouse gas (GHG) emissions associated with truck travel to and from the work sites should be included in the project estimates and analysis of impacts.

2. Page 3-91 and 3-92. The analysis provided only accounts for direct GHG emissions. Indirect GHG emissions should also be addressed.

Section 3.2.4 – Biological Resources

1. Pages 2-6, 3-18, 3-205, 3-241, 3-262, 3-301, 3-303, and 3-309. Other resource sections mention that the Project will cross the Hidden Valley Wildlife Area, but the biological resources section (3.2.4) does not mention this area.
2. Page 3-96. There is a disconnect between "Links" in the Powers (2010) bio report and "segments" in the Draft EIR project description (Chapter 2). Please insert a few sentences or a table that equates the links to the corresponding segments, and then discard the reference to links. Links that were studied in the Powers bio report but not used in the final project description should also be mentioned here as dismissed.
3. Page 3-97. There is no mention in methods about how jurisdictional water features were detected, enumerated, or analyzed. If this entire subject will be deferred to Section 3.2.8 Hydrology and Water Quality, then state as such. However, some discussion of water resources must remain in this biology section.
4. Pages 3-97 and 3-98. Throughout this section, there is inconsistent use of "sensitive species" and "special-status species." The two terms are not synonymous.
5. Page 3-98, first full paragraph. If the CNDDDB was re-queried in 2011, simply cite as such and do not revert to citing 2010.
6. Page 3-98, third paragraph. Doesn't project construction have the potential to indirectly impact the habitat through erosion and sedimentation? Perhaps add, or refer to, the mitigation measure that implements an effective SWPPP and water quality protection. Refer the reader to Section 3.2.8.
7. Page 3-99, first full paragraph. The meaning of the last sentence is not clear. What does "engage" mean? Intersect?
8. Page 3-101/Figure 3.2.4-1. The habitat mapping figure is too coarse. The display of Criteria Cells not part of the project area is unnecessary and makes the alignment too small to view. This figure should be broken into at least 2 maps, similar to the Powers bio report ("Sensitive Species and Habitat" figures), but even the Powers bio report figures are almost impossible to read. This biology section of the Draft EIR has no figure that maps any special-status species from the field surveys or queries of the CNDDDB. Consider providing two sets of figures: one set that shows mapped vegetation types, Criteria Cells, and sensitive habitats; and another set that shows special-status species' occurrences.
9. Page 3-105, Last full paragraph. Based upon the project description, project construction could cause erosion or sedimentation that could indirectly affect aquatic resources (before mitigation, such as an effective SWPPP). Is there a sufficient buffer between ground disturbance and aquatic resources?
10. Page 3-106. The phrase "low-flow river limits" is non-standard terminology. Is the term supposed to mean Ordinary High Water Mark? Note that while this may delimit federal jurisdiction, the State's jurisdiction extends to the outer limit of riparian vegetation (the Stream Zone), which may extend well beyond the bank of the river. In general, this Draft EIR bio section has an insufficient discussion of the Stream Zone, waters of the State, and waters of the US including wetlands.

11. Page 3-107, Table 3.2.4-1. This table contains the first mention of wetlands. Does this table correspond to the habitats mapped in the figure? Please provide greater detail on wetlands.
12. Page 3-109 to 3-110/Table. 3.2.4-2. Replace 'Link' designations with 'Segment' designations to conform to the Draft EIR Project Description in Chapter 2.
13. Page 3-111 through 3-117. An impact determination should be made for each species. For several species including: Coastal California gnatcatcher, San Diego black-tailed jackrabbit, Southern grasshopper mouse, Stephen's kangaroo rat, Northern red-diamond rattlesnake, and Belding's orange-throated whiptail, an impact determination has not been made.
14. Page 3-114, second full paragraph. Recommend citation of the mammal study.
15. Page 3-114, third full paragraph. The statement is made that the Northwestern San Diego Pocket Mouse has no habitat in the study area, while the impact discussion on Page 3-133 says that the species is present along the 230kV transmission line route.
16. Page 3-115. Define the acronym SKRHCP here, not later on page 3-124.

The bat discussions provide CEQA significance determinations. The discussions of the other species do not give similar determinations. And, while it is largely a style preference, CEQA significance determinations are generally not presented in the Environmental Setting.

The phrase "*This would have a determination of less than significant*" is vague and should be re-written.

Please check/confirm spelling of *Crotalus exsul*.
17. Page 3-116. Recommend citation of DSF focused surveys/studies.
18. Page 3-120, first paragraph. The word "converted" is vague; if the substation is fenced, graveled, and paved, state as such.
19. Page 3-122. The Endangered Species Act and California Endangered Species Act do not prohibit the take of candidate species; these species may receive more scrutiny during agency review, but they have no legal status.

There is no mention of the "Stream Zone" and protection of riparian zones in general.

The applicant or their consultant, not CDFG, provides a description of the resources and submits a proposal for protection and mitigation.
20. Page 3-124, first full paragraph. Second sentence is missing the word "it."
21. Page 3-124, third full paragraph. This paragraph is contradictory, redundant, and misleading. As defined, it appears there are no short-term, direct impacts. Consider removing the impact duration from the definition of direct and indirect impacts.
22. Page 3-125, first full paragraph, fourth sentence. Change "already insignificant impacts" to "already mitigated impacts."
23. Pages 3-125 and 3-126/Table 3.2.4-4. It would be helpful if all vegetation types previously tallied are included, even if there are zero acreage impacts.

Please indicate which of these vegetation community types would require mitigation under the HCP.
24. Pages 3-126 and 3-127/Table 3.2.4-5/BIO-03. This discussion is contradictory. In the beginning it states that if special-status species are detected, project relocation will occur. Later it states that if owls are found, burrows may destroyed, as well as if rare plants are found, seed will be

salvaged. This discussion needs to be re-written such that avoidance will be attempted, and then if not possible, compensatory mitigation implemented. There is also no mention of generic pre-construction surveys for all special-status species. Thus, the pre-construction survey requirement is not adequately defined. Separate generic surveys from protocol/focused surveys. Consider splitting into two separate mitigation measures. For plants, mention that avoidance and project relocation will be attempted; then salvaging will be attempted. The Draft EIR analysis should also consider the option of transplantation.

Specify that pre-construction surveys will be performed by a qualified biologist (i.e., a biologist that has any necessary permits and whose qualifications are reviewed by USFWS and CDFG).

25. Page 3-127, Bio-08. The mitigation measure states "All observed active nests will be avoided in compliance with the Migratory Bird Treaty Act..." The mitigation measure does not adequately define how active nests would be observed. Would pre-construction surveys be conducted during the nesting season? Consider adding bat species to this discussion and change the title to "Avoidance of Active Nests and Roosts." The MBTA is not the only applicable law; State laws also protect all bird nests. Re-title and rephrase BIO-08 such that both state and federal laws are included.
26. Page 3-127/Table 3.2.4-5/BIO-06. The requirement for monitoring is vague.
27. Page 3-127/Table 3.2.4-5/BIO-07. The phrase "*The contractor would use overland access that crushes vegetation to maintain root structure*" is confusing. Is this an alternative to grubbing?
28. Page 3-128/Table 3.2.4-5/BIO-10. Change title to "Exclude All Construction Activities from Water Resources." Wetlands are not the only sensitive aquatic resource. Again, there is no mention of the Stream Zone and the need for a Streambed Alteration Agreement if riparian vegetation is impacted.

The discussion of potential impacts to approx. 0.5 acres of wetlands is unclear. Would the impact be temporary, permanent, or would there be no impact (before or after mitigation)? This measure currently states that, if impacts to wetlands cannot be avoided, additional mitigation would be implemented and Nationwide permitting would occur. As written, it is a deferral of analysis of effects and required mitigation.

This mitigation section must specify steps for compliance with applicable permits (i.e., require a formal delineation, obtain Corps concurrence, etc.).

29. Page 3-128/Table 3.2.4-5/BIO-11. It is unclear what "associated plant communities" refers to.
30. Page 3-129. Table 3.2.4-2 states that several plant species have a moderate potential to occur in the project area. Yet this paragraph states that sensitive plant species are not expected to be present or impacted. If no special status plant species will be impacted, why is there a mitigation measure (BIO-03) that outlines seed salvage?

This paragraph also argues that the MSHCP will adequately conserve habitat, but this is only true if the project proponent pays mitigation fees for impacts to plant species. Thus, this whole discussion is highly contradictory. It may also be a deferral of mitigation. Re-write to explain a several-tiered approach. The project will first try to avoid; if avoidance is not possible, then seed will be salvaged or plants transplanted; where appropriate, compensatory fees will be paid to preserve habitat under the HCP, etc... It is also highly doubtful that a single Project Biologist could be qualified as a botanist, a small mammal specialist, an ornithologist, etc. Pre-construction surveys must be performed by a qualified botanist.

The final paragraph states that permanent loss of riparian areas may occur, but in the Project Impacts Table 3.2.4-4, it states that there will be zero permanent impacts. "Adjusting field construction limits" is never explained. The construction footprint was already defined as the minimum area to build project features - how can the footprint be reduced even further? In general, there is a vague promise that all project features will be relocated away from sensitive resources, but there is no explanation of how this can be accomplished.

31. Page 3-130. If riparian habitat is destroyed, a Streambed Alteration Agreement may be required.

Note that MM BIO-09 does not mention anything about the operation and maintenance phase of the project.

32. Page 3-133. There is no discussion of potential impacts to Stephen's kangaroo rat, a federally listed species. Is there a potential impact to the species as a result of the 230kv Transmission line?
33. Page 3-137. What is the total loss of riparian habitat, or other sensitive natural community? Does Bio-07 include mitigation for this loss of habitat?
34. Page 3-138. The phrase "Wetlands of the U.S." is non-standard, and is not used by the US Army Corps of Engineers. This terminology is also used on Pages 3-139 and 3-223. Instead use the phrase "*wetlands or other waters of the U.S.*", or better yet, "*wetlands and other jurisdictional waters*" since this section consistently neglects waters of the State, which are different in scope than federal waters.

There are contradictory statements about impacts, or lack of impacts, to jurisdictional water resources. It is unclear in the Draft EIR whether up to 0.5 acres of waters would be impacted, or that there would be no impacts.

35. Page 3-139, second paragraph. This paragraph contains the first mention of vernal pools and fairy shrimp. It should be discussed earlier. Also remove reference to "riverine."
- An analysis of wetlands is not sufficient; non-wetland jurisdictional waters must be discussed, or it must be clarified with a statement that they do not exist within the project area.
36. Page 3-140. Under the headings 230 kV Substations and 69 kV Substation Upgrades, and 69 kV Subtransmission Lines, the analysis refers to wildlife resources and "biological resources", but the threshold under consideration is impacts to wetlands and other waters.
37. Page 3-142. Please state whether or not there are any applicable local or county tree ordinances.
38. Page 3-142, first full paragraph. Has the Park and Open Space District given their consent? Otherwise, this may be a significant conflict. Note also that this conflict would not be avoided through a purchase, but mitigated by a purchase. State that the purchase of conservation lands elsewhere would compensate for the urbanization effect of the project in the Open Space.

Section 3.2.5 – Cultural Resources

1. The cultural resource environmental setting states that paleontological resources are likely to be found in geologic units consisting of Older Quaternary Alluvium, which are found along both the 69 kV subtransmission line and the 230 kV transmission line route. A figure showing the project footprint superimposed on a geologic map would be helpful to include in the setting, as it would orient readers to any sensitive units in the project area.

2. Page 3-158. It is stated that a pedestrian field survey was conducted for the 230kV and 69kV transmission line routes. Was a pedestrian field survey also conducted for the Wilderness and Wildlife substations?
3. Page 3-160. The EIR states, "The record searches also indicate that a total of 314 cultural resource studies have been conducted within a one-mile radius of various 230kV and 69kV routes and substations currently or previously under construction." Are portions of the project currently under construction, or are these different transmission lines and substations?
4. Page 3-167, Table 3.2.5-2. MM CUL-02 references California Public Resource Code (CPRC) Sections 5097.91 and 5097.98 without specifically identifying the procedures outlined in these regulations. Impact discussion "d" references CPRC Section 7050.5 (which is actually California Health and Safety Code 7050.5), yet this regulation is not included in MM CUL-02. For the purposes of clarity and ease of implementation, MM CUL-02 should include all applicable regulations, as well as an explanation of the procedures to follow in the event that human remains are discovered during project construction.
5. Page 3-170. The Draft EIR indicates that the 230 kV transmission line would cross in front of the Cantu-Galleano Winery. The document states that no visual impact would occur because "an existing power transmission line parallel to Wineville Road, on which the property is located is directly across the road from the winery and as a result, the visual integrity of the resource may already be compromised." The distance of the proposed line (0.37 miles) and buildings surrounding the winery are cited as reasons why there would not be an impact to the historical integrity of the Cantu-Galleano Winery. However, the Draft EIR should assess the impacts of the existing transmission line and other existing buildings to determine the site's existing integrity. The Draft EIR should then analyze whether the scale and scope of the new 230 kV transmission line would further compromise the integrity of the site.
6. Mitigation measures CUL-06 through CUL-08 address the recovery, cataloging, documentation, reporting, and curation of any fossils that may be discovered during the course of project construction. These mitigation measures indicate that the donation of resources be accompanied by financial support, but the measures do not identify the source of such financial support. These mitigation measures need to be amended to clarify the source of the financial support.
7. Environmental Protection Element (EPE) CUL-05 indicates that an Unanticipated Cultural Resources Discovery Plan would detail procedures for "avoidance and mitigative data recovery" for cultural resources. However, no measures or language similar to that included in mitigation measures CUL-06 through CUL-08 regarding paleontological resources are specified in the Draft EIR that would similarly mitigate cultural resource impacts.

Section 3.2.6 – Geology and Soils

1. Page 3-179. The environmental setting section includes a very brief overview of regional geology and the project area's susceptibility to geologic hazards, in particular, seismic hazards. However, the section only addresses some of the background conditions in the project area and region, and defers discussion of other conditions until the impacts analysis. As an alternative to this approach, and to provide an appropriate baseline against which post-project conditions can be compared, the Draft EIR should include a more robust geology and soils setting, one that is organized in parallel with the issues discussed in the impacts section. Topics to discuss include: regional geology (surface and subsurface), seismic hazards, secondary seismic

hazards (i.e., liquefaction, lateral spreading), landslide hazards, and soils-related hazards, including expansive soils, erosion, and subsidence. Information from the Earth Resources Technical Report should be cited appropriately, as should any other map or literature sources that were consulted during preparation of the section. Soils information should be obtained from the applicable U.S. Department of Agriculture/Natural Resource Conservation Service (USDA/NCRS) soil survey(s), and information regarding specific soil types and properties should be presented in the setting section at a sufficient level of detail to support any soils-related impact determinations. Information on site geology should be obtained from the applicable geologic map(s) and described in as much detail as necessary in the setting. Figures showing the project footprint superimposed on soils and geologic maps and indicating any potentially hazardous conditions would also be helpful to include in the setting, as they would orient readers to any site-specific hazards in the project area.

2. Page 3-180, Impact a). The Draft EIR states that that potentially significant liquefaction and slope stability hazards are present in several portions of the project area and could affect the proposed 230 kV transmission line and 69 kV subtransmission line facilities, as well as the existing and proposed substations. It concludes that impacts would be less than significant with incorporation of the recommendations from a site-specific geotechnical investigation; yet, the impact is ultimately determined to be less than significant. As the discussion is currently written, there is an implied commitment on the part of the City and Southern California Edison (SCE) to comply with the recommendations of the geotechnical study, but no specific and enforceable mechanism is required to be put in place to ensure that this commitment will be carried out by either party after the project is approved. This approach is confusing given the clearly defined assessment methodology that was laid out in Section 3.1.2. To remedy this issue, the Draft EIR should present implementation of the geotechnical investigation and preparation of the geotechnical report as a standard practice that has been incorporated into the project in order to reduce or avoid impacts, making it an Environmental Protection Element (EPE). If this is not a standard practice, then it should be presented as mitigation that serves to reduce adverse effects, and, accordingly, the impact determination should be modified from less than significant to less than significant with mitigation.
3. Page 3-181, Impact b). There is no discussion included of ground disturbance associated with distribution line relocation. Identify the EPE's that would be included to reduce soil erosion or loss of topsoil associated with this activity. This section should also include analysis related to soil erodibility, based upon the soil units present within the project area. The Earth Resources Technical Report included in Appendix B does not identify soils within the project site. No assessment of soils or potential erodibility can be made from the information provided.
4. Page 3-181, Impact b). The Draft EIR states that a number of proposed project features would reduce the potential for erosion and topsoil loss from access road development. A number of construction-related activities and proposed features are listed that would reduce erosion during project construction and operation. Although most of the activities and features mentioned would certainly reduce the potential for erosion at some level (e.g., rehabilitation of roads and installation of drainage structures and retaining walls), at least one item on the list – grading – could potentially increase rather than decrease the level of erosion and topsoil loss. Site grading would result in large accumulations of loose soil that, if not properly stored or treated, could migrate into nearby water bodies via surface runoff. Since the project involves more than one acre of ground disturbance and will require implementation of a project-specific Stormwater Pollution Prevention Plan (SWPPP), reference should be made to the best

management practices under the SWPPP that would be specifically designed to control erosion during the construction phase. All earth-disturbing activities, including those related to rehabilitation of the access roads and construction of the transmission line structures, substations, and other features, will be subject to the measures contained in the SWPPP. Compliance with the SWPPP for all construction-related activities reduces the project's potential for construction-related erosion and sedimentation impacts and further substantiates a less than significant impact determination.

Given the clearly defined assessment methodology that was laid out in Section 3.1.2, the Draft EIR should present the SWPPP as a standard practice that has been incorporated into the project in order to reduce or avoid impacts, making it an EPE. Since the SWPPP is directly relevant to the impacts discussed in the hydrology and water quality section, full discussion of the SWPPP EPE can be deferred until that section and can just be cross-referenced in the geology and soils section.

5. Page 3-181, Impact C. The Draft EIR states that most of the transmission and subtransmission routes would be located on Pleistocene-age alluvium and away from steep slopes, except along portions of the Santa Ana River. This is the first point in the section where geologic units are discussed. Because there is no prior discussion regarding the stability of Pleistocene-aged alluvium or other units in the project area, the Draft EIR provides no basis for determining the level of risk posed to the project by unstable geologic units. At the very least, this discussion should be supported by detailed characterizations of each geologic unit in the project area and perhaps a figure showing the project footprint superimposed on a geologic base map. To assess risks due to unstable soils, detailed soil characterizations and an accompanying map should be included for relevant soil units in the project area, based on information from the applicable USDA/NCRS soil survey(s). As noted in a previous comment, this information is best presented in the setting section, as it would provide an appropriate baseline against which post-project conditions can be compared.

Existing setting information about the underlying geology in the area of the proposed Wildlife and Wilderness Substations and along the Santa Ana River should be augmented with site-specific soils information, unless, as is currently implied, the proposed project structures in those areas would be constructed only on exposed bedrock. The impact discussion should be further expanded to discuss all of the components of the proposed project and should refer back to the initial characterizations of site soils and geologic units in the setting to substantiate the overall impact determination.

Given the Draft EIR's acknowledgement in impact discussion "a" that potential liquefaction and slope stability hazards are present in several portions of the project area, it is recommended that the preparer revisit the previous impact discussion and incorporate the same information and conclusions into impact discussion "c". As was also noted for impact discussion "a" above, the discussion for impact "c" concludes that impacts would be less than significant with incorporation of the recommendations from a site-specific geotechnical investigation; yet, the impact is ultimately determined to be less than significant. As written, there is an implied commitment on the part of the City and SCE to comply with the recommendations of the geotechnical study, but no specific and enforceable mechanism is required to be put in place to ensure that this commitment will be carried out by either party after project approval. This approach is confusing given the clearly defined assessment methodology that was laid out in Section 3.1.2. To remedy this situation, the Draft EIR should

present the implementation of the geotechnical investigation and preparation of the geotechnical report as a standard practice that has been incorporated into and project in order to reduce or avoid impacts, making it an EPE. If this is not a standard practice, then it should be presented as mitigation that serves to reduce adverse effects, and, accordingly, the impact determination should be modified from less than significant to less than significant with mitigation.

6. Page 3-182, Impact d). The Draft EIR states that soils are predominantly sandy with no expansive soils; thus, no substantial risks to life or property are anticipated. This statement appears wholly unsupported and conclusory because there is no prior information in the section about specific soil types occurring in the project area or the engineering suitability of those soils. At the very least, this discussion should be supported by detailed characterizations of each soil unit in the project area and perhaps a figure showing the project footprint superimposed on a soils base map. As noted in previous comments, this information is best presented in the setting section, as it would provide an appropriate baseline against which post-project conditions can be compared. It is generally not necessary to defer the characterization of site soils and the identification of potential soils-related hazards to the geotechnical investigation because this information is readily available and would likely be contained in the applicable soil survey(s) or in survey-derived GIS data.

Given the clearly defined assessment methodology that was laid out in Section 3.1.2, the Draft EIR should present implementation of the geotechnical investigation and preparation of the geotechnical report as a standard practice that has been incorporated into and project in order to reduce or avoid impacts, making it an EPE. If this is not a standard practice, it should be presented as mitigation that serves to reduce adverse effects, and, accordingly, the impact determination should be modified from less than significant to less than significant with mitigation.

7. Page 3-182, Significant Unavoidable Impacts. The significant and unavoidable impact discussion at the end of the geology and soils section seems unnecessary in light of the conclusion that that no significant and unavoidable impacts would occur. While it may be true that that a strong seismic event is unavoidable, the project's incorporation of the design recommendations from the site-specific geotechnical study would help limit its exposure to strong seismic ground shaking and would reduce any adverse effects to a less than significant level. This issue was already addressed under impact discussion "a" and doesn't need to be repeated.

Section 3.2.7 – Hazards and Hazardous Materials

1. Page 3-199, paragraph 4. The final sentence in this paragraph states, "The soil sample results and subsequent report confirmed the presence of dioxin/furan congeners in excess of the health-based screening level for the planned residential land use." There are no residential uses proposed as part of this project. Please correct the error in this text.
2. Page 3-201, Impact e). The Draft EIR concludes that the proposed 69 kV subtransmission line would have a significant impact of the Riverside Municipal Airport land use zones, as the height of the subtransmission structures would exceed allowable heights. It appears that the exact placement of poles and other subtransmission line infrastructure would be determined subsequent to the completion of the CEQA process. It is possible that the exact placement of these structures could avoid the potentially significant safety hazards associated with exceeding these height limits; however, the determination of the impact significance level

would not be refined until after the CEQA process is complete. Please provide an outline of how this issue will be resolved through the CEQA and permitting processes. It is unclear how the Lead Agency can adopt a Statement of Overriding Considerations for the creation of a potentially significant and unavoidable safety hazard.

3. Page 3-201, Impact f). The Draft EIR states that, "No known private airstrips were identified within two miles of the Proposed Project area." Is there a possibility that there are unknown private airstrips within two miles of the proposed project area? If not, then please remove the word "known" from this sentence, as it creates needless ambiguity.

Section 3.2.8 – Hydrology and Water Quality

1. Page 3-205, Methodology for Resource Inventory and Other Data Collection. The National Wetlands Inventory (NWI) was utilized to identify wetlands within the project area. The NWI is developed at a scale to be utilized in regional planning, the data is often inaccurate and incomplete. The NWI should not be utilized in project planning to determine impacts. A wetland delineation utilizing the 1987 Manual and Arid West Regional Supplement is required to determine potential impacts. In addition, a delineation would need to be conducted to determine the boundaries of, and potential impacts to waters of the state, including riparian areas. A determination of impacts to these resources cannot be made accurately utilizing NWI data. Because a wetland delineation has not been conducted and the actual boundaries and locations of wetlands and other water resources is indeterminate, the analysis associated with impacts to wetlands and surface waters in the Draft EIR is invalid.
2. Page 3-206, Wetlands. Refer to comment 13. A wetland delineation needs to be conducted to identify wetland resources and habitats within the project site.
3. Page 3-213, Hydro-01. In order to determine if a permit is required, a wetland delineation will need to be prepared in accordance with USACE minimum standards. Prior to conducting a wetland delineation, it cannot be determined that the project avoids wetlands, or that impacts would be less than 0.5 acre.
4. Page 3-221, part (f). A determination of impacts to 404 waters cannot be made because a delineation has not been conducted, nor verified by the U.S. Army Corps of Engineers, the agency that determines jurisdiction over 404 waters. The NWI cannot replace a wetland delineation. A wetland delineation needs to be conducted, and this section of the EIR updated to reflect the results of the wetland delineation.
5. Page 3-226, Summary of Impact Determinations. It cannot be determined at this time that mitigation is not required. A wetland delineation needs to be conducted, impacts assessed, and then the need for mitigation may be determined. Should there be direct impacts to waters of the U.S., compensatory mitigation in order to achieve "no net loss" will likely be required pursuant to Section 404 of the Clean Water Act.

Section 3.2.9 – Land Use and Planning

1. Page 3-239, Local Regulatory Setting. The first paragraph in this section fails to include the newly incorporated City of Jurupa Valley among the jurisdictions affected by the proposed project.
2. Page 3-243, Specific Plans. The final sentence in this section states, "County specific plan policies applicable to the Proposed Project were not identified." Why were Riverside County

specific plan policies not identified? An assessment of compatibility with County specific plan policies cannot be made without identifying applicable policies.

3. Pages 3-247 and 3-252, Consistency. The Draft EIR appropriately states that the project would result in a significant land use impact due to the project's inconsistency with the RCALUC. Please provide an outline of how this issue will be resolved through the CEQA and permitting processes. It is unclear how the Lead Agency can adopt a Statement of Overriding Considerations for a land use incompatibility that could result in an aircraft safety hazard.
4. Page 3-249, Specific Plans and Neighborhood Plans. The Draft EIR states that city specific plan policies and neighborhood plans were not identified. Why were these plans and policies not identified? An assessment of compatibility with city specific plan policies and neighborhood plans cannot be made without identifying applicable policies.
5. Land Acquisition. The project description states that land would be required to establish new ROW and access roads for the proposed transmission and subtransmission lines, but this issue is not addressed in the environmental analysis chapter. The land use discussion should identify where lands would need to be acquired for the project, and what the impacts would be to acquire these lands.

3.2.10 – Mineral Resources

No comments.

3.2.11 – Noise

1. Page 3-264, Wildlife and Wilderness Substations. The noise analysis needs to identify what the dBA sound levels would be at the edge of the substation properties, as well as at the property lines of the nearest residences. The Draft EIR concludes on page 3-271 that the distance to residences would attenuate noise impacts, but does not quantify the impacts.
2. Page 3-264. The Noise Sensitive Receptors section in the environmental setting describes noise-sensitive land uses, such as schools, nature and wildlife preserves, parks, and open space are that are used for recreation, as areas where excessive noise may adversely impact the designated use of the land. There is little mention of parks, preserves, or open space areas, however, in the analysis discussions for each of the proposed line segments and substations. The Draft EIR should not only consider these types of uses if the noise analysis, but also receptors such as trail users and people otherwise recreating in public parks who may be exposed to excessive construction-related or operational noise.
3. Page 3-271, Impact a). The Draft EIR does not address the effects of noise from the Wildlife and Wilderness Substations on nearby protected habitat.

3.2.12 – Population and Housing

1. Page 3-277, Local Regulatory Setting. The Draft EIR states that, "SCE would be responsible for acquiring its own ROWs" for the proposed 230 kV transmission line, but does not indicate where the new segments of ROW would be located or what private properties would need to be acquired in order to create the new ROW.

3.2.13 – Public Services and Utilities

1. Page 3-290, Impact e). The Draft EIR states that, “The amount of water required for construction of the Proposed Project would be negligible.” The Draft EIR does not quantify the amount of water that would be required for dust suppression purposes during construction, particularly during any earth moving activities associated with new access roads, or for construction of the two new substations. The Draft EIR needs to quantify all water used during construction, and then evaluate whether the project’s water needs would affect existing water supplies.
2. Page 3-291, Impact g). The Draft EIR fails to quantify the volumes of soil, nonhazardous waste, and hazardous waste that would be produced during construction. Without quantification of volumes of waste, the conclusion that the project would have a less than significant impact on solid waste cannot be supported.

3.2.14 – Recreation

1. Page 3-297. Figure 3.2.1.4-2 needs to be improved. Because the graphic is confined to an 8.5 x 11 page, quadrangles representing parks and recreation features in the project vicinity are difficult to make out at the current scale, and the labels are very hard to read.

3.2.15 – Transportation and Traffic

1. Page 3-313. Under the Setting discussion, the Draft EIR refers to Level of Service (LOS) standards on certain roadways. However, there is no mention of the existing calculated LOS on the various roadway sections that could be affected by the project construction. It would be helpful if the Draft EIR included a table listing the existing LOS on roadways that could have traffic lanes closed and/or disrupted by the construction process. This same table should include a separate column listing the LOS during the temporary closures.
2. Page 3-314. To the extent that fixed route bus service operates on roadways that could have temporary lane closures, it would also be beneficial to have a bus route map provided in the Draft EIR section.
3. Page 3-315. If there are specific LOS significance criteria, these should be included in the Draft EIR and used in the analysis section to calculate project traffic impacts.
4. Page 3-316. The discussion of operation and maintenance impacts indicates that these activities “would not generate substantial vehicle traffic”. The Draft EIR should include an actual calculation of the typical daily trips generated by operations and maintenance activities. It is expected that the trip numbers are very low, and a calculation would clearly demonstrate the minimal effects of project operations and maintenance.
5. Page 3-316. The 230 kV transmission line construction impacts appear to focus on the Vernola Marketplace shopping center area. Are there no other potential impact areas? Also, the Draft EIR is not clear regarding the impacts of the 230 kV transmission line construction versus construction of the 69 kV subtransmission line. It probably is not necessary to segregate the impacts of the two lines, but both lines should at least be mentioned within the context of the impact discussion.

Also, the impact discussion indicates that Environmental Protection Elements (EPE’s) would “provide general protection but without specific mitigation, these temporary impacts would be

significant". However, it is not clear that these specific mitigation measures are cited in the Draft EIR.

6. Page 3-317. The Draft EIR cites "No Impact" relative to LOS standards. However, there is no specific data to support this assertion. On Page 3-313, an LOS table would be helpful in identifying affected roadways and the relative impacts of the project construction.
7. Page 3-317. There is a reference to less than significant temporary construction impacts at the intersections of Wilderness/Jurupa and Van Buren/Jurupa. Assuming that these are the only intersections that would be affected by construction, the Draft EIR should clarify this point.
8. Page 3-317. The Draft EIR indicates that the project's operation and maintenance activities would not result in traffic impacts, as only service vehicles would be involved. It would be helpful for the Draft EIR to simply state the number of service vehicle trips that would be generated by the project. This would clarify for the reader the magnitude of traffic associated with operation and maintenance activities.
9. Page 3-317. Although the Draft EIR acknowledges that roads may be damaged by heavy trucks, there is no specific data to indicate the magnitude of truck traffic relative to background traffic flows. It may not be necessary to conduct Traffic Index (TI) calculations on affected roadways. However, the Draft EIR should indicate whether the number of heavy trucks would represent a minimal increase in truck traffic, and as such, no measurable impacts would be expected, if this is indeed the case.
10. Page 3.317, Impact c). Given that the exact placement of subtransmission line poles and other facilities is not yet known, and the fact that the proposed project is inconsistent with RCALUC regulations and would exceed various airport-related height limits, the Draft EIR cannot support a conclusion that the project would not result in changes in air traffic patterns and air traffic safety risks. The analysis indicates that the project would be in compliance with FAA height requirements, but ignores the conclusions in the hazards and land use sections indicating that the proposed 69 kV subtransmission line would create a significant and unavoidable impact to air traffic safety. The conclusion for Impact c) should be revised to state that the project would have a significant and unavoidable impact on air traffic patterns and air traffic safety.
11. Page 3-318, Impact d). The Draft EIR concludes that the project would result in a less than significant impact with regard to the creation of substantial hazards due to a design feature or incompatible use. The proposed 69 kV subtransmission line is incompatible with RCALUC regulations and would exceed various airport-related height limits, resulting in an air traffic safety hazard. The Draft EIR should therefore be revised to conclude that the project would have a significant and unavoidable impact in regard to substantial hazards.
12. Page 3-320, Simultaneous Construction of the 230 kV Transmission and 69 kV Subtransmission Lines. The Draft EIR states that simultaneous construction or construction overlap of the 230 kV and 69 kV components is "infeasible" due to permitting, procurement, land acquisition, agency coordination, mitigation implementation, and possible variance requirements. The Draft EIR then addresses the results of simultaneous construction of these two project elements. It would seem appropriate, therefore, to change the word "infeasible" to "unlikely"; if a simultaneous construction scenario is actually infeasible, then there would be no benefit to discussing and analyzing that scenario further.

13. Page 3-320. The Draft EIR states that the project would not conflict with public transit, bicycle, or pedestrian facilities. However, there are no specific discussions of these alternative modes of transportation. The Draft EIR should note which transit route roads would be temporarily closed or their capacity reduced, and confirm that public transit would be able to maintain service and schedules. Similarly, the Draft EIR should note where bike lanes and/or pedestrian facilities would be temporarily closed.

3.3 Mandatory Findings of Significance

1. This section fails to identify the significant and unavoidable air traffic safety impacts described in both the hazards and land use section.

CHAPTER 4 – CUMULATIVE IMPACTS

1. Page 4-16, Noise. The cumulative impacts discussion for noise lacked sufficient detail to arrive at a determination of no significant effect. Additional justification should be added.
2. Page 4-18, Transportation and Traffic. To consider cumulative effects, the effects of other projects when combined with this project need to be considered. The analysis only considers the effects of this project. From the analysis a determination of no significant effect cannot be made, and additional justification is needed.

CHAPTER 5 – ADDITIONAL TOPICS

No comments.

CHAPTER 6 – PROJECT ALTERNATIVES

1. Under CEQA, findings of overriding significance are to explain whether and why mitigation measures and project alternatives have been accepted or rejected. The analysis provided in the document pertaining to visual resources is not sufficient to do so. The information presented in Chapter 6 of the Draft EIR and the Aesthetics and Visual Resources Technical Report does not clearly establish that the proposed transmission line route avoids or substantially reduces any potential significant effects, minimizes environmental impacts, and is indeed the environmentally superior alternative. Information provided is lacking or is not structured in a way that allows a reasonable comparison of the preferred alignment with the alternatives.
2. Page 6-42, Siting and Routing Alternatives, Limonite Route. This alternative route is missing the description of the alternative.
3. It is concluded in the Draft EIR that impacts to aesthetic resources related to the preferred 230 kV transmission line route are significant, cannot be mitigated, and will require a finding of overriding significance. As such, it is important that the alternatives analysis is sufficient to support this conclusion and clearly determine that the proposed transmission line route avoids or substantially reduces any potential significant effects, minimizes environmental impacts, and is indeed the environmentally superior alternative. The analysis seems to fall short of doing so.
4. Appendix D: Siting Study. The alternatives analysis presented in *Appendix D: Siting Study*, identifies visually sensitive locations, users, and regulatory policies. However, a determination was made that visual resources considerations were so widespread that they did not

significantly contribute to the identification of routing options and were therefore not used in the evaluation of alternatives.

5. **Undergrounding Options.** A strong justification for not undergrounding sections of the 230 kV transmission line is provided. A significant aspect of the justification provided is the potential visual effects on existing vegetation due to construction activities, the effects of heat dissipation from the line on vegetation post construction, and limits on vegetation over the underground line to prevent root intrusion. The alternatives analysis only generically describes visual impacts of undergrounding the transmission line and ultimately cites economics as a significant determining factor.

It is not clear from that analysis if trenching as an underground alternative considered co-use of roadways and/or the trail system in the area to avoid impacts on vegetation, or if the assumption is that the transmission line ROW for an overhead line would necessarily have to be used and be separate from the transportation infrastructure.

A key justification for not undergrounding all or sections of the transmission line is economics. While discussion of project-related economics damage is not required by CEQA, economics are often considered if the project causes physical damage. For example, if a roadway project eliminates access to a business area, and the resultant loss of taxes would reduce an agency's ability to maintain environmental protection, economic impacts would be discussed in an EIR. While not required by CEQA, public costs and revenues of a project may be analyzed concurrently with environmental review. However, no such concurrent analysis is provided.

6. **Page 6-66, 230 kV Transmission Line Routing – Van Buren Offset.** The analysis only broadly describes the visual impacts of the Van Buren Offset Route alternative that does not allow a true comparison of effects equivalent to that prepared in *Appendix B: Aesthetics and Visual Resources Technical Report*. Further, Table 6.5-1 indicates that the impacts to aesthetics of the No Project alternative are “similar” to the Proposed Project. The table also lists impacts associated with the Van Buren Alternative as “increased”. It is not clear how these determinations could be made given the conclusion in the siting study that visual resources were not used in the sensitivity analysis of alternatives.
7. **69 kV Transmission Lines.** The analysis states that there are no highly sensitive areas where 69 kV lines would be “out of scale or in contrast with the existing landscape to the extent where the landscape character would be substantially degraded, and impacts would be less than significant.” Figure 3.2.1-24, one of many figures cited, clearly illustrates proposed TSPs in a residential area that are more than three times taller than existing utility service lines. It is difficult to accept the conclusion. Figure 3.2.1-24 shows a distorted scale of the base image between the “proposed project” as compared to the “existing conditions” as evidenced by a size comparison of the vegetation behind the white-roofed structure.

CHAPTER 7 – PUBLIC AND AGENCY CONSULTATION

No comments.

CHAPTER 8 – REFERENCES

No comments.

CHAPTER 9 – LIST OF PREPARERS

No comments.

APPENDIX B – TECHNICAL REPORTS

Aesthetics and Visual Resources Technical Report

1. The introduction to the technical analysis states:

“This technical report was developed as a supporting document to the Draft Environmental Impact Report (DEIR) required under the California Environmental Quality Act (CEQA) for the Proposed Project. It includes analysis of environmental impacts associated with both the Proposed Project (sometimes referred to as the 1-15 Route or Build Option B) and the 230 kV Van Buren Offset Route alternative (sometimes referred to as Build Option A). The report was completed prior to refinement of the Proposed Project and may contain outdated component identification information (e.g., segment, line, link identifiers) that may differ in description in the DEIR.”

As noted, the segments and link identifiers are somewhat different than that in the Draft EIR, making it difficult to readily confirm how the analysis contained in the Aesthetics and Visual Resources Technical Report pertains to the Draft EIR analysis and its conclusions.

Traffic Technical Report

2. Pages 28-29, 31. Tables 7 through 9 provide detailed information relative to each construction route in terms of whether the line would parallel or cross various roadways. It is not clear, however, where the construction would actually close and/or reduce available lanes on these roadways.
3. Pages 37-38. Very detailed construction impact analyses have been distilled into “Sensitivity Values”. While these relative impact levels are helpful, it is recommended that specific impact locations be cited in terms of roadway closures or disruptions.
4. Page 39. Table 13 provides a summary of impacts on different roadway classifications and alternative transportation facilities, but does not identify specific roads, transit facilities, or bike routes. This information is particularly important where certain facilities are identified as having “High Sensitivity” impacts.
5. Page 46. Table 15 summarizes the relative roadway lengths that would experience Low, Moderate, and High impacts due to the 230 kV line’s construction. Again, specific roads or alternative transportation facilities are not discussed.
6. Page 46. The discussion of employee trip generation should provide some basis of comparison that would clearly show that 117 daily trips would not be measurable when added to major routes in the area.
7. Pages 52-53. Tables 16 and 17 summarize the relative roadway lengths that would experience Low, Moderate, and High impacts due to the 69 kV line’s construction. Again, specific roads or alternative transportation facilities are not discussed.
8. Page 53. The 69 kV construction employment would only result in 63 daily trips. The relative increases on area roads would be minimal, and this should be stated within the context of existing major roadway volumes.

Memorandum

9. Pages 55-57. The list of recommended specific mitigation measures provides an excellent summary of how traffic and alternative transportation facilities are to be maintained. However, there are no specific roadways mentioned in this listing.
10. Page 58. Table 18 provides very specific intersection impact calculations relative to the Wildlife and Wilderness Substation construction. These impact calculations are a good example of what should be provided for other impacts associated with the 230 kV and 69 kV line construction.

Comment Letter N: Jensen Uchida, California Public Utilities Commission

According to the commenter, this comment letter is superseded by the comment received on November 29, 2011, which has been designated as “Comment Letter O” below. The comment letter dated November 29, 2011 included further comments and did not remove or change comments contained in Comment Letter N. Please refer to the Responses to Comment Letter O for the responses to the CPUC’s CEQA comments.

Riverside Transmission Reliability Project

From: Mulligan, Jack M. <jack.mulligan@cpuc.ca.gov>
Sent: Tuesday, November 29, 2011 1:08 PM
To: Riverside Transmission Reliability Project
Subject: California Public Utilities Commission's revised comment letter
Attachments: CPUC01-#569617-v1-letter_to.DOC; Master Comments - 111129.docx

To whom it may concern,

Please find the California Public Utilities Commission's revised comment letter and cover letter attached. These documents were also sent to Mr. George Hanson, today, via overnight mail.

Regards,

Jack

Jack Mulligan
Staff Attorney
California Public Utilities Commission
(415)-703-1440
jm4@cpuc.ca.gov

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 29, 2011

VIA OVERNIGHT MAIL

Mr. George Hanson
Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

Subject: Revised CPUC Comment Letter Regarding the RTRP Draft EIR

Dear Mr. Hanson:

The attached letter contains the California Public Utility Commission's (CPUC's) comments on the Riverside Transmission Reliability Project (RTRP) Draft Environmental Impact Report (EIR). This letter supersedes the previous comment letter sent to you on November 28, 2011.

Please contact Mr. Jensen Uchida at (415) 703-5484 if you have any questions.

Sincerely,

Jack Mulligan
Staff Counsel

Attachment

cc: George Hanson via email at RTRP@riversideca.gov

Date: November 29, 2011

To: Jensen Uchida, California Public Utilities Commission

From: Jeffrey Smith

Subject: Review of the Riverside Transmission Reliability Project Draft EIR

On behalf of the California Public Utility Commission (CPUC), RMT, Inc. (RMT) has reviewed the Draft Environmental Impact Report (EIR) for the Riverside Transmission Reliability Project. This memorandum presents comments on the Draft EIR, which RMT recommends that the CPUC provide to the Riverside Public Utility (RPU). The public comment period on the Draft EIR ends at 5:00 P.M. on Wednesday, November 30, 2011. These comments in this memorandum identify areas of the Draft EIR that require clarification and/or present technical inaccuracies.

EXECUTIVE SUMMARY

1. Page ES-2 and Figure ES-1. The figure shows the proposed 230/69 kV transmission line passing through Pedley Substation, but Pedley Substation is not listed in the accompanying text regarding substations that would require upgrades. Would the project result in the need for any upgrades to the Pedley Substation? Chapter 2 states that telecommunication upgrades would be required at this substation. O-1
2. Page ES-3 (Figure ES-1) and throughout most of the figures in the document. Most of the figures in the document should be revised to accurately show the boundaries of the City of Jurupa Valley. Figure ES-1 also labels the communities of Mira Loma, Glen Avon, Pedley, and Rubidoux, but does not indicate that these are not incorporated cities. Clarification of incorporated versus unincorporated cities would aid the reader in understanding the jurisdictional boundaries of local agencies. O-2
3. Page ES-9, Aesthetics Impacts. The summary implies that aesthetic impacts are limited to recreation users along the Santa Ana River Trail. A more accurate description would be to include that these impacts will result in a permanent effect to the users' experience of the Santa Ana River National Recreation Trail, portions of the Santa Ana River Regional Park, the Agricultural Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park. O-3
4. Page ES-10, Table ES-2. The entry for hazards and hazardous materials refers to "the airport". For clarity purposes, we recommend that this statement be amended to refer to the Riverside Municipal Airport. O-4
5. The executive summary implies that aesthetic impacts are limited to recreation users along the Santa Ana River Trail. A more accurate description would be to conclude that these impacts would result in a permanent effect to the users' experience of the Santa Ana River National Recreation Trail, portions of the Santa Ana River Regional Park, the Agricultural Park, the Hidden Valley Wildlife Area, future use of Hole Lake as a trail staging area, and possibly the Limonite Meadows Park O-5

CHAPTER 1 – PURPOSE AND NEED

No comments.

CHAPTER 2 – PROPOSED PROJECT DESCRIPTION

1. Pages 2-27 to 2-31, Areas of Disturbance. The size of the areas of disturbance described in the text for locations 1, 5, 9, and 10 do not match Table 2.3-1. Thus, total disturbance area may be 5.5 acres instead of 5.2 acres. O-6
2. Pages 2-64 and 2-65, Marshalling Yards. The Draft EIR indicates that there would be approximately two temporary marshalling yards that would each be approximately 2 to 20 acres in size. The Draft EIR fails to indicate the potential locations for these marshalling yards, and is excessively vague on the number and size of these temporary yards. Without this information, the Draft EIR cannot identify the potential impacts of these marshalling yards. O-7
3. Pages 2-69 to 2-71, Access Roads and Spur Roads. The Draft EIR does not clearly differentiate between existing ROW and new ROW segments for the proposed 230 kV transmission lines. The Draft EIR also does not clearly identify the location of the proposed approximately 7.5 miles of new access roads. Would private property need to be obtained through eminent domain to establish new ROW and access roads, and if so, where are these properties located? O-8
4. Page 2-70. "Wet crossings" and other work in water resources is mentioned, but the biological resources section (3.2.4) does not mention any in-stream crossings or work. O-9
5. Page 2-78, Land Disturbance. The Draft EIR states "69 kV subtransmission lines would be constructed within public road ROWs or heavily disturbed areas and are not expected to disturb any previously undisturbed areas or unpaved areas." While the areas may be previously disturbed or paved, it should be assumed that there would be some earthwork associated with the installation of the transmission lines including pole placement. This disturbance needs to be quantified and carried through the analysis of effects in Section 3. O-10
6. Page 2-78, Table 2.5-3. This table provides a summary of land disturbance activities for the construction of the new 230 kV transmission line, but similar tables are not provided for other aspects of the construction process, such as the installation of fiber optic cables, construction of new substations, improvements to existing substations, and construction of new 69 kV subtransmission lines. The Draft EIR should include either separate tables for each activity or one master table summarizing land disturbance activities for the entire project. O-11

Similarly, the Draft EIR should provide tables summarizing the construction time for each project element, the number of construction vehicle trips for each project element, and the number of employees and number and type of construction vehicles required for each project element. Much of this information is provided in the text, but a set of reference tables would greatly improve the clarity of the project description.
7. Page 2-79, Section 2.5.3. The document specifies that, "approximately 12,090 cubic yards of overlying soil will be hauled off-site". More detail is required regarding the number of truck trips associated with the removal of material, the duration and timing when material would be removed, and the location where the excess material would be utilized. This additional information should be included in the analysis of effects in Section 3, particularly air quality and GHG emissions, as well as traffic. O-12
8. Page 2-85 and Table 2.9-1. Change "waters of the States" to "waters of the U.S.". O-13

The Santa Ana River is a navigable river, thus it would seem a permit under Section 404 of the Clean Water Act would be required. If this not the case for the project please explain the variance in the text.

CHAPTER 3 – ENVIRONMENTAL ANALYSIS

Section 3.2.1 - Aesthetics

1. Methodology. Draft EIR Section 3.2.1 Aesthetics and Appendix E provide an extensive explanation of a process used to evaluate visual resource impacts. The Draft EIR states that this process is based on the Bureau of Land Management Visual Resource Management System (VRM) and employs a visual contrast rating evaluation. There are a number of technical ways in which the impact methodology used varies from the VRM methodology and criteria it employs. Most of these are minor variations and are applicable to the project evaluation at hand. However, some steps employ criteria and logic that is not contained in the VRM system, are difficult to understand, and reflect on the objectivity of the analysis.

One example of this logic is found in Table 10 of the Aesthetics and Visual Resources Technical Report that summarizes the inventory and analysis of scenic quality and visual integrity criteria. "Scenic Quality" attributes are used in the analysis only in relation to natural areas and parks while "Visual Integrity" is applied only to developed areas. There are seven factors used to evaluate the scenic quality of a landscape in the VRM system. These are land form, vegetation, water, color, adjacent scenery, scarcity, and cultural modifications. They are applicable to any characteristic landscape, from natural to developed areas. Visual integrity is not a term used in the VRM system. Factoring scenic quality and visual integrity out as separate evaluations and then equating them as in Table 16 of the Technical Report and the contained impact summary tables does not present a balanced evaluation. Within this context, it is difficult to understand why some parks are evaluated based on scenic quality while others are considered for visual integrity. It is difficult to understand with five golf courses in the study area why any one of them would be rated high in scarcity, rated high in ephemeral and non-visual conditions, and given an "A Class". Given the study area in its entirety, it could be argued that the highest level of scarcity and most intact landscape should be reserved for the relatively natural landscape of the Santa Ana River Corridor.

O-14

2. Photo Simulations. The purpose of photo simulations is to present a realistic image of pre- and post-project conditions. Upon examination, there is an accuracy challenge with using these images as photo simulations in the environmental document. It is industry standard to use imagery that simulates what the human eye sees, which is an approximately 50mm focal length. Traditionally, with an analog camera using 35mm film, a 50-55mm lens is used for photos to produce prints that would have no apparent wide angle or telephoto distortion.

The baseline photos on which the simulations were made are wide-angle images presenting a perspective makes the facilities seem further away and smaller than would actually appear as viewed by the naked eye.

O-15

Some of the simulations appear to have a distorted image (beyond the wide-angle base photo cited above) of the tubular steel poles (TSPs) that misleads the viewer further as to the potential impacts. The project description identifies the height of the TSPs to be between 95 and 170 feet. Figure 3.2.1-14, for example, shows a TSP that, given the single story-residence in the image with a roofline approximately 15 feet above grade and at approximately the same viewing distance as the TSP, would appear to be about 45 to 60 feet high.

3. Level of Detail. The mapping and description of the proposed transmission line routes and alternatives does not show tower locations nor provide a level of detail that allows field evaluation and verification.

O-16

4. Tower Design. The visual simulations show at least three different tower designs for the 230 KV transmission line. Where lattice steel towers (LSTs) versus TSPs are to be located is not provided.
5. Page 3-4, Scoping Issues. Three aesthetic scoping issues are not addressed in the Draft EIR. These issues include:
 - Consistency with the Riverside County General Plan (see also comment regarding page 3-17)
 - Proposed use of LSTs versus TSPs
 - Whether proposed towers block views to distant mountains
6. Page 3-17, Riverside General Plan Policies. This section identifies open space and conservation policies that affect visual resources. Policy LU 6.2 is specifically noted as not allowing public facilities within open space designations. Reference is made to Draft EIR Section 3.2.9 for the impact discussion. However, that section addresses only habitat impacts, omitting consideration of aesthetic impacts. The analysis is therefore not complete. An impact conclusion should be made about the visual effects of the transmission line through the General Plan zone relative to the policy.
7. Pages 3-23 through 3-49, Photo simulations. Some of the simulations appear to have a distorted image of the tubular steel poles (TSPs) that misleads the viewer as to the potential impacts. The project description identifies the height of the TSPs to be between 95 and 170 feet. Figure 3.2.1-14, for example, shows a TSP that, given the single story-residence in the image with a roofline approximately 15 feet above grade and at approximately the same viewing distance as the TSP, would appear to be about 45 to 60 feet high.
8. Page 3-29, Figure 3.2.1-16, Photo Simulation Viewpoint 4. It is not clear why there are two separate lines and LSTs in this simulation.
9. Page 3-55, 69 kV Transmission Lines. The analysis concludes that aesthetic impacts for all segments the subtransmission line sections would be less than significant. There are many instances where it may not be possible to substantiate this conclusion.
 The analysis states that there are no highly sensitive areas where 69 kV lines would be “out of scale or in contrast with the existing landscape to the extent where the landscape character would be substantially degraded, and impacts would be less than significant.” Figure 3.2.1-24, one of many figures cited, clearly illustrates proposed TSPs in a residential area that are more than three times taller than existing utility service lines. It is difficult to accept the conclusion. (Note: Figure 3.2.1-24 shows a distorted scale of the base image of the “proposed project” as compared to the “existing conditions” as evidenced by a size comparison of the vegetation behind the white-roofed structure (see also comment 2 regarding photo simulations).
 For many streets where the new 69 kV subtransmission line would be located, it is not clear in the project description on which side of the street the line is to be placed. It is implied from some of the simulations that existing utility lines would be combined with the new line, thus avoiding cumulative visual effects and reducing impacts. However, this collocation is not called out in the project description nor is it included as a mitigation measure.
 Another potential impact example that is not addressed relates to the relatively tall utility poles along Indiana Avenue that already exist for some distance on the south side of the street. If the new 69 kV subtransmission line is located on the north side of the street, a visual utility

O-17

O-18

O-19

O-20

O-21

O-22

canyon would effectively be created. If this is the case, then an impact determination of less than significant is questionable.

O-22

10. Page 3-56, Wilderness Substation. This substation location is common to all alternatives. While user sensitivity is identified as high, the aesthetic impacts are described as moderate to less-than-significant. The analysis states that: "Impacts would be reduced substantially with the installation of landscape screening." However, landscape screening is not referenced in the project description or any specific mitigation measure. The conclusion of moderate to less-than-significant impacts is therefore not valid.

O-23

11. Page 3-57, Light and Glare. The analysis is dedicated to construction lighting. Though lighting environmental protection elements (EPEs) are included in the project description, light and glare EPEs should be referenced and a determination made that there is no significant impact.

O-24

12. Page 3-57, Significant Unavoidable Impacts / 230 kV Transmission Line. The conclusion reached is that a significant visual impact would result from the 230 kV transmission line. Proposed EPEs consist solely of using materials and finishes to minimize reflected glare; and no other mitigation is proposed. No analysis was conducted nor mitigation proposed associated with the structure types, colors, and finishes that could be used to minimize the visual impacts relative to the site-specific characteristic landscape setting. An example is presented in Figure 3.2.1-23 where a tubular steel tower, if such a tower were technically possible in that location, might better mimic the form, scale, and color the palm trees present than the lattice tower structure shown in the photo simulation.

O-25

Opportunities to combine or at least coordinate the proposed transmission line with existing facilities or to identify types and colors of transmission line structures to reduce visual complexity and avoid a cumulative effect of two parallel lines were not considered. Figure 3.2.1-15 appears to present such a situation. However, Figure 3.2.1-23 illustrates that the proposed transmission line would include an underbuild of existing service lines even though this action is not included in the project description or as a mitigation measure.

Section 3.2.2 – Agricultural and Forestry Resources

1. Page 3-65, City of Riverside General Plan. The Draft EIR states, "The Proposed Project is not inconsistent with Agricultural Preservation – Proposition R and Measure C policies identified in the Rancho La Sierra Specific Plan." This statement is made in the regulatory setting section of the analysis and should be moved to the impact assessment.
2. Page 3-67, Environmental Impacts. The Draft EIR states, "from a CEQA perspective, impacts to designated *Farmland of Local Importance* are not considered significant for this Project, and consequently, do not require mitigation." The EIR needs to provide reasoning for why these impacts are not significant in order for this statement to be valid.
3. Page 3-68, Wildlife and Wilderness Substations. The Draft EIR states that the Wildlife and Wilderness Substations would be located on land classified as Farmland of Statewide Importance, and states that the development of these two substations would have no impact on agricultural resources. The EIR does not explain why the conversion of land from Farmland of Statewide Importance to a utility use would have no impact on agricultural resources. Without further explanation, this assertion is invalid.
4. Page 3-68, Optic Fiber Cable. The Draft EIR does not address the impacts of installation of optic fiber cable on agricultural resources.

O-26

O-27

O-28

O-29

Section 3.2.3 – Air Quality and Greenhouse Gas Emissions

- | | |
|---|------|
| 1. Pages 3-75 and 3-76, References. Check that all cited references appear in the References chapter. CARB 2007 is the source for Table 3.2.3-1 and is cited in the preceding text, but does not appear in the References chapter. Similarly, there is a reference for the EPA cited in the NO _x discussion on page 3-76, but there is no corresponding EPA listing in the References chapter. | O-30 |
| 2. Pages 3-78 and 3-79, SO ₂ NAAQS. The 2010 change in SO ₂ National Ambient Air Quality Standards (NAAQS) is not reflected in Table 3.2.3-2. | O-31 |
| 3. Pages 3-80 and 3-82, Table 3.2.3-3. The entry in Table 3.2.3-3 for attainment designation for 1-hour O ₃ does not match the text in the second paragraph on page 3-82. | O-32 |
| 4. Pages 3-82 and 3-85, Localized Significance Threshold (LST) Methodology. The Draft EIR uses LSTs for sites less than 5 acres in size instead of ISCST3 modeling, as the maximum daily disturbance would be less than 5 acres. This is a reasonable assumption; however, the guidance does not address linear construction projects as either a typical facility or a facility not covered by the approach. The closest the guidance comes to addressing linear projects is to say that planned residential developments are covered. The Draft EIR should provide clear justification for using the LST methodology, and explain how this methodology is appropriate for this project. | O-33 |
| 5. Page 3-83, Tables 3.2.3-5 and 3.2.3-6. Tables 3.2.3-5 and 3.2.3-6 are not introduced in the text. In particular, it is confusing why Table 3.2.3-6 is provided, although it becomes clear later on that the concentration-based LSTs are necessary because SCREEN3 modeling was ultimately used. | O-34 |
| 6. Page 3-85, General Plan Conformance. The explanation of conformance of the project to the county and local general plans is weak. The Draft EIR states that the project is consistent, but does not provide an explanation to support this conclusion. Was this conclusion made in a separate review? | O-35 |
| 7. Page 3-85, LST Compliance. The Draft EIR states in the final paragraph on page 3-85 that the project must comply with LSTs, but earlier in report on page 3-82, the Draft EIR stated that use of LSTs is voluntary. The Draft EIR should be clear whether the lead agency is requiring the use of LST methodology. | O-36 |
| 8. Page 3-89, Cumulative Impacts. The conclusions reached in regard to the cumulatively considerable criteria pollutant impact question are bizarre. The second paragraph in this impact discussion states that the project is consistent with general plans because it complies with AQMP requirements. The third paragraph simply assumes significance because there is no information that would allow a quantitative conclusion. However, if nearby projects are also in compliance with the AQMP, then, by the reasoning provided in the second paragraph, cumulative impacts would be less than significant | O-37 |
| 9. Page 3-92, Table 3.2.3-15. The table lacks accounting for truck trips associated with delivery of material to the site(s) and removal of excess soils. Greenhouse gas (GHG) emissions associated with truck travel to and from the work sites should be included in the project estimates and analysis of impacts. | O-38 |
| 10. Page 3-91 and 3-92. The analysis provided only accounts for direct GHG emissions. Indirect GHG emissions should also be addressed. | O-39 |

Section 3.2.4 – Biological Resources

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|---|------|
| 1. Pages 2-6, 3-18, 3-205, 3-241, 3-262, 3-301, 3-303, and 3-309. Other resource sections mention that the Project will cross the Hidden Valley Wildlife Area, but the biological resources section (3.2.4) does not mention this area. | O-40 |
| 2. Page 3-96. There is a disconnect between "Links" in the Powers (2010) bio report and "segments" in the Draft EIR project description (Chapter 2). Please insert a few sentences or a table that equates the links to the corresponding segments, and then discard the reference to links. Links that were studied in the Powers bio report but not used in the final project description should also be mentioned here as dismissed. | O-41 |
| 3. Page 3-97. There is no mention in methods about how jurisdictional water features were detected, enumerated, or analyzed. If this entire subject will be deferred to Section 3.2.8 Hydrology and Water Quality, then state as such. However, some discussion of water resources must remain in this biology section. | O-42 |
| 4. Pages 3-97 and 3-98. Throughout this section, there is inconsistent use of "sensitive species" and "special-status species." The two terms are not synonymous. | O-43 |
| 5. Page 3-98, first full paragraph. If the CNDDDB was re-queried in 2011, simply cite as such and do not revert to citing 2010. | O-44 |
| 6. Page 3-98, third paragraph. Doesn't project construction have the potential to indirectly impact the habitat through erosion and sedimentation? Perhaps add, or refer to, the mitigation measure that implements an effective SWPPP and water quality protection. Refer the reader to Section 3.2.8. | O-45 |
| 7. Page 3-99, first full paragraph. The meaning of the last sentence is not clear. What does "engage" mean? Intersect? | O-46 |
| 8. Page 3-101/Figure 3.2.4-1. The habitat mapping figure is too coarse. The display of Criteria Cells not part of the project area is unnecessary and makes the alignment too small to view. This figure should be broken into at least 2 maps, similar to the Powers bio report ("Sensitive Species and Habitat" figures), but even the Powers bio report figures are almost impossible to read. This biology section of the Draft EIR has no figure that maps any special-status species from the field surveys or queries of the CNDDDB. Consider providing two sets of figures: one set that shows mapped vegetation types, Criteria Cells, and sensitive habitats; and another set that shows special-status species' occurrences. | O-47 |
| 9. Page 3-105, Last full paragraph. Based upon the project description, project construction could cause erosion or sedimentation that could indirectly affect aquatic resources (before mitigation, such as an effective SWPPP). Is there a sufficient buffer between ground disturbance and aquatic resources? | O-48 |
| 10. Page 3-106. The phrase "low-flow river limits" is non-standard terminology. Is the term supposed to mean Ordinary High Water Mark? Note that while this may delimit federal jurisdiction, the State's jurisdiction extends to the outer limit of riparian vegetation (the Stream Zone), which may extend well beyond the bank of the river. In general, this Draft EIR bio section has an insufficient discussion of the Stream Zone, waters of the State, and waters of the US including wetlands. | O-49 |
| 11. Page 3-107, Table 3.2.4-1. This table contains the first mention of wetlands. Does this table correspond to the habitats mapped in the figure? Please provide greater detail on wetlands. | O-50 |

12. Page 3-109 to 3-110/Table. 3.2.4-2. Replace 'Link' designations with 'Segment' designations to conform to the Draft EIR Project Description in Chapter 2. O-51
13. Page 3-111 through 3-117. An impact determination should be made for each species. For several species including: Coastal California gnatcatcher, San Diego black-tailed jackrabbit, Southern grasshopper mouse, Stephen's kangaroo rat, Northern red-diamond rattlesnake, and Belding's orange-throated whiptail, an impact determination has not been made. O-52
14. Page 3-114, second full paragraph. Recommend citation of the mammal study. O-53
15. Page 3-114, third full paragraph. The statement is made that the Northwestern San Diego Pocket Mouse has no habitat in the study area, while the impact discussion on Page 3-133 says that the species is present along the 230kV transmission line route. O-54
16. Page 3-115. Define the acronym SKRHCP here, not later on page 3-124. O-55

The bat discussions provide CEQA significance determinations. The discussions of the other species do not give similar determinations. And, while it is largely a style preference, CEQA significance determinations are generally not presented in the Environmental Setting. O-56

The phrase "*This would have a determination of less than significant*" is vague and should be re-written. O-57

Please check/confirm spelling of *Crotalus exsul*. O-58
17. Page 3-116. Recommend citation of DSF focused surveys/studies. O-59
18. Page 3-120, first paragraph. The word "converted" is vague; if the substation is fenced, graveled, and paved, state as such. O-60
19. Page 3-122. The Endangered Species Act and California Endangered Species Act do not prohibit the take of candidate species; these species may receive more scrutiny during agency review, but they have no legal status. O-61

There is no mention of the "Stream Zone" and protection of riparian zones in general. O-62

The applicant or their consultant, not CDFG, provides a description of the resources and submits a proposal for protection and mitigation. O-63
20. Page 3-124, first full paragraph. Second sentence is missing the word "it." O-64
21. Page 3-124, third full paragraph. This paragraph is contradictory, redundant, and misleading. As defined, it appears there are no short-term, direct impacts. Consider removing the impact duration from the definition of direct and indirect impacts. O-65
22. Page 3-125, first full paragraph, fourth sentence. Change "already insignificant impacts" to "already mitigated impacts." O-66
23. Pages 3-125 and 3-126/Table 3.2.4-4. It would be helpful if all vegetation types previously tallied are included, even if there are zero acreage impacts. O-67

Please indicate which of these vegetation community types would require mitigation under the HCP. O-68
24. Pages 3-126 and 3-127/Table 3.2.4-5/BIO-03. This discussion is contradictory. In the beginning it states that if special-status species are detected, project relocation will occur. Later it states that if owls are found, burrows may destroyed, as well as if rare plants are found, seed will be salvaged. This discussion needs to be re-written such that avoidance will be attempted, and then if not possible, compensatory mitigation implemented. There is also no mention of O-69



- generic pre-construction surveys for all special-status species. Thus, the pre-construction survey requirement is not adequately defined. Separate generic surveys from protocol/focused surveys. Consider splitting into two separate mitigation measures. For plants, mention that avoidance and project relocation will be attempted; then salvaging will be attempted. The Draft EIR analysis should also consider the option of transplantation. O-69
- Specify that pre-construction surveys will be performed by a qualified biologist (i.e., a biologist that has any necessary permits and whose qualifications are reviewed by USFWS and CDFG). O-70
25. Page 3-127, Bio-08. The mitigation measure states "All observed active nests will be avoided in compliance with the Migratory Bird Treaty Act..." The mitigation measure does not adequately define how active nests would be observed. Would pre-construction surveys be conducted during the nesting season? Consider adding bat species to this discussion and change the title to "Avoidance of Active Nests and Roosts." The MBTA is not the only applicable law; State laws also protect all bird nests. Re-title and rephrase BIO-08 such that both state and federal laws are included. O-71
26. Page 3-127/Table 3.2.4-5/BIO-06. The requirement for monitoring is vague. O-72
27. Page 3-127/Table 3.2.4-5/BIO-07. The phrase "*The contractor would use overland access that crushes vegetation to maintain root structure*" is confusing. Is this an alternative to grubbing? O-73
28. Page 3-128/Table 3.2.4-5/BIO-10. Change title to "Exclude All Construction Activities from Water Resources." Wetlands are not the only sensitive aquatic resource. Again, there is no mention of the Stream Zone and the need for a Streambed Alteration Agreement if riparian vegetation is impacted. O-74
- The discussion of potential impacts to approx. 0.5 acres of wetlands is unclear. Would the impact be temporary, permanent, or would there be no impact (before or after mitigation)? This measure currently states that, if impacts to wetlands cannot be avoided, additional mitigation would be implemented and Nationwide permitting would occur. As written, it is a deferral of analysis of effects and required mitigation. O-75
- This mitigation section must specify steps for compliance with applicable permits (i.e., require a formal delineation, obtain Corps concurrence, etc.). O-76
29. Page 3-128/Table 3.2.4-5/BIO-11. It is unclear what "associated plant communities" refers to. O-77
30. Page 3-129. Table 3.2.4-2 states that several plant species have a moderate potential to occur in the project area. Yet this paragraph states that sensitive plant species are not expected to be present or impacted. If no special status plant species will be impacted, why is there a mitigation measure (BIO-03) that outlines seed salvage? O-78
- This paragraph also argues that the MSHCP will adequately conserve habitat, but this is only true if the project proponent pays mitigation fees for impacts to plant species. Thus, this whole discussion is highly contradictory. It may also be a deferral of mitigation. Re-write to explain a several-tiered approach. The project will first try to avoid; if avoidance is not possible, then seed will be salvaged or plants transplanted; where appropriate, compensatory fees will be paid to preserve habitat under the HCP, etc... It is also highly doubtful that a single Project Biologist could be qualified as a botanist, a small mammal specialist, an ornithologist, etc. Pre-construction surveys must be performed by a qualified botanist. O-79
- The final paragraph states that permanent loss of riparian areas may occur, but in the Project Impacts Table 3.2.4-4, it states that there will be zero permanent impacts. "Adjusting field O-80
- O-81

- construction limits" is never explained. The construction footprint was already defined as the minimum area to build project features - how can the footprint be reduced even further? In general, there is a vague promise that all project features will be relocated away from sensitive resources, but there is no explanation of how this can be accomplished. ↑
O-81
31. Page 3-130. If riparian habitat is destroyed, a Streambed Alteration Agreement may be required. O-82
- Note that MM BIO-09 does not mention anything about the operation and maintenance phase of the project. O-83
32. Page 3-133. There is no discussion of potential impacts to Stephen's kangaroo rat, a federally listed species. Is there a potential impact to the species as a result of the 230kv Transmission line? O-84
33. Page 3-137. What is the total loss of riparian habitat, or other sensitive natural community? Does Bio-07 include mitigation for this loss of habitat? O-85
34. Page 3-138. The phrase "Wetlands of the U.S." is non-standard, and is not used by the US Army Corps of Engineers. This terminology is also used on Pages 3-139 and 3-223. Instead use the phrase "*wetlands or other waters of the U.S.*", or better yet, "*wetlands and other jurisdictional waters*" since this section consistently neglects waters of the State, which are different in scope than federal waters. O-86
- There are contradictory statements about impacts, or lack of impacts, to jurisdictional water resources. It is unclear in the Draft EIR whether up to 0.5 acres of waters would be impacted, or that there would be no impacts. O-87
35. Page 3-139, second paragraph. This paragraph contains the first mention of vernal pools and fairy shrimp. It should be discussed earlier. Also remove reference to "riverine." O-88
- An analysis of wetlands is not sufficient; non-wetland jurisdictional waters must be discussed, or it must be clarified with a statement that they do not exist within the project area. O-89
36. Page 3-140. Under the headings 230 kV Substations and 69 kV Substation Upgrades, and 69 kV Subtransmission Lines, the analysis refers to wildlife resources and "biological resources", but the threshold under consideration is impacts to wetlands and other waters. O-90
37. Page 3-142. Please state whether or not there are any applicable local or county tree ordinances. O-91
38. Page 3-142, first full paragraph. Has the Park and Open Space District given their consent? Otherwise, this may be a significant conflict. Note also that this conflict would not be avoided through a purchase, but mitigated by a purchase. State that the purchase of conservation lands elsewhere would compensate for the urbanization effect of the project in the Open Space. O-92

Section 3.2.5 – Cultural Resources

1. The cultural resource environmental setting states that paleontological resources are likely to be found in geologic units consisting of Older Quaternary Alluvium, which are found along both the 69 kV subtransmission line and the 230 kV transmission line route. A figure showing the project footprint superimposed on a geologic map would be helpful to include in the setting, as it would orient readers to any sensitive units in the project area. O-93
2. Page 3-158. It is stated that a pedestrian field survey was conducted for the 230kV and 69kV transmission line routes. Was a pedestrian field survey also conducted for the Wilderness and Wildlife substations? O-94

3. Page 3-160. The EIR states, “The record searches also indicate that a total of 314 cultural resource studies have been conducted within a one-mile radius of various 230kV and 69kV routes and substations currently or previously under construction.” Are portions of the project currently under construction, or are these different transmission lines and substations? O-95

4. Page 3-167, Table 3.2.5-2. MM CUL-02 references California Public Resource Code (CPRC) Sections 5097.91 and 5097.98 without specifically identifying the procedures outlined in these regulations. Impact discussion “d” references CPRC Section 7050.5 (which is actually California Health and Safety Code 7050.5), yet this regulation is not included in MM CUL-02. For the purposes of clarity and ease of implementation, MM CUL-02 should include all applicable regulations, as well as an explanation of the procedures to follow in the event that human remains are discovered during project construction. O-96

5. Page 3-170. The Draft EIR indicates that the 230 kV transmission line would cross in front of the Cantu-Galleano Winery. The document states that no visual impact would occur because “an existing power transmission line parallel to Wineville Road, on which the property is located is directly across the road from the winery and as a result, the visual integrity of the resource may already be compromised.” The distance of the proposed line (0.37 miles) and buildings surrounding the winery are cited as reasons why there would not be an impact to the historical integrity of the Cantu-Galleano Winery. However, the Draft EIR should assess the impacts of the existing transmission line and other existing buildings to determine the site’s existing integrity. The Draft EIR should then analyze whether the scale and scope of the new 230 kV transmission line would further compromise the integrity of the site. O-97

6. Mitigation measures CUL-06 through CUL-08 address the recovery, cataloging, documentation, reporting, and curation of any fossils that may be discovered during the course of project construction. These mitigation measures indicate that the donation of resources be accompanied by financial support, but the measures do not identify the source of such financial support. These mitigation measures need to be amended to clarify the source of the financial support. O-98

7. Environmental Protection Element (EPE) CUL-05 indicates that an Unanticipated Cultural Resources Discovery Plan would detail procedures for “avoidance and mitigative data recovery” for cultural resources. However, no measures or language similar to that included in mitigation measures CUL-06 through CUL-08 regarding paleontological resources are specified in the Draft EIR that would similarly mitigate cultural resource impacts. O-99

Section 3.2.6 – Geology and Soils

1. Page 3-179. The environmental setting section includes a very brief overview of regional geology and the project area’s susceptibility to geologic hazards, in particular, seismic hazards. However, the section only addresses some of the background conditions in the project area and region, and defers discussion of other conditions until the impacts analysis. As an alternative to this approach, and to provide an appropriate baseline against which post-project conditions can be compared, the Draft EIR should include a more robust geology and soils setting, one that is organized in parallel with the issues discussed in the impacts section. Topics to discuss include: regional geology (surface and subsurface), seismic hazards, secondary seismic hazards (i.e., liquefaction, lateral spreading), landslide hazards, and soils-related hazards, including expansive soils, erosion, and subsidence. Information from the Earth Resources Technical Report should be cited appropriately, as should any other map or literature sources O-100

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- that were consulted during preparation of the section. Soils information should be obtained from the applicable U.S. Department of Agriculture/Natural Resource Conservation Service (USDA/NCRS) soil survey(s), and information regarding specific soil types and properties should be presented in the setting section at a sufficient level of detail to support any soils-related impact determinations. Information on site geology should be obtained from the applicable geologic map(s) and described in as much detail as necessary in the setting. Figures showing the project footprint superimposed on soils and geologic maps and indicating any potentially hazardous conditions would also be helpful to include in the setting, as they would orient readers to any site-specific hazards in the project area.
2. Page 3-180, Impact a). The Draft EIR states that that potentially significant liquefaction and slope stability hazards are present in several portions of the project area and could affect the proposed 230 kV transmission line and 69 kV subtransmission line facilities, as well as the existing and proposed substations. It concludes that impacts would be less than significant with incorporation of the recommendations from a site-specific geotechnical investigation; yet, the impact is ultimately determined to be less than significant. As the discussion is currently written, there is an implied commitment on the part of the City and Southern California Edison (SCE) to comply with the recommendations of the geotechnical study, but no specific and enforceable mechanism is required to be put in place to ensure that this commitment will be carried out by either party after the project is approved. This approach is confusing given the clearly defined assessment methodology that was laid out in Section 3.1.2. To remedy this issue, the Draft EIR should present implementation of the geotechnical investigation and preparation of the geotechnical report as a standard practice that has been incorporated into the project in order to reduce or avoid impacts, making it an Environmental Protection Element (EPE). If this is not a standard practice, then it should be presented as mitigation that serves to reduce adverse effects, and, accordingly, the impact determination should be modified from less than significant to less than significant with mitigation.
 3. Page 3-181, Impact b). There is no discussion included of ground disturbance associated with distribution line relocation. Identify the EPE's that would be included to reduce soil erosion or loss of topsoil associated with this activity. This section should also include analysis related to soil erodibility, based upon the soil units present within the project area. The Earth Resources Technical Report included in Appendix B does not identify soils within the project site. No assessment of soils or potential erodibility can be made from the information provided.
 4. Page 3-181, Impact b). The Draft EIR states that a number of proposed project features would reduce the potential for erosion and topsoil loss from access road development. A number of construction-related activities and proposed features are listed that would reduce erosion during project construction and operation. Although most of the activities and features mentioned would certainly reduce the potential for erosion at some level (e.g., rehabilitation of roads and installation of drainage structures and retaining walls), at least one item on the list – grading – could potentially increase rather than decrease the level of erosion and topsoil loss. Site grading would result in large accumulations of loose soil that, if not properly stored or treated, could migrate into nearby water bodies via surface runoff. Since the project involves more than one acre of ground disturbance and will require implementation of a project-specific Stormwater Pollution Prevention Plan (SWPPP), reference should be made to the best management practices under the SWPPP that would be specifically designed to control erosion during the construction phase. All earth-disturbing activities, including those related to rehabilitation of the access roads and construction of the transmission line structures,

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substations, and other features, will be subject to the measures contained in the SWPPP. Compliance with the SWPPP for all construction-related activities reduces the project's potential for construction-related erosion and sedimentation impacts and further substantiates a less than significant impact determination.

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Given the clearly defined assessment methodology that was laid out in Section 3.1.2, the Draft EIR should present the SWPPP as a standard practice that has been incorporated into the project in order to reduce or avoid impacts, making it an EPE. Since the SWPPP is directly relevant to the impacts discussed in the hydrology and water quality section, full discussion of the SWPPP EPE can be deferred until that section and can just be cross-referenced in the geology and soils section.

O-107

5. Page 3-181, Impact C. The Draft EIR states that most of the transmission and subtransmission routes would be located on Pleistocene-age alluvium and away from steep slopes, except along portions of the Santa Ana River. This is the first point in the section where geologic units are discussed. Because there is no prior discussion regarding the stability of Pleistocene-aged alluvium or other units in the project area, the Draft EIR provides no basis for determining the level of risk posed to the project by unstable geologic units. At the very least, this discussion should be supported by detailed characterizations of each geologic unit in the project area and perhaps a figure showing the project footprint superimposed on a geologic base map. To assess risks due to unstable soils, detailed soil characterizations and an accompanying map should be included for relevant soil units in the project area, based on information from the applicable USDA/NCRS soil survey(s). As noted in a previous comment, this information is best presented in the setting section, as it would provide an appropriate baseline against which post-project conditions can be compared.

O-108

Existing setting information about the underlying geology in the area of the proposed Wildlife and Wilderness Substations and along the Santa Ana River should be augmented with site-specific soils information, unless, as is currently implied, the proposed project structures in those areas would be constructed only on exposed bedrock. The impact discussion should be further expanded to discuss all of the components of the proposed project and should refer back to the initial characterizations of site soils and geologic units in the setting to substantiate the overall impact determination.

O-109

Given the Draft EIR's acknowledgement in impact discussion "a" that potential liquefaction and slope stability hazards are present in several portions of the project area, it is recommended that the preparer revisit the previous impact discussion and incorporate the same information and conclusions into impact discussion "c". As was also noted for impact discussion "a" above, the discussion for impact "c" concludes that impacts would be less than significant with incorporation of the recommendations from a site-specific geotechnical investigation; yet, the impact is ultimately determined to be less than significant. As written, there is an implied commitment on the part of the City and SCE to comply with the recommendations of the geotechnical study, but no specific and enforceable mechanism is required to be put in place to ensure that this commitment will be carried out by either party after project approval. This approach is confusing given the clearly defined assessment methodology that was laid out in Section 3.1.2. To remedy this situation, the Draft EIR should present the implementation of the geotechnical investigation and preparation of the geotechnical report as a standard practice that has been incorporated into the project in order to reduce or avoid impacts, making it an EPE. If this is not a standard practice, then it should be presented

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as mitigation that serves to reduce adverse effects, and, accordingly, the impact determination should be modified from less than significant to less than significant with mitigation.

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6. Page 3-182, Impact d). The Draft EIR states that soils are predominantly sandy with no expansive soils; thus, no substantial risks to life or property are anticipated. This statement appears wholly unsupported and conclusory because there is no prior information in the section about specific soil types occurring in the project area or the engineering suitability of those soils. At the very least, this discussion should be supported by detailed characterizations of each soil unit in the project area and perhaps a figure showing the project footprint superimposed on a soils base map. As noted in previous comments, this information is best presented in the setting section, as it would provide an appropriate baseline against which post-project conditions can be compared. It is generally not necessary to defer the characterization of site soils and the identification of potential soils-related hazards to the geotechnical investigation because this information is readily available and would likely be contained in the applicable soil survey(s) or in survey-derived GIS data.

O-111

Given the clearly defined assessment methodology that was laid out in Section 3.1.2, the Draft EIR should present implementation of the geotechnical investigation and preparation of the geotechnical report as a standard practice that has been incorporated into and project in order to reduce or avoid impacts, making it an EPE. If this is not a standard practice, it should be presented as mitigation that serves to reduce adverse effects, and, accordingly, the impact determination should be modified from less than significant to less than significant with mitigation.

O-112

7. Page 3-182, Significant Unavoidable Impacts. The significant and unavoidable impact discussion at the end of the geology and soils section seems unnecessary in light of the conclusion that that no significant and unavoidable impacts would occur. While it may be true that that a strong seismic event is unavoidable, the project's incorporation of the design recommendations from the site-specific geotechnical study would help limit its exposure to strong seismic ground shaking and would reduce any adverse effects to a less than significant level. This issue was already addressed under impact discussion "a" and doesn't need to be repeated.

O-113

Section 3.2.7 – Hazards and Hazardous Materials

1. Page 3-199, paragraph 4. The final sentence in this paragraph states, "The soil sample results and subsequent report confirmed the presence of dioxin/furan congeners in excess of the health-based screening level for the planned residential land use." There are no residential uses proposed as part of this project. Please correct the error in this text.
2. Page 3-201, Impact e). The Draft EIR concludes that the proposed 69 kV subtransmission line would have a significant impact of the Riverside Municipal Airport land use zones, as the height of the subtransmission structures would exceed allowable heights. It appears that the exact placement of poles and other subtransmission line infrastructure would be determined subsequent to the completion of the CEQA process. It is possible that the exact placement of these structures could avoid the potentially significant safety hazards associated with exceeding these height limits; however, the determination of the impact significance level would not be refined until after the CEQA process is complete. Please provide an outline of how this issue will be resolved through the CEQA and permitting processes. It is unclear how

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the Lead Agency can adopt a Statement of Overriding Considerations for the creation of a potentially significant and unavoidable safety hazard.



O-115

3. Page 3-201, Impact f). The Draft EIR states that, "No known private airstrips were identified within two miles of the Proposed Project area." Is there a possibility that there are unknown private airstrips within two miles of the proposed project area? If not, then please remove the word "known" from this sentence, as it creates needless ambiguity.

O-116

Section 3.2.8 – Hydrology and Water Quality

1. Page 3-205, Methodology for Resource Inventory and Other Data Collection. The National Wetlands Inventory (NWI) was utilized to identify wetlands within the project area. The NWI is developed at a scale to be utilized in regional planning, the data is often inaccurate and incomplete. The NWI should not be utilized in project planning to determine impacts. A wetland delineation utilizing the 1987 Manual and Arid West Regional Supplement is required to determine potential impacts. In addition, a delineation would need to be conducted to determine the boundaries of, and potential impacts to waters of the state, including riparian areas. A determination of impacts to these resources cannot be made accurately utilizing NWI data. Because a wetland delineation has not been conducted and the actual boundaries and locations of wetlands and other water resources is indeterminate, the analysis associated with impacts to wetlands and surface waters in the Draft EIR is invalid.
2. Page 3-206, Wetlands. Refer to comment 13. A wetland delineation needs to be conducted to identify wetland resources and habitats within the project site.
3. Page 3-213, Hydro-01. In order to determine if a permit is required, a wetland delineation will need to be prepared in accordance with USACE minimum standards. Prior to conducting a wetland delineation, it cannot be determined that the project avoids wetlands, or that impacts would be less than 0.5 acre.
4. Page 3-221, part (f). A determination of impacts to 404 waters cannot be made because a delineation has not been conducted, nor verified by the U.S. Army Corps of Engineers, the agency that determines jurisdiction over 404 waters. The NWI cannot replace a wetland delineation. A wetland delineation needs to be conducted, and this section of the EIR updated to reflect the results of the wetland delineation.
5. Page 3-226, Summary of Impact Determinations. It cannot be determined at this time that mitigation is not required. A wetland delineation needs to be conducted, impacts assessed, and then the need for mitigation may be determined. Should there be direct impacts to waters of the U.S., compensatory mitigation in order to achieve "no net loss" will likely be required pursuant to Section 404 of the Clean Water Act.

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Section 3.2.9 – Land Use and Planning

1. Page 3-239, Local Regulatory Setting. The first paragraph in this section fails to include the newly incorporated City of Jurupa Valley among the jurisdictions affected by the proposed project.
2. Page 3-243, Specific Plans. The final sentence in this section states, "County specific plan policies applicable to the Proposed Project were not identified." Why were Riverside County specific plan policies not identified? An assessment of compatibility with County specific plan policies cannot be made without identifying applicable policies.

O-122

O-123

3. Pages 3-247 and 3-252, Consistency. The Draft EIR appropriately states that the project would result in a significant land use impact due to the project's inconsistency with the RCALUC. Please provide an outline of how this issue will be resolved through the CEQA and permitting processes. It is unclear how the Lead Agency can adopt a Statement of Overriding Considerations for a land use incompatibility that could result in an aircraft safety hazard. O-124
4. Page 3-249, Specific Plans and Neighborhood Plans. The Draft EIR states that city specific plan policies and neighborhood plans were not identified. Why were these plans and policies not identified? An assessment of compatibility with city specific plan policies and neighborhood plans cannot be made without identifying applicable policies. O-125
5. Land Acquisition. The project description states that land would be required to establish new ROW and access roads for the proposed transmission and subtransmission lines, but this issue is not addressed in the environmental analysis chapter. The land use discussion should identify where lands would need to be acquired for the project, and what the impacts would be to acquire these lands. O-126

3.2.10 – Mineral Resources

No comments.

3.2.11 – Noise

1. Page 3-264, Wildlife and Wilderness Substations. The noise analysis needs to identify what the dBA sound levels would be at the edge of the substation properties, as well as at the property lines of the nearest residences. The Draft EIR concludes on page 3-271 that the distance to residences would attenuate noise impacts, but does not quantify the impacts. O-127
2. Page 3-264. The Noise Sensitive Receptors section in the environmental setting describes noise-sensitive land uses, such as schools, nature and wildlife preserves, parks, and open space are that are used for recreation, as areas where excessive noise may adversely impact the designated use of the land. There is little mention of parks, preserves, or open space areas, however, in the analysis discussions for each of the proposed line segments and substations. The Draft EIR should not only consider these types of uses if the noise analysis, but also receptors such as trail users and people otherwise recreating in public parks who may be exposed to excessive construction-related or operational noise. O-128
3. Page 3-271, Impact a). The Draft EIR does not address the effects of noise from the Wildlife and Wilderness Substations on nearby protected habitat. O-129

3.2.12 – Population and Housing

1. Page 3-277, Local Regulatory Setting. The Draft EIR states that, "SCE would be responsible for acquiring its own ROWs" for the proposed 230 kV transmission line, but does not indicate where the new segments of ROW would be located or what private properties would need to be acquired in order to create the new ROW. O-130

3.2.13 – Public Services and Utilities

1. Page 3-290, Impact e). The Draft EIR states that, "The amount of water required for construction of the Proposed Project would be negligible." The Draft EIR does not quantify the amount of water that would be required for dust suppression purposes during construction, O-131

particularly during any earth moving activities associated with new access roads, or for construction of the two new substations. The Draft EIR needs to quantify all water used during construction, and then evaluate whether the project's water needs would affect existing water supplies.

O-131

2. Page 3-291, Impact g). The Draft EIR fails to quantify the volumes of soil, nonhazardous waste, and hazardous waste that would be produced during construction. Without quantification of volumes of waste, the conclusion that the project would have a less than significant impact on solid waste cannot be supported.

O-132

3.2.14 – Recreation

1. Page 3-297. Figure 3.2.1.4-2 needs to be improved. Because the graphic is confined to an 8.5 x 11 page, quadrangles representing parks and recreation features in the project vicinity are difficult to make out at the current scale, and the labels are very hard to read.

O-133

3.2.15 – Transportation and Traffic

1. Page 3-313. Under the Setting discussion, the Draft EIR refers to Level of Service (LOS) standards on certain roadways. However, there is no mention of the existing calculated LOS on the various roadway sections that could be affected by the project construction. It would be helpful if the Draft EIR included a table listing the existing LOS on roadways that could have traffic lanes closed and/or disrupted by the construction process. This same table should include a separate column listing the LOS during the temporary closures.
2. Page 3-314. To the extent that fixed route bus service operates on roadways that could have temporary lane closures, it would also be beneficial to have a bus route map provided in the Draft EIR section.
3. Page 3-315. If there are specific LOS significance criteria, these should be included in the Draft EIR and used in the analysis section to calculate project traffic impacts.
4. Page 3-316. The discussion of operation and maintenance impacts indicates that these activities "would not generate substantial vehicle traffic". The Draft EIR should include an actual calculation of the typical daily trips generated by operations and maintenance activities. It is expected that the trip numbers are very low, and a calculation would clearly demonstrate the minimal effects of project operations and maintenance.
5. Page 3-316. The 230 kV transmission line construction impacts appear to focus on the Vernola Marketplace shopping center area. Are there no other potential impact areas? Also, the Draft EIR is not clear regarding the impacts of the 230 kV transmission line construction versus construction of the 69 kV subtransmission line. It probably is not necessary to segregate the impacts of the two lines, but both lines should at least be mentioned within the context of the impact discussion.

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Also, the impact discussion indicates that Environmental Protection Elements (EPE's) would "provide general protection but without specific mitigation, these temporary impacts would be significant". However, it is not clear that these specific mitigation measures are cited in the Draft EIR.

O-139

6. Page 3-317. The Draft EIR cites "No Impact" relative to LOS standards. However, there is no specific data to support this assertion. On Page 3-313, an LOS table would be helpful in identifying affected roadways and the relative impacts of the project construction.

O-140

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| <p>7. Page 3-317. There is a reference to less than significant temporary construction impacts at the intersections of Wilderness/Jurupa and Van Buren/Jurupa. Assuming that these are the only intersections that would be affected by construction, the Draft EIR should clarify this point.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-141</div> |
| <p>8. Page 3-317. The Draft EIR indicates that the project's operation and maintenance activities would not result in traffic impacts, as only service vehicles would be involved. It would be helpful for the Draft EIR to simply state the number of service vehicle trips that would be generated by the project. This would clarify for the reader the magnitude of traffic associated with operation and maintenance activities.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-142</div> |
| <p>9. Page 3-317. Although the Draft EIR acknowledges that roads may be damaged by heavy trucks, there is no specific data to indicate the magnitude of truck traffic relative to background traffic flows. It may not be necessary to conduct Traffic Index (TI) calculations on affected roadways. However, the Draft EIR should indicate whether the number of heavy trucks would represent a minimal increase in truck traffic, and as such, no measurable impacts would be expected, if this is indeed the case.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-143</div> |
| <p>10. Page 3.317, Impact c). Given that the exact placement of subtransmission line poles and other facilities is not yet known, and the fact that the proposed project is inconsistent with RCALUC regulations and would exceed various airport-related height limits, the Draft EIR cannot support a conclusion that the project would not result in changes in air traffic patterns and air traffic safety risks. The analysis indicates that the project would be in compliance with FAA height requirements, but ignores the conclusions in the hazards and land use sections indicating that the proposed 69 kV subtransmission line would create a significant and unavoidable impact to air traffic safety. The conclusion for Impact c) should be revised to state that the project would have a significant and unavoidable impact on air traffic patterns and air traffic safety.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-144</div> |
| <p>11. Page 3-318, Impact d). The Draft EIR concludes that the project would result in a less than significant impact with regard to the creation of substantial hazards due to a design feature or incompatible use. The proposed 69 kV subtransmission line is incompatible with RCALUC regulations and would exceed various airport-related height limits, resulting in an air traffic safety hazard. The Draft EIR should therefore be revised to conclude that the project would have a significant and unavoidable impact in regard to substantial hazards.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-145</div> |
| <p>12. Page 3-320, Simultaneous Construction of the 230 kV Transmission and 69 kV Subtransmission Lines. The Draft EIR states that simultaneous construction or construction overlap of the 230 kV and 69 kV components is "infeasible" due to permitting, procurement, land acquisition, agency coordination, mitigation implementation, and possible variance requirements. The Draft EIR then addresses the results of simultaneous construction of these two project elements. It would seem appropriate, therefore, to change the word "infeasible" to "unlikely"; if a simultaneous construction scenario is actually infeasible, then there would be no benefit to discussing and analyzing that scenario further.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-146</div> |
| <p>13. Page 3-320. The Draft EIR states that the project would not conflict with public transit, bicycle, or pedestrian facilities. However, there are no specific discussions of these alternative modes of transportation. The Draft EIR should note which transit route roads would be temporarily closed or their capacity reduced, and confirm that public transit would be able to maintain service and schedules. Similarly, the Draft EIR should note where bike lanes and/or pedestrian facilities would be temporarily closed.</p> | <div style="border: 1px solid red; padding: 2px; display: inline-block;">O-147</div> |

3.3 Mandatory Findings of Significance

1. This section fails to identify the significant and unavoidable air traffic safety impacts described in both the hazards and land use section.

O-148

CHAPTER 4 – CUMULATIVE IMPACTS

1. Page 4-16, Noise. The cumulative impacts discussion for noise lacked sufficient detail to arrive at a determination of no significant effect. Additional justification should be added.
2. Page 4-18, Transportation and Traffic. To consider cumulative effects, the effects of other projects when combined with this project need to be considered. The analysis only considers the effects of this project. From the analysis a determination of no significant effect cannot be made, and additional justification is needed.

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CHAPTER 5 – ADDITIONAL TOPICS

No comments.

CHAPTER 6 – PROJECT ALTERNATIVES

1. Under CEQA, findings of overriding significance are to explain whether and why mitigation measures and project alternatives have been accepted or rejected. The analysis provided in the document pertaining to visual resources is not sufficient to do so. The information presented in Chapter 6 of the Draft EIR and the Aesthetics and Visual Resources Technical Report does not clearly establish that the proposed transmission line route avoids or substantially reduces any potential significant effects, minimizes environmental impacts, and is indeed the environmentally superior alternative. Information provided is lacking or is not structured in a way that allows a reasonable comparison of the preferred alignment with the alternatives.
2. Page 6-42, Siting and Routing Alternatives, Limonite Route. This alternative route is missing the description of the alternative.
3. It is concluded in the Draft EIR that impacts to aesthetic resources related to the preferred 230 kV transmission line route are significant, cannot be mitigated, and will require a finding of overriding significance. As such, it is important that the alternatives analysis is sufficient to support this conclusion and clearly determine that the proposed transmission line route avoids or substantially reduces any potential significant effects, minimizes environmental impacts, and is indeed the environmentally superior alternative. The analysis seems to fall short of doing so.
4. Appendix D: Siting Study. The alternatives analysis presented in *Appendix D: Siting Study*, identifies visually sensitive locations, users, and regulatory policies. However, a determination was made that visual resources considerations were so widespread that they did not significantly contribute to the identification of routing options and were therefore not used in the evaluation of alternatives.
5. Undergrounding Options. A strong justification for not undergrounding sections of the 230 kV transmission line is provided. A significant aspect of the justification provided is the potential visual effects on existing vegetation due to construction activities, the effects of heat dissipation from the line on vegetation post construction, and limits on vegetation over the underground line to prevent root intrusion. The alternatives analysis only generically describes visual

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impacts of undergrounding the transmission line and ultimately cites economics as a significant determining factor.	O-155
It is not clear from that analysis if trenching as an underground alternative considered co-use of roadways and/or the trail system in the area to avoid impacts on vegetation, or if the assumption is that the transmission line ROW for an overhead line would necessarily have to be used and be separate from the transportation infrastructure.	O-156
A key justification for not undergrounding all or sections of the transmission line is economics. While discussion of project-related economics damage is not required by CEQA, economics are often considered if the project causes physical damage. For example, if a roadway project eliminates access to a business area, and the resultant loss of taxes would reduce an agency's ability to maintain environmental protection, economic impacts would be discussed in an EIR. While not required by CEQA, public costs and revenues of a project may be analyzed concurrently with environmental review. However, no such concurrent analysis is provided.	O-157
6. Page 6-66, 230 kV Transmission Line Routing – Van Buren Offset. The analysis only broadly describes the visual impacts of the Van Buren Offset Route alternative that does not allow a true comparison of effects equivalent to that prepared in <i>Appendix B: Aesthetics and Visual Resources Technical Report</i> . Further, Table 6.5-1 indicates that the impacts to aesthetics of the No Project alternative are “similar” to the Proposed Project. The table also lists impacts associated with the Van Buren Alternative as “increased”. It is not clear how these determinations could be made given the conclusion in the siting study that visual resources were not used in the sensitivity analysis of alternatives.	O-158
	O-159
7. 69 kV Transmission Lines. The analysis states that there are no highly sensitive areas where 69 kV lines would be “out of scale or in contrast with the existing landscape to the extent where the landscape character would be substantially degraded, and impacts would be less than significant.” Figure 3.2.1-24, one of many figures cited, clearly illustrates proposed TSPs in a residential area that are more than three times taller than existing utility service lines. It is difficult to accept the conclusion. Figure 3.2.1-24 shows a distorted scale of the base image between the “proposed project” as compared to the “existing conditions” as evidenced by a size comparison of the vegetation behind the white-roofed structure.	O-160
	O-161

CHAPTER 7 – PUBLIC AND AGENCY CONSULTATION

No comments.

CHAPTER 8 – REFERENCES

No comments.

CHAPTER 9 – LIST OF PREPARERS

No comments.

APPENDIX B – TECHNICAL REPORTS

Aesthetics and Visual Resources Technical Report

1. The introduction to the technical analysis states:

“This technical report was developed as a supporting document to the Draft Environmental Impact Report (DEIR) required under the California Environmental Quality Act (CEQA) for the Proposed Project. It includes analysis of environmental impacts associated with both the Proposed Project (sometimes referred to as the 1-15 Route or Build Option B) and the 230 kV Van Buren Offset Route alternative (sometimes referred to as Build Option A). The report was completed prior to refinement of the Proposed Project and may contain outdated component identification information (e.g., segment, line, link identifiers) that may differ in description in the DEIR.”

O-162

As noted, the segments and link identifiers are somewhat different than that in the Draft EIR, making it difficult to readily confirm how the analysis contained in the Aesthetics and Visual Resources Technical Report pertains to the Draft EIR analysis and its conclusions.

Traffic Technical Report

2. Pages 28-29, 31. Tables 7 through 9 provide detailed information relative to each construction route in terms of whether the line would parallel or cross various roadways. It is not clear, however, where the construction would actually close and/or reduce available lanes on these roadways.
3. Pages 37-38. Very detailed construction impact analyses have been distilled into “Sensitivity Values”. While these relative impact levels are helpful, it is recommended that specific impact locations be cited in terms of roadway closures or disruptions.
4. Page 39. Table 13 provides a summary of impacts on different roadway classifications and alternative transportation facilities, but does not identify specific roads, transit facilities, or bike routes. This information is particularly important where certain facilities are identified as having “High Sensitivity” impacts.
5. Page 46. Table 15 summarizes the relative roadway lengths that would experience Low, Moderate, and High impacts due to the 230 kV line’s construction. Again, specific roads or alternative transportation facilities are not discussed.
6. Page 46. The discussion of employee trip generation should provide some basis of comparison that would clearly show that 117 daily trips would not be measurable when added to major routes in the area.
7. Pages 52-53. Tables 16 and 17 summarize the relative roadway lengths that would experience Low, Moderate, and High impacts due to the 69 kV line’s construction. Again, specific roads or alternative transportation facilities are not discussed.
8. Page 53. The 69 kV construction employment would only result in 63 daily trips. The relative increases on area roads would be minimal, and this should be stated within the context of existing major roadway volumes.
9. Pages 55-57. The list of recommended specific mitigation measures provides an excellent summary of how traffic and alternative transportation facilities are to be maintained. However, there are no specific roadways mentioned in this listing.
10. Page 58. Table 18 provides very specific intersection impact calculations relative to the Wildlife and Wilderness Substation construction. These impact calculations are a good example of what should be provided for other impacts associated with the 230 kV and 69 kV line construction.

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Comment Letter O: Jeffrey Smith, RMT, Inc. and Jensen Uchida, California Public Utilities Commission**Response to Comment O-1**

Contrary to the commenters' assertion, Chapter 2 of the DEIR does not state that upgrades would be required at the Pedley Substation associated with the RTRP. Although the telecommunication line would pass through Pedley Substation, no upgrades related to the telecommunication line would be required.

Response to Comment O-2

All maps in the DEIR have been updated, as shown in Volume II of this FEIR, to clarify the city boundaries in relation to RTRP components.

Response to Comment O-3

Text in Table ES-2 was revised, as shown in Volume II of this FEIR, to reflect impacts on the Santa Ana River Trail (SART), Santa Ana River Regional Park, Hidden Valley Wildlife Area, future use of Hole Lake, Limonite Meadows Park, and residential areas. Although the text has been revised to clarify analysis already provided regarding these impacts, the significance conclusion has not changed.

The Agricultural Park site is not a public use recreational park; it is a hazardous waste site (see DEIR page 3-199).

Response to Comment O-4

Due to undergrounding of the 69 kV subtransmission line route near the Riverside Municipal Airport, as discussed in Chapter 2, Section 2.3.2, in Volume II of this FEIR, the row in question has been removed from Table ES-2.

Response to Comment O-5

See Response to Comment O-3.

Response to Comment O-6

Undergrounding of existing local distribution in locations 9 and 10 has been removed as a necessary project feature. Undergrounding of existing distribution lines would not occur in these locations. Area of disturbance from undergrounding of existing local distribution has been reduced to 3.6 acres. Text in Section 2.3.5 has been updated with the most accurate information, as shown in Volume II of this FEIR. As the analysis captured the worst-case scenario, removal of these locations and associated reduction in ground disturbance do not result in new or additional significant impacts.

Response to Comment O-7

See Figure 2.5-1 for proposed locations of marshalling yards No. 1 and No. 2. Table 2.5-3 indicates that marshalling yard No. 1 would be 15 acres and marshalling yard No. 2 would be four acres.

Text in Section 2.5.2, subheading Marshalling Yards, has been revised, as shown in Volume II of this FEIR, to clarify the number and size of the marshalling yards:

Construction of the Proposed Project transmission lines would begin with the establishment of ~~approximately~~ two temporary marshalling yards located at strategic points along the route. RPU, SCE, or their contractors...

~~Each yard would be approximately 2 to 20 acres in size, depending on land availability and intended use. Yard No. 1 would be 15 acres and yard No. 2 would be 4 acres in size. Preparation of the marshalling yards...~~

Response to Comment O-8

In response to comments seeking additional details of the Proposed Project design, including the location of access roads, Attachment D has been included within this FEIR. This map shows the proposed location of the 230 kV transmission line as well as other construction features including access roads, tower locations, and pulling and tensioning sites. The environmental impacts discussed within Chapter 3 of the DEIR were based on the design and location of the Project design features displayed on Attachment D. Private property acquisition to accommodate the 230 kV transmission line would be required, and is described on page 2-42 of the DEIR.

With the exception of isolated sections of existing roads, the entire ROW and access roads would require new property/easement acquisition. The land disturbance calculations can be found in the Land Disturbance Table 2.5-3a in Chapter 2 of the DEIR. Although a preliminary Project layout has been developed, exact locations for access roads and spur roads would not be determined until final engineering, ROW survey, and environmental review.

Response to Comment O-9

The Proposed Project has been designed to span and avoid wetlands and riparian areas. Work limits for tower construction, tower footprints, and pull and tension sites would be in upland locations. Stringing of the conductor pull lines would be completed by helicopter in the vicinity of the Santa Ana River, and no entry to the river channel vegetated areas or open water by equipment is expected. There is no dredge or fill action expected from construction of the Proposed Project. Thus, no direct or indirect impact to wetlands or riparian habitat will occur as a result of the Proposed Project. If it is determined during final design of the Project that impacts to wetlands or riparian habitat may occur, a habitat assessment will be conducted, and if necessary, a formal wetland delineation. If it is determined that impacts to wetlands and/or jurisdictional waters cannot be avoided, SCE will consult with the USACE and/or CDFG and prepare the necessary permitting documentation. All permit conditions will be followed to ensure that impacts remain less than significant (see Hydrology section and mitigation measure HYDRO-01 and the Biology section and mitigation measure BIO-10). Neither the Biological Resources section nor the Hydrology section discusses in-stream work because none is presented as part of the Proposed Project. "Wet crossings" is used as a reference to swales or other areas that might have intermittent surface run-off.

Response to Comment O-10

Table 2.5-3a has been updated, as shown in Volume II of this FEIR, in Section 2.5.2 to present the expected ground disturbance from the construction of the 69 kV subtransmission line. The

information presented in this table was already incorporated into the impact analysis disclosed in the DEIR and does not affect the significance determinations made within the DEIR.

Response to Comment O-11

Table 2.5-5 includes the ground disturbance estimates for the installation of the fiber optic cables. As discussed above in response to Comment O-10, ground disturbance estimates for the new 69 kV subtransmission lines have been incorporated into Table 2.5-3a. A new table (Table 2.5-3b) has also been created to display the ground disturbance estimates for the new substations; there are no ground disturbing activities associated with the upgrades to the existing 69 kV substations. The information presented in these tables was incorporated into the impact analysis disclosed in the DEIR and does not affect the significance determinations made within the DEIR.

Tables 2.5-1 and 2.5-2 summarize the vehicles and other equipment that would be required for the 230 kV transmission line and 69 kV subtransmission line, respectively. Similarly, Table 2.5-4 summarizes the vehicle and equipment necessary for the fiber optics installations. A new table (Table 2.5-2a) that summarizes the new substations has been provided in response to this comment.

Response to Comment O-12

See Response to Comment O-11 above. Clarification of the number of anticipated truck trips has been added to Section 2.5.3, as shown in Volume II of this FEIR. The information presented was incorporated into the impact analysis disclosed in the DEIR, including the air quality analysis, and does not affect the significance determinations made within the DEIR.

Response to Comment O-13

The typographical error in Table 2.9-1 has been corrected as shown in Volume II of this FEIR. Correction of this typographical error does not change the significance conclusions for the analysis. The Proposed Project would fully span the Santa Ana River. No bank or below-bank construction would occur. Because of the occurrence of other Waters of the U.S. within the Proposed Project corridor, a Section 404 permit is already listed in the table of potential permits and approvals. A Section 404 permit for the portion of the route spanning the Santa Ana River is not anticipated because there is no dredge or fill action expected from construction of the Proposed Project within the area of the Santa Ana River crossing. Please also refer to Response to Comment O-9.

Response to Comment O-14

The scenic quality evaluation, as adapted from the U.S. Department of the Interior, Bureau of Land Management (BLM) methodology, is not applicable to developed landscapes because the “cultural modifications” key factor evaluates developed features in their entirety as modifications to the natural landscape that are often a neutral or detracting feature (-4 score or 0 score on the cultural modifications component of the scenic quality evaluation) (please see Bureau of Land Management Manual H-8410-1: Visual Resource Inventory, Illustration 2 “Scenic Quality Inventory and Evaluation Chart”). Applying this key factor to a setting where architectural and developed features dominate because the entire landscape is already “modified” allows the criteria to be tailored to the setting type. For example, in undeveloped landscapes, ephemeral and non-visual conditions such as wildlife sightings, waterfall sounds or other natural sounds or

conditions would be out of place and even disconcerting in a highly developed landscape. Conversely, cityscape sounds may positively contribute to a developed setting, but would be out of place and detracting in a natural setting. The characteristics of the architectural setting (architectural and landscape elements) can be evaluated in and of themselves as a whole rather than be compared against an “intact” and “natural” landscape. All archetypical natural Class A landscapes (e.g., Grand Canyon, Glacier National Park) evoke specific imagery that is completely different than highly organized, unique, or historic developed Class A settings (e.g., the Vatican, central Brussels) and warrants a separate, but sometimes similar, set of criteria for evaluation.

Regarding golf courses being rated as 2 or 3 in scarcity (on a 1 to 5 scale in the physiographic *region*), these would rate as somewhat distinctive but not unique or rare in the region. A rating of 4 or 5 would be rare or unique. No golf course was rated over 3 in scarcity. Similarly, only one golf course (Paradise Knolls) received a higher rating, with most of the others receiving a 1, 2 or 3. Therefore, the commenter is incorrect in stating that these were rated “high.” A Class A (developed, Visual Integrity) rating does not indicate a level of “intactness” compared to a “natural” state, but the visual quality of the developed landscape. Evaluation of natural landscapes, as the commenter correctly identified as including the Santa Ana River Corridor, utilized “Scenic Quality” criteria. Accordingly, the analysis of aesthetic impacts is fully consistent with available guidance, and the significance conclusions are supported by substantial evidence.

Response to Comment O-15

The tubular steel pole (TSP) that is closest to the viewer in Figure 3.2.1-14 is approximately 109 feet tall. The foundation of this TSP is located at the toe slope of the river, which is out of view in this photo. The TSP is approximately 500 feet from the viewer, while the single-story residence in the foreground is approximately 195 feet from the viewer. While the TSP does seem to be fairly close to the same viewing distance as the single-story residence, it is in fact quite a bit farther away, thus making it appear shorter. Accordingly, the photos are in proper scale. The focal length of the photo used for this simulation was 28mm. Figures 3.2.1-14 and 3.2.1-21 illustrate significant aesthetic impacts where the 230 kV transmission lines would be visible from residential areas, and where worst-case viewing conditions would occur.

VP 4: This simulation consists of two photos that are stitched together. The focal length of both photos is 28mm. Using photos that are slightly wider-angled may give the perspective that objects are farther away from the viewer; however, proposed towers and poles are accurate in height and scale to objects within the photos. The relationship between the size of the photograph and the distance of the viewer observing the photograph is a very important aspect of representing “naked eye” reality. While the use of 55mm photos would more precisely match the human eye in terms of perspective accuracy (25.4° field of view for a 50mm lens vs. 43.8° field of view for a 28mm lens) and is more often used as compared to a 28mm lens, the use of a wider angle lens is acceptable under industry standards and gives a broader landscape context to the image while preserving the height and scale of the Project relative to surrounding features. The simulations would need to be held at a specific distance to provide a precise representation of what is actually seen by someone with the naked eye, a variable that the Lead Agency has no control over (about five to nine inches, depending on the size of the simulation print and the

focal length; based on the National Research Council formula shown on page 251 of the *Environmental Impacts of Wind-Energy Projects* publication, 2007).

Response to Comment O-16

In response to comments seeking additional details of the Proposed Project design, including the location of access roads, Attachment D has been included with this FEIR. This map shows the proposed location of the 230 kV transmission line as well as other construction features, including access roads, tower locations, and pulling and tensioning sites, subject to final engineering design. The environmental impacts discussed within Chapter 3 of the DEIR were based on the design and location of the Project design features displayed on Attachment D. CEQA does not require the same level of detail for alternatives in comparison to the Proposed Project; therefore, preliminary design mapping has not been provided at the same level of detail as the Proposed Project, which includes tower locations and proposed access roads (CEQA Guidelines 15126.6(d)). Ultimately, however, the level of detail provided as to the alternatives was sufficient to enable meaningful environmental review and comparison of potential impacts among alternatives.

Response to Comment O-17

Figure 2.4-1 shows typical structures that would be utilized for the Proposed Project. Please see Attachment D, which illustrates the preliminary design provided by SCE. These maps show the locations of the structures, proposed access roads, pulling and tensioning sites, and marshalling yards. Exact structure designs and their locations may slightly deviate based on final engineering design. The visual simulations provided in the DEIR show lattice steel structures (LSTs) and tubular steel poles (TSPs) for the 230 kV Project component based on preliminary engineering and structural requirements and location. The LST or TSP structures, however, may be dead-end, medium or light angle, or tangent structures that vary in their visual attributes. The configuration of the conductor wires on the TSPs may also somewhat differ. Preliminary engineering was based on conservative estimates regarding structure sizes and heights, and therefore represent the worst-case structure size and mass. Figures 3.2.1-14 and 3.2.1-21 illustrate significant aesthetic impacts where the 230 kV transmission lines would be visible from residential areas, and where worst-case viewing conditions would occur. Please see Table 2.4-1 in Chapter 2 in Volume II of this FEIR for additional detail.

Response to Comment O-18

Consistency with the Riverside County General Plan is included in Chapter 3, pages 3-239 through 3-243, of the DEIR in Land Use and Planning (also see Response to Comment BBBB-7).

A plan consistency review was covered in the Land Use section in Chapter 3 of the DEIR. An inconsistency between a proposed project and an applicable plan is a legal determination, not an aesthetic (physical) impact on the environment. Inconsistency with the plan alone does not mandate a significant aesthetic impact finding, but may factor into consideration of impact significance. Significant impacts are disclosed in the DEIR relative to aesthetics, including urban areas (DEIR, Section 3.2.1). However, compliance with C 25.2, LU 13.5, or LU 25.5 was not specifically addressed in the DEIR in either the Aesthetics section or Land Use section. Policy

JURAP 7.13 compliance was addressed in Land Use (pg. 3-243 of the DEIR). Please see Master Response #12 for a consistency analysis regarding agency policies.

The Proposed Project will typically use TSPs for the 230 kV component except in areas where long spans or heavy angles are required. The Proposed Project will primarily use TSP structures due to several factors:

- 1) Right-of-way width requirements for TSPs are reduced in urban areas.
- 2) TSPs have a much smaller base footprint, which is why more transmission companies are considering the use of this type of tower in populated/urban areas, where space is more limited.
- 3) TSPs are generally considered to be more aesthetically pleasing than lattice steel towers (LSTs) because they seem to have a more orderly, architecturally uniform structure.

With regards to view blocking, views to the surrounding mountains may potentially be affected by the Proposed Project. The blocking of views toward the surrounding mountains is dependent of the location and type of structure used (LST vs. TSP), the viewing position, and the line of sight to the mountains. There are several hills surrounding the Jurupa Valley, along with the Santa Ana Mountains located to the south, and the San Gabriel Mountains located to the north. Generally, transmission lines do not tend to block views from specific viewpoints, but rather are visible or impede views while not specifically providing an opaque barrier. For example, although the conductors (i.e., wires) may be in view within a viewshed towards a mountain range, the view would not be blocked, and visibility of the mountains would remain; adverse affects would occur, but would not be significant (see significant visual impacts in Section 3.2.1 of the DEIR). However, there are four locations where structures (i.e., LST or TSP) would potentially be in the direct sightline and partially blocking views towards the San Gabriel or Santa Ana Mountains from houses: 1) along Rutland Avenue/Bradford Street north of Jurupa Ave. directly south of the Santa Ana River; 2) Auld Street/Julian Drive also north of Jurupa Ave.; 3) Grulla Court/Viceroy Avenue north of Arlington Ave. on the south side of the Santa Ana River; and 4) 68th Street north of the Santa Ana River. The exact location of structures and potential line of sight obstruction will not be known until structure spotting and final engineering is completed; however, worst-case potential impacts were fully analyzed in the DEIR, as analysis was conducted on structures and pole locations as shown on Attachment D to this FEIR. As stated in the DEIR, significant impacts on aesthetic resources would occur in these areas due to degradation of the scenic vistas of the Santa Ana River corridor and degradation of the visual character of the river's site and surroundings. The views to the distant mountains contribute to the appeal of these views, and effects of potential obscurement of the views to these mountains were considered as a worst-case scenario, but it is the vistas of river corridor directly adjacent to these observation points that make views scenic. Therefore, the conclusion and disclosure that aesthetic impacts in these areas would be significant remains valid because the impact is not based on distant mountain view interference, and DEIR recirculation is not required.

Response to Comment O-19

An amendment to General Plan Policy LU 6.2 was passed by Riverside County, and the revised policy language is included on page 3-240 of the DEIR. The Proposed Project was found consistent with this policy because, if General Plan Land Use Policy 6.2 and Section 18.2a of

Ordinance 348 are consistent, a public utility may be allowed in any zone with an approved Public Use Permit. The Proposed Project (230 kV transmission line component) would not be subject to such a permit in accordance with GO 131-D, under which any discretionary authority exercised by local jurisdictions would be preempted by the CPUC's decision on the Project. The Proposed Project would traverse lands that fall into Community Development, Rural Community, and Open Space-Water designations and, therefore, the Project would be consistent with the policy. Please see expanded discussion above in the introduction to Master Response #12.

Response to Comment O-20

See Response to Comment O-15.

Response to Comment O-21

The preliminary design for the Santa Ana River crossing provided by SCE utilized paired single-circuit lattice structures (two, side by side, placed on each river bank). However, this design has been refined since the publication of the DEIR and is now proposed as a single double-circuit lattice structure in order to further reduce impacts. Refer to Chapter 3, Section 3.2.1 in Volume II of this FEIR for a simulation (Figure 3.2.1-16) and more detailed discussion of this Proposed Project change.

Response to Comment O-22

Regarding Figure 3.2.1-24, the existing distribution poles and lighting system currently existing in the view impose a strong vertical element streetscape, and contribute to the definition of the visual character. The commenter is incorrect in stating that the new structures are TSPs and that they are more than three times taller than the existing utility service lines. The simulation shows both new TSPs and wood pole structures, and the TSP on the left side of the simulation is less than two times the height of the existing pole. The spacing of the new TSP structures would be at such a distance, typically located only in areas that require more a more robust design, such as at angle points, that their increased size relative to the existing poles would not significantly affect the viewshed. Typically, the structures would be wood poles in residential areas, as shown by the two tangent middleground structures in the simulation. While these structures are significantly higher than the existing structures (less than two times the height of the existing structures), the materials and presence of the new poles typically located in the same sites as the existing structures would be similar to existing vertical, linear streetscape elements already installed, and would not strongly contrast with the existing infrastructure. Therefore, the conclusion is the same: The existing landscape character would be adversely affected, but impacts would not be significant, as stated on page 3-55 of the DEIR. The base photo for this simulation has a focal length of 48mm. Contrary to the commenter's assertion, the proposed conditions photo relative to the existing conditions photo is not distorted; vegetation clearing and trimming was performed for this simulation to account for additional ROW clearance required for the Project, which illustrates that some vegetation would be smaller in size after the Project is constructed. Also, the cobra head lights have been raised in elevation relative to the existing condition in the simulation for the new poles. These factors account for the apparent distortion between the two images. The new wood poles would be approximately 75 feet tall as compared to the existing poles, which are about 40 feet tall.

The Proposed Project description has been revised to describe where the 69 kV subtransmission line would be located relative to the street and existing distribution lines. In summary, there are three locations where the Project would require the construction of a new 69 kV subtransmission line on the opposite side of the road where distribution lines or other subtransmission lines are located and would remain in place: along Cypress Avenue between Chapel Street and Crest Avenue, along Jurupa Avenue between Martha McLean-Anza Narrows Park and Florence Street, and along Wilderness Avenue. In these areas, the new subtransmission pole spacing would be greater than approximately 150 feet. The distance between these new poles, up to about 300 feet, would be substantially greater than the distribution poles on the opposite side of the street, or the width of the street diminishes the impacts of the two lines, minimizing the potential transmission line “canyon” effect. Section 2.3.2 of the DEIR describes the 69 kV subtransmission line construction as occurring either on new poles or underground within a duct bank, or adjacent to an existing line on existing or newly replaced poles; these configurations were fully considered in the analysis of environmental impacts. Accordingly, and contrary to the comment, the collocation was called out in Chapter 2, Proposed Project Description, as described above.

The Indiana Street alignment would replace the existing transmission structures on the south side of the road, and would retain the visual character of the area due to the presence of the existing transmission line and the similar materials, location, and weak contrasts created by the rebuilt structures. Impacts on existing visual quality or character of the site and surroundings would not be significant.

Response to Comment O-23

Landscape screening of the Wilderness Substation is discussed in Chapter 2, page 2-46, of the DEIR and is a Project feature. The less-than-significant impact conclusion is thus supported by substantial evidence and remains valid.

Response to Comment O-24

Section 3.2.1, Aesthetics, Environmental Impacts criterion d) has been revised, as shown in Volume II of this FEIR, to include the following:

“Some minor light and glare would, on occasion, be created for a short time after dusk. However, because motorists, residences and other potentially sensitive receptors are not nearby, SART use times are during daylight hours, and the additional light would not cause a substantial increase in light or glare, the effects on day or nighttime views would ~~also~~ be less than significant due to the implementation of EPEs AES-02, AES-03, AES-05, and AES-08 as described in Table 3.2.1-2 in the DEIR...”

Response to Comment O-25

The term “underbuild” is used to describe a transmission or subtransmission line that is built under existing lines, using existing poles or structures as a support. There is no underbuild shown in Figure 3.2.1-23 in the DEIR, and the Proposed Project does not include underbuild. Consideration of combining the Proposed Project with existing facilities was done, but was determined not to be feasible with existing lines in the example cited, due to the voltages of the lines. Where tubular steel poles could be used, they were implemented as part of the Proposed Project; however, the use of steel lattice towers was necessary in many instances due to

engineering constraints of the 230 kV transmission line. Further, a discussion of the use of EPEs is present on page 3-58 of the DEIR and includes the lack of other mitigation measures that would reduce the impacts to a less than significant level.

Response to Comment O-26

Text in the referenced section has been revised and moved to Section 3.2.2, Environmental Impacts, criterion b), as shown in Volume II of this FEIR. Because this is an editorial change that simply moves information from one location of the EIR to another, this edit does not change the overall analysis of the Project's potential impacts, and the EIR's significance conclusions remain accurate.

Response to Comment O-27

The previous sentence states: "Based on the CEQA Guidelines, the analysis considers whether the Proposed Project would result in impacts to *Prime Farmland*, *Unique Farmland*, and *Farmland of Statewide Importance* (hereafter collectively referred to as Farmland)." CEQA does not include Farmland of Local Importance in its Appendix G checklist. However, for information purposes only, if these lands were analyzed for the Proposed Project, 0.5 acre of Farmland of Local Importance would be permanently converted as a result of the Proposed Project.

Response to Comment O-28

According to the City of Riverside Planning/Property Viewer (accessed March 23, 2012), the proposed Wildlife and Wilderness Substation site is located on lands zoned as "Business and Manufacturing Park." In addition, the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), 2004 Riverside County Important Farmland Map, classifies the site as Farmland of Statewide Importance. The DOC states that land designated as Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the four years prior to the mapping date (2004) in order to meet the requirements for this classification. This land, however, has not been under agricultural production for at least the City's 40-year ownership. Accordingly, the EIR's conclusion that no significant impact would occur to agricultural land as a result of the Substations' development is fully supported by substantial evidence.

Response to Comment O-29

Telecommunication cable installation would occur with transmission line construction, on existing structures or underground in a few isolated areas. Installation of a portion of new underground fiber optic line would occur adjacent to or within the proposed Wildlife and Wilderness Substation site designated as Farmland of Statewide Importance (see Response to Comment O-28 above). As previously discussed in this response, the DOC states that land designated as Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the four years prior to the mapping date (2004) in order to meet the requirements for this classification. This land, however, has not been in agricultural production for at least the City's 40-year ownership. No other portion of the telecommunications cable would be installed on any land triggering a significant impact for conversion of agricultural resources as designated in the CEQA Guidelines.

Response to Comment O-30

References have been updated, as shown in Chapter 8, Volume II of this FEIR.

Response to Comment O-31

Table 3.2.3-2 has been updated with the 75 CFR 35520, June 2, 2010 value of 75 parts per billion as shown in Volume II of this FEIR. Peak construction emissions for sulfur dioxide would be in the range of 0.18% of the regional significance threshold. Updating this table does not alter the analysis or results.

Response to Comment O-32

Text in Section 3.2.3, Impact Assessment, has been corrected to say “extreme” rather than “serious,” as shown in Volume II of this FEIR. Analysis remains the same for this non-attainment criteria pollutant.

Response to Comment O-33

The usage of the LST methodology upholds SCAQMD’s environmental justice programs (<http://www.aqmd.gov/ej/>) and provides a quantitative framework for measurable emissions across sensitive receptors. The DEIR described the evaluation criteria, and the analysis followed a documented methodology for assessing the Proposed Project’s Air Quality impacts against those criteria established by SCAQMD. No changes were made in the DEIR.

Response to Comment O-34

Text in Section 3.2.3, Impact Assessment, has been modified to introduce tables appropriately and clarify their applicability. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-35

As described within the DEIR in Section 3.2.3, Air Quality and Greenhouse Gas Emissions, CEQA criterion a), “[t]he AQMP for the SCAB sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections (SCAQMD 1993, Pg 12-3).

“The Proposed Project consists of the construction and operation of transmission and subtransmission lines, which are needed to serve the existing and planned electricity needs of the City of Riverside. The Proposed Project is consistent with the City of Riverside’s General Plan 2025 and the County’s General Plan 2008 and will not obstruct implementation of the AQMP. Impacts are considered less than significant.”

Response to Comment O-36

Methodology in Section 3.2.3, Impact Assessment, Significance Threshold Criteria, has been clarified to indicate the Lead Agency’s voluntary use of the LST approach to analyze localized impacts. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-37

It is unknown if nearby projects are or would be in compliance with AQMP requirements. The DEIR states, “It is too speculative to present an accurate estimate of emissions from all potential projects within the Proposed Project area, as specific project information is not available and potential construction schedules are likely to change” (DEIR page 3-89). Further, “it can be assumed that one or more other projects will be in construction or will start operations and cause emissions that exceed regional thresholds for NO_x and thus would be considered cumulatively significant with those of the Proposed Project’s construction at some point” (DEIR page 3-89). A conservative approach was taken in order to capture impacts from a “worst-case” scenario, and then potential cumulatively significant impacts were concluded, as appropriate.

Response to Comment O-38

The Air Quality Technical Report (Section 3.1) in Appendix B of the DEIR indicated that the air quality and GHG analysis accounted for haul truck trips as part of construction-related activities. Table 3.2.3-15 of the DEIR accounts for all construction-related activities, which included construction haul truck trips.

Response to Comment O-39

Text in Section 3.2.3, Impact Assessment: Greenhouse Gas Emissions criterion a) has been revised to address indirect GHG emissions as shown in Volume II of this FEIR. The significance determination did not change as compared to what was depicted in the EIR, and thus no recirculation of the EIR is required. See Master Response #4.

Response to Comment O-40

Biological Resources environmental setting and analysis were based upon habitat conservation plan areas, vegetation communities, and habitats across the entire Proposed Project area and did not indicate any park boundaries. Habitats that would occur within the Hidden Valley Wildlife Area were included as part of the analysis. See Figure 3.2.4-1. Parks, recreation, and preservation areas are discussed in Section 3.2.14. For clarification, a reference to the Hidden Valley Wildlife Area has been added to the description of environmental setting under Biological Resources. Analysis is not affected.

Response to Comment O-41

Links are defined in the text and a footnote at the bottom of Table 3.2.4-2. Links are sections of the proposed line that are routed between nodes or common points, and are separate and distinct from biological linkages. “Segment” is a general term for any portion of the line distinguished for some functional or descriptive purpose. The term segment is used variously in Chapter 2 (e.g., “five new 69 kV transmission line segments”; “For ease of discussion and clarity, these proposed types of construction are described by specific segments”; “it is typically installed in segments up to 19,000 feet”; “The transmission line segment may pose a fire hazard”). Additional clarifications have been added to Section 3.2.4, Methodology for Resource Inventory and Other Data Collection, as shown in Volume II of this FEIR.

Response to Comment O-42

As described in the DEIR, water resources within the Proposed Project study area were inventoried and evaluated using GIS data obtained from government agencies, review of relevant studies and agency programs, agency consultation, and inspection of resources in the field. Jurisdictional waters and the methods used to identify, map, and analyze surface waters (including wetlands) are covered in Section 3.2.8. Aquatic habitats are discussed, where relevant, throughout Section 3.2.4, Biological Resources. Wetlands within a 2,000-foot habitat analysis corridor are listed in Table 3.2.4-1. Text in Section 3.2.4, Methodology for Resource Inventory and Other Data Collection, has been amended, as shown in Volume II of this FEIR.

Response to Comment O-43

Clarification of these terms was made to Section 3.2.4, Methodology for Resource Inventory and Other Data Collection: Special-Status Species, as shown in Volume II of this FEIR.

Response to Comment O-44

The CNDDDB citation date in Section 3.2.4, Methodology for Resource Inventory and Other Data Collection, has been updated. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-45

Thank you for your comment; it has become part of the project record. The text in Section 3.2.4, Critical Habitat, has been modified to reflect implementation of water quality protection measures as shown in Volume II of this FEIR. As described there, implementation of a Storm Water Pollution Prevention Program for the Proposed Project (through mitigation measures MM GEO-02 and MM HAZ-03) would ensure that runoff, erosion, and sedimentation would not indirectly affect Critical Habitat.

Response to Comment O-46

“Engage” has been replaced with “overlap” in Section 3.2.4, Environmental Setting. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-47

A more detailed map book indicating habitats and special-status species occurrences within the Project area has been provided in Attachment E to this FEIR. Special-status species occurrence locations (either based on CNDDDB data or data collected for the Proposed Project’s CEQA analysis) are shown. Although habitat was identified for a variety of species (as discussed in the DEIR), it should be noted that special-status species occurrence locations were only identified for burrowing owl and least Bell’s vireo.

Response to Comment O-48

In the project location referenced, the structure would be sited at the edge of a tee box on developed ground at the Goose Creek Golf Club. Here construction would occur on the upland side of an existing berm; therefore, indirect erosion or sedimentation that could impact aquatic resources in or adjacent to the Santa Ana River would be unlikely, even in the absence of BMPs, environmental protection measures (see EPE GEO-02 and EPEs under Hydrology), and other mitigative elements. As discussed on page 3-139 of the DEIR, the Proposed Project would

include setback distances to riparian vegetation of 10 feet for all construction and 30 feet to wetland vegetation communities and drainages for refueling, thereby further avoiding direct or indirect effects to aquatic resources.

Response to Comment O-49

The text in Section 3.2.4, Regional Wildlife Movement Corridors, has been clarified. The Proposed Project would span the river channel and the riparian zone (entire stream zone). No disturbance or impacts would occur in this area. Revisions can be seen in Volume II of this FEIR. Analysis of water resources is sufficient and complete and may be found in Section 3.2.8.

Response to Comment O-50

The wetlands in Table 3.2.4-1 are those falling within a 2,000-foot study corridor. Figure 3.2.4-1 presents the 2,000-foot study corridor used for the proposed 230 kV transmission line. As discussed in the text, wetland habitats would not be affected by the Proposed Project. Greater details on wetlands were discussed in Section 3.2.8.

Response to Comment O-51

See Response to Comment O-41.

Response to Comment O-52

Text in Section 3.2.4, Sensitive Wildlife Species, has been revised to include impact determinations for all species regardless of likelihood of occurrence. Revisions can be seen in Volume II of this FEIR. Significance conclusions are unaffected.

Response to Comment O-53

The citation for the mammal study is included on page 3-115 of the DEIR.

Response to Comment O-54

The text states that the northwestern San Diego pocket mouse is present within evaluated transmission line corridors, not the Proposed Project's route. The text on page 3-114 is correct.

Response to Comment O-55

The text in Section 3.2.4, Sensitive Wildlife Species: Stephens' kangaroo rat, has been corrected. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-56

Please see Response to Comment O-52.

Response to Comment O-57

See Response to Comment O-52. The phrase "this would have a determination of less than significant" has been revised to provide clarification.

Response to Comment O-58

The text in Section 3.2.4, Sensitive Wildlife Species: northern red-diamond rattlesnake, has been corrected. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-59

The DSF study was cited on page 3-116 of the DEIR.

Response to Comment O-60

The text in Section 3.2.4, 69 kV and 230 kV Substation Upgrades, has been clarified to state that sites with existing substations are fully developed. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-61

The text in Section 3.2.4, Regulatory Setting: California Endangered Species Act, has been corrected. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-62

Effects to riparian habitats and their protection are discussed on pages 3-137, 3-139, 3-140, 3-143 and 3-144 of the DEIR. Temporary and permanent project disturbances by habitat (including riparian zone) are shown in Table 3.2.4.4-4. Emphasis has been added to the text to increase clarity.

Response to Comment O-63

The text that the commenter is referring to is correct in the DEIR. As described there (DEIR page 3-123), the CDFG “shall determine whether the activity may substantially adversely affect an existing fish and wildlife resource. If the department [CDFG] determines that the activity may have that effect, the department shall provide a draft agreement to the entity within 60 days after the notification is complete. The draft agreement shall describe the fish and wildlife resources that the department has determined the activity may substantially adversely affect and include measures to protect those resources” (California Fish and Game Code 1603(a)). No changes were made to the text.

Response to Comment O-64

The text in Section 3.2.4, Regulatory Setting: Stephens’ Kangaroo Rat HCP, has been corrected. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-65

The paragraph on page 3-124 of the DEIR states, “Direct and indirect impacts may be either long-term (permanent impacts) or short-term (temporary impacts during construction only).” Therefore, direct, short-term impacts are considered. The paragraph is not contradictory, redundant, or misleading.

Response to Comment O-66

The text in Section 3.2.4, Impact Assessment: Mitigation Measures, has been clarified. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-67

Table 3.2.4-4 has been revised. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-68

Adverse impacts to natural communities are not expected. Mitigation measures BIO-01 and -03 describe the mechanisms for MSHCP compliance related to temporary and permanent impacts to natural communities.

Response to Comment O-69

Text in MM BIO-03 has been clarified by more clearly describing the sequence and requirements for focused breeding season and pre-construction surveys; avoidance of direct impacts through adjustment or relocation of project structures, access and spur roads, and temporary ground disturbance areas; closure or removal of active burrows that are unavoidable; and seed salvage from sensitive plant species that cannot be avoided. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-70

The text in MM BIO-03 has been clarified. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-71

The description of MM BIO-08 has been clarified, as shown in Volume II of this FEIR. Since MM BIO-08 is specific to the Migratory Bird Treaty Act (and bats are not birds) and a measure (MM BIO-03) already exists for conducting preconstruction surveys for sensitive species, the requested language has been added to mitigation measure BIO-03 to provide protection for bats as well as birds.

Response to Comment O-72

The language in this mitigation measure has been approved by the Western Riverside County Regional Conservation Authority (RCA) for MSHCP compliance.

Response to Comment O-73

Grubbing removes plant material; overland travel would not. Text in MM BIO-07 has been revised. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-74

Text in MM BIO-10 has been revised per the comment. All project work would occur outside the riparian zone (or “stream zone” as referenced by the commenter). A Streambed Alteration Agreement is already noted in mitigation measure BIO-10. Revisions can be seen in Volume II of this FEIR. The Proposed Project has been designed to span and avoid wetlands and riparian areas. Work limits for tower construction, tower footprints, and pull and tension sites would be in

upland locations. Stringing of the conductor pull lines would be completed by helicopter in the vicinity of the Santa Ana River, and no entry to the river channel vegetated areas or open water by equipment is expected. There is no dredge or fill action expected from construction of the Proposed Project. Thus, no direct or indirect impact to wetlands or riparian habitat will occur as a result of the Proposed Project. If it is determined during final design of the Project that impacts to wetlands or riparian habitat may occur, a habitat assessment will be conducted, and if necessary, a formal wetland delineation. If it is determined that impacts to wetlands and/or jurisdictional waters cannot be avoided, SCE will consult with the USACE and/or CDFG and prepare the necessary permitting documentation. All permit conditions will be followed to ensure that impacts remain less than significant (see Hydrology section and mitigation measure HYDRO-01 and the Biology section and mitigation measure BIO-10).

Response to Comment O-75

The 0.5 acre of wetlands analyzed in the text on page 3-138 consists of two distinct areas that fell within the boundaries of preliminary project footprints. One of these areas is mapped as a wetland but is actually under a parking lot; the second would be elevationally separated from project work areas. Details are provided on pages 3-221 and 3-222 of the DEIR. As stated, no impacts to wetlands are expected. Text in Section 3.2.8, Environmental Impacts, criterion f), has been clarified. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-76

As described, the Proposed Project would not affect wetlands. If field conditions change sufficiently to require impacts to water resources and a resulting discretionary action (regulatory agency permit), the environmental analysis as performed in the DEIR would no longer cover the Project and additional CEQA review would be required. Therefore, as the Proposed Project would not affect wetlands, the steps for compliance with applicable permits have not been included. Please refer to Response to Comment O-74.

Response to Comment O-77

This term refers to plant communities associated with drainages, tributaries, or wetlands, as defined in text.

Response to Comment O-78

As indicated in the DEIR, Table 3.2.4-2 outlined the potential for species to occur within the Project area. The text referenced by the commenter does not state “that sensitive plant species are not expected to be present or impacted” but rather that the Proposed Project is not expected to adversely affect protected plants or their habitats. Occurrence within work areas has a low likelihood based on habitats and quality of habitats. Mitigation measure MM BIO-03 provides enforceable guidance if a sensitive plant species is detected.

Response to Comment O-79

The discussion is not contradictory. Protocol level surveys, avoidance, salvage, and an MSHCP ITP implementation agreement through specific mitigation measures are all indicated on page 3-129 of the DEIR. Specifically, the DEIR states:

“While the Proposed Project would cross habitats such as grassland, disturbed areas, and sage scrub, in accordance with MM BIO-03, preconstruction protocol-level surveys would be conducted during the appropriate blooming periods and any listed or sensitive plants would be flagged for avoidance by the Project Biologist. Implementation of MMs BIO-05 and BIO-06 would require workers to be educated on appearance and locations of sensitive or listed species to aid in identification, and avoidance would be enforced by the Environmental Compliance Monitor. Additionally, the Proposed Project will comply with the MSHCP through MM BIO-01, which conserves habitat for sensitive plant species and adequately conserves habitat per the MSHCP ITP and Implementation Agreement.”

MM BIO-03 addresses preconstruction surveys to ensure avoidance, setting work limits, and seed salvage in the event of an unanticipated find of sensitive plants. Protocol-level surveys would be, by definition, consistent with resource agency requirements. MM BIO-05 requires a WEAP program to include wildlife and vegetation sensitivity. MM BIO-06 calls for environmental compliance monitoring coordinated by a responsible Project Biologist. Finally, MM BIO-01 stipulates MSHCP compliance and remittance of compensatory fees.

Response to Comment O-80

Mitigation measures ensure that monitors will be qualified. Text in Table 3.2.4-5 has been clarified. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-81

This EIR provides an assessment of potential environmental impacts associated with the Proposed Project and alternatives. The potential impacts were determined based on the engineering design, which, in turn, established the anticipated construction activities. Text in Section 3.2.4, Environmental Impacts criterion a), has been clarified to describe that final project design and adjustment of construction limits would result in no permanent impacts to riparian areas.

Please note that all estimates of construction equipment and workforce, land disturbance, construction waste, schedules, etc. are based on current engineering data. The DEIR considered the impacts of all structure locations and all other temporary and permanent construction impact areas as shown in Attachment D to this FEIR.

“Adjusting field construction limits” refers to methods by which avoidance measures included within the Environmental Protection Elements (EPEs) would be implemented (for example, see HYDRO-01). If sensitive resources are present, every effort would be made to adjust construction disturbance areas to avoid sensitive resources.

Response to Comment O-82

Thank you for your comment; it has become part of the project record. Mitigation measure BIO-10 included mention of a Streambed Alteration Agreement. However, please note that all Proposed Project areas are anticipated to be outside the riparian zone.

Response to Comment O-83

SCE would perform routine ROW and access road maintenance as part of Project operations, which is conducted on an annual and/or as-needed basis on the 230 kV transmission line portion of the Project and Wildlife Substation. ROW and road maintenance includes maintaining a vegetation-controlled corridor (to facilitate access and for fire prevention) and repairing and smoothing over washouts, eroded areas, and washboard surfaces as needed. ROW and road maintenance could include brushing (i.e., trimming or removal of trees and shrubs) approximately two to five feet beyond berms or roads' edges when necessary to keep vegetation from intruding into the roadway. ROW and road maintenance would also include cleaning ditches, moving and establishing berms, clearing and making functional drain inlets to culverts, repairing culverts, clearing and establishing water bars, and cleaning and repairing over-side drains, as well as the repair, replacement and installation of storm water diversion devices on an as-needed basis.

Even though RPU is not subject to General Orders, RPU would perform routine ROW tree trimming, which is conducted on a bi-annual or as-needed basis, consistent with the requirements of GO-95 and GO-165.

Response to Comment O-84

No impacts to Stephen's kangaroo rat are expected because of lack of suitable habitat. No conservation habitat is present in the project area. There are no records of occurrence in the project area. Stephens' kangaroo rat is discussed on pages 3-115, 3-124, and 3-134 of the DEIR.

Response to Comment O-85

As discussed in Section 3.2.4 of the DEIR, final engineering and refining work limits would result in avoidance of sensitive natural communities by the Proposed Project, such that no permanent impact would occur to sensitive natural communities other than Southern Cottonwood/Willow Riparian, which would experience a permanent impact of 0.08 acre. This impact would be mitigated by habitat conservation through the MSHCP. Table 3.2.4-5 quantifies total potential habitat loss.

Response to Comment O-86

The terminology in Section 3.2.4, Environmental Impacts, criterion c) and Section 3.2.8, Environmental Impacts, criterion h), has been corrected to clarify waters considered. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-87

See Response to Comment O-75. Text in Section 3.2.8, Environmental Impacts, criterion f), has been clarified. Revisions can be seen in Volume II of this FEIR. No permanent impact to jurisdictional waters is anticipated.

Response to Comment O-88

There are no vernal pools in the Proposed Project area. They are mentioned in the CEQA question, so they were covered in the text following. The reference to Riverine areas was

removed because it is not relevant to this CEQA threshold. Riverine issues are addressed under CEQA criterion f) in Section 3.2.4, Biological Resources, of the DEIR in Volume II.

Response to Comment O-89

Non-wetland jurisdictional waters are not expected to be impacted by the Proposed Project. Text in Section 3.2.4, Environmental Impacts, criterion c), has been clarified. Revisions can be seen in Volume II of this FEIR. See Response to Comment O-9.

Response to Comment O-90

There are no wetlands or other waters in or in proximity to these Proposed Project elements. The text is accurate, but additional clarification has been added to Section 3.2.4, Environmental Impacts, criterion c). Revisions can be seen in Volume II of this FEIR. Please see Response to Comment O-75.

Response to Comment O-91

There are no applicable local tree preservation policies or ordinances. The DEIR states, under Section 3.2.4, Environmental Impacts, criterion e), that the Proposed Project would not conflict with any local policies or ordinances protecting biological resources.

Response to Comment O-92

Text in Section 3.2.4, Environmental Impacts, criterion e), has been revised to state that conflicts with local policies or ordinances would be less than significant with MSHCP compliance. Please also see Master Response #12.

Response to Comment O-93

Please refer to the maps included within the appendices of the Earth Resources Technical Report included within Appendix B of the DEIR for a map of the geology within the Proposed Project area.

Response to Comment O-94

A pedestrian survey of the Wildlife substation was completed by POWER Engineers, Inc. in 2011; a survey of the Wilderness substation was performed by SWCA Environmental Consultants, Inc. in 2007 as part of a separate project. Results of these surveys are included in the Cultural Resources Technical Report in Appendix B of the DEIR. No archaeological sites were identified within the locations.

Response to Comment O-95

The commenter has misquoted page 3-160 of the DEIR, which does not refer to “routes and substations currently or previously under *construction*” (emphasis added), but rather to “routes and substations currently or previously under *consideration*” (emphasis added). The Proposed Project has not been approved. No portions are currently under construction.

Response to Comment O-96

Text for MM CUL-02 has been clarified. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-97

The Cantu-Galleano Winery has been listed as a historic district in the NRHP since 2003. The district is along Wineville Road on Mira Avenue and includes eight buildings:

- The original low-scale wood frame winery building (ca. 1900)
- The large concrete block main winery building (1947-1949)
- A board and batten barn (ca. 1900)
- A small wood frame guesthouse (ca. 1930)
- A wood frame bunkhouse/office (ca. 1920)
- A concrete block vinegar shed/tank (ca. 1942)
- A wood frame tasting room/workshop (ca. 1942, remodeled in 1976 and 1980)
- A wood frame garage (ca. 1942).

All of these buildings except the tasting room/workshop retain a high level of integrity.

The Cantu/Galleano residence and two smaller homes were excluded from the district due to extensive alterations. Also, there are numerous modern storage sheds and garages for the winery's equipment that do not contribute to the district's historic character.

The building complex is bordered on the west and south by a 160-acre parcel of agricultural land, but this land is not part of the National Register district. Rather, the area included within the boundary of the district totals only 1.8 acres in the northeast corner of the 160-acre parcel, an area that includes the eight buildings described above.

The landscaping surrounding the buildings includes a variety of mature trees, lawns, and other plantings. Two-lane Wineville Road originally divided two portions of the winery building complex, but the road was vacated and realigned to miss this historic buildings. Today, Wineville Avenue is a five-lane road on the east side of the district; old Wineville Road serves only to provide access to the winery.

Other than the 160 acres of agricultural land, the surrounding landscape has been substantially altered in recent years. Interstate 15 is 2,200 feet due west of the district. A Wal-Mart Distribution Center is 160 feet north of the district, and a truck parking lot is within 40 feet north of the district boundary. Other large warehouse buildings are 785 feet to the northeast, 170 feet to the east, 1,070 feet to the southeast, and 2,500 feet to the south, respectively.

Along the southern edge of the agricultural parcel, 2,150 feet south of the district, is the existing SCE Mira Loma-Vista #1 transmission line, including a lattice structure. The northern terminus of the Proposed Project's 230 kV line would tap into the existing Mira Loma-Vista #1 transmission line at this location and would not require a new lattice structure.

Because of the existing nearby industrial development, the presence of an existing lattice structure for the Mira Loma-Vista #1 transmission line, and the fact that the Proposed Project's 230 kV transmission line would use this existing lattice structure rather than a new one, the

Proposed Project would have no visual impact on the historic character of the National Register-listed Cantu-Galleano Winery.

Response to Comment O-98

The sources of funding support will be either SCE or RPU based on the location of resources identified (i.e., in the 69 kV portion of the Proposed Project or the 230 kV portion of the Proposed Project). Therefore, Mitigation Measures CUL-06 through CUL-08 are appropriate as written and do not need to be amended.

Response to Comment O-99

MM CUL-05 as presented in the DEIR provides for the discovery of significant fossils. MM CUL-08, as revised and shown in Table 3.2.5-2 in Chapter 3 in Volume II of this FEIR, details additional information about monitoring and recovery as part of the paleontological mitigation program.

Response to Comment O-100

The “Environmental Setting” subsection of Section 3.2.6 has been updated to include more information on regional geology, Proposed Project area geology, soils, and geohazards. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-101

References have been added to Chapter 8, as shown in Volume II of this FEIR.

Response to Comment O-102

A discussion of soil types and soil properties has been added to the “Environmental Setting” subsection of Section 3.2.6, as shown in Volume II of this FEIR.

Response to Comment O-103

Figures showing the Proposed Project area footprint superimposed on soils have been included in Section 3.2.6 (Figures 3.2.6-1 and 3.2.6-2), as shown in Volume II of this FEIR. The figures also highlight soil units with physical characteristics that may require evaluation as part of the geotechnical investigation under mitigation measure MM GEO-1 (*Conduct a geotechnical study and incorporate recommendations into project design*). Additionally, existing maps were included within the appendices of the Earth Resources Technical Report (Appendix B of the DEIR) that show the Proposed Project components superimposed on geologic units and geologic hazards within the Project area.

Response to Comment O-104

Environmental Protection Elements (EPEs) for geology and soils have been included per the CPUC’s request. Conducting the geotechnical study when the Proposed Project is engineered during final design, as included in EPE GEO-1, would provide more accurate results of geological and soil conditions for the Project rather than during the EIR process, when the Proposed Project has been developed to only a preliminary design level. EPE GEO-1 (*Conduct a geotechnical study and incorporate recommendations into project design*) has been incorporated into the Proposed Project.

Response to Comment O-105

Discussion of the disturbance acreage related to relocation of the distribution lines has been added under Section 3.2.6, Environmental Impacts, criterion b). The additional discussion does not modify the resulting less than significant impact level and no additional mitigation measures are necessary. Environmental Protection Element GEO-2 (development of a project-specific construction Stormwater Pollution Prevention Plan [SWPPP]) will be implemented to address soil erosion and topsoil loss issues. Soil unit susceptibility to erosion by wind and water are identified in text, tables, and figures in Section 3.2.6, as shown in Volume II of this FEIR.

Response to Comment O-106

A construction SWPPP will be prepared for the Proposed Project prior to the start of construction. In addition to EPE GEO-2 mentioned above, a reference to EPE HAZ-03 documenting that a project-specific construction SWPPP would be prepared and implemented prior to the start of construction has been added to Section 3.2.6-1, under criterion b) of the Environmental Impacts subsection, as shown in Volume II of this FEIR. These mitigation measures and EPE refer to the same SWPPP. The best management practices (BMPs) have not yet been defined to control erosion, since the site-specific SWPPP has not been prepared; however, typical BMPs include stabilization measures (e.g., preservation of existing vegetation, geotextiles, non-vegetative stabilization methods) for disturbed areas as well as runoff and sediment controls, such as straw wattles and silt fencing. A reference to the Construction Stormwater Program as noted in Section 3.2.8 (Hydrology and Water Quality) is now also included. Revisions can be seen in Volume II of this FEIR. The reference to “grading” has been removed.

Response to Comment O-107

See Response to Comment O-106.

Response to Comment O-108

Using information from the Earth Resources Technical Report, the “Environmental Setting” subsection of Section 3.2.6 has been updated, as shown in Volume II of this FEIR, to include more information on regional geology, Proposed Project area geology, soils and geohazards. The Project Area Geology subsection identifies the type of geologic unit (lithology and age) and the map unit symbol. Revisions can be seen in Volume II of this FEIR.

Tables and figures in connection with the soil characteristics and qualitative soil sensitivity associated with disturbance are included in Section 3.2.6, as shown in Volume II of this FEIR.

Response to Comment O-109

The proposed Wildlife and Wilderness substations will be developed on ground identified as bedrock in the geologic maps used for this analysis. The impacts discussion in Section 3.2.6 in Chapter 3 thoroughly analyzes impacts due to both geologic and soils conditions for the entirety of both the 230 kV and 69 kV components of the Proposed Project.

Response to Comment O-110

Environmental Protection Elements are now included in the Proposed Project, as shown in Volume II of this FEIR, for geology and soils (see Table 3.2.6-1). EPE GEO-1 (*Conduct a geotechnical study and incorporate recommendations into project design*) has been incorporated into the Proposed Project. See also Response to Comment O-104.

Response to Comment O-111

A discussion of soil characteristics and potential impacts resulting from the Proposed Project has been incorporated in Section 3.2.6, as shown in Volume II of this FEIR. Tables and figures supporting the discussion have been developed and are also included as shown in Volume II of this FEIR.

Response to Comment O-112

Environmental Protection Elements are now included in the Proposed Project, as shown in Volume II of this FEIR, for geology and soils (see Table 3.2.6-1). EPE GEO-2 (*Conduct a geotechnical study and incorporate recommendations into project design*) has been incorporated into the Proposed Project.

Response to Comment O-113

This subsection has been removed from the Section 3.2.6. Revisions can be seen in Volume II of this FEIR. No significant and unavoidable impacts to geology were identified in the DEIR.

Response to Comment O-114

The soil report cited in the DEIR states, “The soil sample results and subsequent report confirmed the presence of dioxin/furan congeners in excess of the health-based screening level for the planned residential land use.” There are no residential uses proposed as part of this Project.

Response to Comment O-115

Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment O-116

No private airstrips were identified within two miles of the Proposed Project area.

Response to Comment O-117

The commenter incorrectly states that the analysis is invalid. The 0.5 acre of wetlands analyzed in the text on page 3-138 of the DEIR consists of two distinct areas that fell within the boundaries of preliminary Project footprints. One of these areas is mapped as a wetland but is actually under a parking lot; the second would be elevationally separated from Project work areas. Details are provided on pages 3-221 and 3-222 of the DEIR. As stated, no impacts to wetlands are expected. See response to comment O-9.

Response to Comment O-118

Please see Response to Comment O-117.

Response to Comment O-119

Please see Response to Comment O-117.

Response to Comment O-120

Please see Response to Comment O-117.

Response to Comment O-121

Please see Response to Comment O-117. As no impacts to wetlands are expected, there would be no requirement for compensatory mitigation in order to achieve “no net loss” pursuant to Section 404 of the Clean Water Act.

Response to Comment O-122

This paragraph in Section 3.2.9, Local Regulatory Setting, has been corrected to include the City of Jurupa Valley among the jurisdictions affected by the Proposed Project. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-123

Section 3.2.9, Regulatory Setting, Specific Plans, has been revised to read, “County-specific plan policies were reviewed, and no policies applicable to the Proposed Project were identified.” Revisions can be seen in Volume II of this FEIR. All land use plans were reviewed, and all pertinent goals, policies, objectives, and standards were identified and presented in the DEIR except as noted in Response to Comment O-18. During the feasibility, siting, and DEIR development process, land use plans in the study area of the Proposed Project were systematically collected and reviewed for pertinent policies. Pertinent policies identified included those policies that, if the Proposed Project was constructed and operated, were determined to potentially conflict with “any land use plan, policy, or regulation of an agency with jurisdiction of the project....adopted for the purpose of avoiding or mitigating an environmental effect.”

Response to Comment O-124

Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment O-125

There are no City of Riverside Specific Plan policies applicable to the Proposed Project. There are no applicable City of Riverside Neighborhood Plans crossed by the proposed 69 kV subtransmission lines.

Response to Comment O-126

The entire ROW and access roads outside of the ROW would require property/easement upgrades and/or acquisition. Environmental and land use impacts related to ROW acquisition have been fully addressed in their respective resource sections within Chapter 3 of the DEIR (e.g., impacts to farmland are addressed in Section 3.2.2; impacts to habitat are addressed in Section 3.2.4); and allowable uses within the ROW are described within Chapter 2 of the DEIR.

Acquisition of property is not considered an environmental impact in and of itself; rather, the DEIR considered the potential environmental impacts as a result of the construction of the Project within the ROW and the loss of some uses within the ROW. No dwellings or businesses would be displaced during the ROW acquisition process.

The land disturbance calculations can be found in the Table 2.5-3a and Table 2.5-3b in Chapter 2, as shown in Volume II of this FEIR. A preliminary engineered Project layout was developed that included exact locations for access roads and spur roads; although final engineering could make minor adjustments, these were accounted for by the impact methodology, which included potential impacts within a study corridor and did not rely upon only specific or exact structure or road access locations. Therefore, minor adjustments in engineering design would not create additional or increased adverse impacts.

Response to Comment O-127

Text in Section 3.2.11, Environmental Setting; Noise Sensitive Receptors, has been clarified. Revisions can be seen in Volume II of this FEIR. As discussed therein, typical audible noise levels at the property line from the operation of the substations would range from 45 to 55 dB(A).

Response to Comment O-128

Text in Section 3.2.11, Environmental Setting; Noise Sensitive Receptors and Section 3.2.11, Environmental Impacts, criterion a), has been clarified to include parks, preserves, and open space areas and associated receptors. The clarifying text includes additional discussion of those features that were already included in the analysis, and these clarifications do not modify the less than significant conclusion. No additional mitigation measures would be required. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-129

Impact a) does address noise from the proposed substations. Text in Section 3.2.11, Environmental Impacts, criterion a), has been clarified to make this more apparent and to specifically address concerns about noise at habitats and residential areas. As stated there, noise levels would not be a significant impact to protected habitat areas around the substations. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-130

See Response to Comment O-126.

Response to Comment O-131

No water would be used for dust abatement for the 69 kV portion of the Proposed Project because the 69 kV portion is either replacing poles with limited ground disturbance or is in existing paved/urban areas. The amount of water that would be used during construction of the Proposed Project would vary and is difficult to estimate without the benefit of a soil analyses, existing weather conditions at the time of construction, and other unknown factors. However, it is estimated that water usage during construction of new access roads and the 230 kV transmission line may require 40,000 gallons of water per mile per day. Construction of new or

expanded water or wastewater facilities would not be necessary to serve the Proposed Project, nor is it expected that new or expanded entitlements will be required.

Response to Comment O-132

LSTs typically require an excavated hole approximately 3 feet to 5 feet in diameter at approximately 20 feet to 45 feet deep; TSPs typically require an excavated hole approximately 3 feet to 6 feet in diameter at approximately 20 feet to 40 feet deep. The excavated material would be distributed at each structure site, used to backfill excavations from the removal of nearby structures (if any), or used in the rehabilitation of existing access roads. Alternatively, the excavated soil may be disposed of at an off-site disposal facility in accordance with all applicable laws. The air quality, greenhouse gas, and traffic analyses in the DEIR assumed that haul trips for off-site disposal would occur, and accounted for those trips and emissions in order to provide a worst-case scenario analysis. Finally, solid waste resulting from construction of the RTRP would represent only a small fraction of the total landfill capacity available in the region such that no potentially significant impact would result to waste disposal facilities.

Response to Comment O-133

Figure 3.2.14-2 is not presented on an 8.5 x 11 page, as the commenter states, but on an 11 x 17 page, which allows for the display of more detail as the commenter is requesting. No revisions to the figure were made.

Response to Comment O-134

A specific roadway Level of Service (LOS) analysis was only conducted for the Van Buren/Jurupa and Wilderness/Jurupa intersections as it relates to construction of the Wildlife and Wilderness substations. During initial Project planning, the Wilderness Avenue/Jurupa Avenue intersection and the Van Buren Boulevard/Jurupa Avenue intersection were identified by RPU as areas of concern for potentially significant traffic impacts based on assumptions of hauling/delivery truck and employee vehicle routes to and from the new substation construction sites. Hence, RPU determined that a specific LOS analysis was warranted at these two locations because they would be the worst-affected locations and any impacts to other areas would necessarily be less. Roadways were identified from the sensitivity analysis where temporary lane closures would likely occur during construction. The sensitivity analysis, which was described in the Traffic Technical Report and added to Section 3.2.15 of the DEIR, took into account all roadway types that would be crossed by the Proposed Project (dirt and private roads, collectors, arterials, highways, bicycle routes, railroad corridors, public transportation routes, school bus routes). A list showing the roadways that would experience temporary lane closures during construction is now included in Section 3.2.15, as shown in Volume II of this FEIR.

Response to Comment O-135

Table 5 within the Traffic Technical Report (included in Appendix B of the DEIR) includes bus routes within the Proposed Project area. Figure 3.2.15-1 has been added to Section 3.2.15, as shown in Volume II of this FEIR, showing the bus routes of the Riverside Transit Agency from their January 8, 2012 system map.

Response to Comment O-136

According to the Traffic Technical Report in Appendix B of the DEIR, LOS “C” is the minimum acceptable LOS standard for the study area jurisdictions. The traffic study evaluated the potential for impacts for major roadways (the study roadway segment points) where LOS “D,” “E,” and “F” conditions could be caused or worsened by the Proposed Project. RPU determined that a specific LOS analysis of the Wilderness/Jurupa and Van Buren intersections was needed to evaluate potential construction traffic impacts. The results of that LOS intersection analysis indicated that the projected LOS at the intersections during construction would remain unchanged from current conditions. The Van Buren Boulevard/Jurupa Avenue intersection would be LOS “D” with or without the Proposed Project. The Wilderness Avenue/Jurupa Avenue LOS would be “C” with or without the Proposed Project.

The sensitivity analysis, which was described in the Traffic Technical Report and added to Section 3.2.15 of the DEIR, took into account all roadway types that would be crossed by the Proposed Project (dirt and private roads, collectors, arterials, highways, bicycle routes, railroad corridors, public transportation routes, school bus routes).

Response to Comment O-137

Operation and maintenance of the Proposed Project would involve periodic inspections. Maintenance of the transmission lines would be performed on an as-needed basis, and could include maintenance of access roads and erosion control measures. Given the intermittent nature of operations and maintenance activities, daily trips by service vehicles would vary; however, eight vehicle trips per year were estimated by RPU for the 69 kV subtransmission line maintenance and operations. Two vehicle trips per year were estimated by SCE for the 230 kV transmission line maintenance and operations. Any impacts to area transportation facilities or resources during the operation and maintenance period are expected to be short-term in nature and therefore insignificant in terms of transportation network operations.

Response to Comment O-138

The sensitivity analysis, which was described in the Traffic Technical Report and added to Section 3.2.15 of the DEIR, took into account all roadway types that would be crossed by the Proposed Project (dirt and private roads, collectors, arterials, highways, bicycle routes, railroad corridors, public transportation routes, school bus routes). Limonite Avenue in the vicinity of the Vernola Marketplace area was identified to have potentially high temporary traffic impacts during construction based on the sensitivity analysis for the 230 kV transmission line. For the 69 kV subtransmission line, two sections of Tyler Street (between Magnolia Avenue and Highway 91; between Mull Avenue and Cook Avenue), a section of Indiana Avenue between Harrison Street and Gibson Street, and a section of Gibson Street between Indiana Avenue and the railroad tracks were identified to have potentially high temporary traffic impacts during construction based on the sensitivity analysis. These roadway sections were included in the traffic analysis; however, because the analysis was done based on transmission or subtransmission links, the names of the roads were not labeled. The names and locations of these roadway sections have been clarified, and the text has been revised in Section 3.2.15. Revisions can be seen in Volume II of this FEIR. The DEIR captures traffic impacts related to both the 230 kV transmission line and 69 kV subtransmission lines.

Response to Comment O-139

The DEIR identifies specific transportation mitigation measures, as described in Table 3.2.15-2, in the sentence immediately following that referenced by the commenter (page 3-316 of the DEIR). Table 3.2.15-2 is immediately above the subject section on the same page. Please also see Master Response #2.

Response to Comment O-140

LOS impacts were calculated for the Wilderness/Jurupa and Van Buren/Jurupa intersections out of concern by RPU that LOS “D,” “E,” and “F” conditions could be caused or worsened by the Proposed Project. The results of that LOS intersection analysis indicated that the projected LOS at the intersections during construction would remain unchanged from current conditions. The Van Buren Boulevard/Jurupa Avenue intersection would be LOS “D” with or without the Proposed Project, so the existing condition would not be worsened by the Proposed Project. The Wilderness Avenue/Jurupa Avenue LOS would be “C” with or without the Proposed Project. Please see additional text to clarify this analysis in Section 3.2.15, Environmental Impacts, criterion b), in Volume II of this FEIR.

A review of the Riverside County Transportation Commission Congestion Management Program (CMP) Update (December 2011) showed that none of the roads on the CMP system that are experiencing deficiencies (i.e., LOS “F”) are located in the Proposed Project area. As noted in the CMP, the intent of the CMP is to more directly link land use, transportation, and air quality, thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality. CMP system roads are those designated as State highways and principal arterials. The text has been revised to reflect this. The section also includes text to indicate that to reduce potential traffic congestion, lane closures necessary for the Proposed Project would occur during off-peak travel periods (outside of the 6 a.m. to 9 a.m. timeframe and 3:30 p.m. to 6:30 p.m. timeframe), as feasible. If construction activity needs to occur during peak travel periods for some reason, it is likely to be for a short duration and the impacts would remain less than significant.

Response to Comment O-141

Text has been added to Section 3.2.15 to clarify. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-142

Given the intermittent nature of operations and maintenance activities, daily trips by service vehicles would vary; however, eight vehicle trips per year were estimated by RPU for the 69 kV subtransmission line maintenance and operations. Two vehicle trips per year were estimated by SCE for the 230 kV transmission line maintenance and operations.

Response to Comment O-143

Although Project-wide haul trips were calculated for air quality analysis, construction truck traffic trips have not been calculated for 230 kV transmission and 69 kV subtransmission line construction. This is because of the linear nature of the Proposed Project and the fact that work truck activities would be distributed over the project area and not concentration (in either numbers or duration) in any one location. Truck trips were calculated for the Wilderness and

Wildlife substation construction and added to Section 3.2.15. Revisions can be seen in Volume II of this FEIR. In Chapter 2, Tables 2.3-2, 2.5-1, and 2.5-2 provide equipment estimates for the distribution line relocation, construction of the 230 kV transmission line, and 69 kV subtransmission line, respectively.

Response to Comment O-144

Subsequent to the release of the DEIR, RPU consulted with the Riverside County Airport Land Use Commission regarding Proposed Project compatibility with airport operations. Based on those consultations, RPU will place a section of the 69 kV subtransmission line underground to be consistent with airport land use compatibility zones and remove potential hazards to aircraft. Accordingly, the impact analyses of resource categories affected by this Proposed Project change were revised in the FEIR to reflect this Proposed Project change. The impact determination of “Less Than Significant Impact” was not changed. Please also see Master Response #15.

Response to Comment O-145

See Response to Comment O-144.

Response to Comment O-146

The word “infeasible” was changed to “unlikely” in Section 3.2.15, Environmental Impacts criterion f). Revisions can be seen in Volume II of this FEIR.

Response to Comment O-147

Table 3.2.15-1 has been added, as shown in Volume II of this FEIR, and identifies the roads, trails, and bus transit routes that would likely experience temporary closure or lane reduction as a result of the 230 kV transmission line and the 69 kV subtransmission line construction. The final design of the Proposed Project may result in the addition or removal of roads, bus routes, and trails that could be affected by construction. With the exception of access-controlled freeways, bicycles are permitted on all roads in California. Bicyclists would experience lane closures or lane reductions when sharing the road with motorists. The Traffic Management Plan (EPE TRANS-03) that would be developed during final design would include coordination on temporary closures with transit agencies as well as agencies responsible for pedestrian facility and bike lanes. This coordination would be an element of the Traffic Management Plan. This information has been added to this Section 3.2.15, Environmental Impacts criterion f). Impacts would be less than significant. Revisions can be seen in Volume II of this FEIR.

Response to Comment O-148

Please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment O-149

Section 4.2.11 of the DEIR (cumulative analysis for noise) states that in evaluating past, present, and reasonably foreseeable actions within 0.25 mile of the Proposed Project’s ROW, only two projects (the Jurupa Community Service District groundwater wells and pipeline projects) have the potential to occur simultaneously with the Proposed Project’s construction. This would occur in an area of commercial and agricultural land uses. Proposed Project noise impacts would be short-term and localized to segments under construction. Although schedules of past, present,

and reasonably foreseeable actions are undeterminable, the probability of either or both these two projects co-occurring with the Proposed Project in any one location is diminishingly small. The analysis is sufficiently detailed, and the conclusion of “no significant effect” is justified. Furthermore, the commenter provides no suggestions for what other information should have been included in the analysis.

Response to Comment O-150

As described in Section 4.2.15 of the DEIR (cumulative analysis for transportation and traffic), cumulative impacts would occur if the Proposed Project and cumulative projects would create impacts resulting in a permanent reduction of capacity (LOS) on the area roadways or result in changes to air traffic routes of airports. No potentially co-occurring past, present, or reasonably foreseeable projects would have the potential to create impacts resulting in a permanent reduction of capacity (LOS) on the area roadways or result in changes to air traffic routes of airports. This is because the operational characteristics of the Proposed Project would require maintenance personnel to travel as needed to make repairs to the lines or substations; any increases in traffic would be negligible and would not result in any substantial increases in traffic or effects on capacity of roadways as would, for example, a retail, commercial, or industrial enterprise where there would be a steady and/or peak traffic flow. Cumulative traffic impacts would likely occur if the Proposed Project and other cumulative projects located adjacent to the route segment or substation were under construction simultaneously. Such impacts would be short-term and localized to the locations of construction activity. Because of the short duration of any such overlap, and the fact that the Proposed Project is not anticipated to generate substantial vehicle traffic, cumulative impacts would not be considered cumulatively considerable or significant. The determination of “no significant effect” is justified. Text has been clarified, as shown in Volume II of this FEIR. Additionally, please refer to Master Response #15 (FAA and ALUC issues).

Response to Comment O-151

The DEIR and supporting technical reports (Appendix B) clearly establish that the Proposed Project avoids or substantially reduces any potentially significant environmental effects and minimizes environmental impacts compared to the other routes investigated. CEQA does not require that the Proposed Project is the “environmentally superior” alternative, but does request the identification of the environmentally superior alternative. As described in Section 6.6 of the DEIR, the Proposed Project is considered the environmentally superior alternative among the alternatives other than the No Project alternative. Effects to aesthetics are also discussed for all alternatives. Descriptive comparisons are made to the Proposed Project (see pages 6-30, 6-40, 6-43, 6-44, 6-46, 6-47, 6-49, 6-63, 6-67 and 6-102 of the DEIR). Table 6.5-1 presents a summary of impacts for alternatives for all resources (including Aesthetics). Analysis of visual resources presented in the DEIR and appendices is sufficient; however, full analysis across resources is considered in the document. Also please see Response to Comment O-25 for information related to potential mitigation measures available to reduce significant impact to aesthetics.

Response to Comment O-152

The Limonite route is now described in Section 6.4.4, Limonite Route, and shown on Figure 6.2-3, as shown in Volume II of this FEIR.

Response to Comment O-153

Please refer to Response to Comment O-151 above.

Response to Comment O-154

The comment did not identify any alleged deficiencies in the alternatives analysis conducted for the Siting Study. Visual resources were considered in the Siting Study, but the results did not show comparisons or a level of differences between the identified corridors at the level of detail that was utilized during the siting process. The visual resources portion of the siting study identified potential high-sensitivity viewsheds (designated scenic roads, parks and recreation areas, residential land use designations, etc.), and then buffered those areas to 0.5 mile with a High Avoidance designation. The results of the study did not show a granularity or difference between the corridors that was used to identify potentially superior routes at this early stage of siting based on the existing data available and widespread occurrence of highly sensitive viewsheds within the Project study area (e.g., residences, high avoidance areas). Please refer to Section 4.2.2 of the Siting Study (Volume II, Appendix D of the DEIR), which states that “most of the study area is located in a High Avoidance Level designation. Visual resources do not significantly contribute to the identification of routing options at this level of detail, and therefore the visual resource sensitivity map was not used in producing the Composite Sensitivity Map.”

Response to Comment O-155

The CPUC comment confirmed that a strong analysis of undergrounding was provided in the DEIR. Please see Master Response #10a, regarding undergrounding.

Response to Comment O-156

Please see Master Response #10a, regarding undergrounding. With regard to alternatives analysis, an assumption was made for analysis purposes of potential impacts from the underground alternative to consider the underground alternative in the same general location as the overhead alignment. The commenter is correct that co-use of some rights-of-way such as trails, roadways, or other linear and compatible features to an underground 230 kV transmission line is theoretically possible to reduce impacts to vegetation. However, such an assumption overlooks the fact that there would be large segments of the 230 kV transmission line alignment for which no existing right-of-way is available. Accordingly, significant impacts to vegetation would still be expected in those areas. Moreover, collocating the lines within existing rights-of-way would not reduce impacts to resources such as air quality, greenhouse gases, and cultural resources. Further, impacts to traffic and transportation and utilities are expected to be greater through co-use of existing rights-of-way.

Response to Comment O-157

Please see Master Response #10a, regarding undergrounding and Master Response #7 regarding economic and social impacts.

Response to Comment O-158

The Siting Study was completed in 2006 as a means of identifying large corridors in order to identify more specific routes that could be studied in detail within the EIR. The Siting Study was

not an impact analysis process but rather it used readily available data that was used to identify the sensitivity of that data to the construction and operation of a 230 kV transmission line. This is described on page 1 of the Executive Summary of the Siting Study document contained in Appendix D of Volume II of the DEIR.

Response to Comment O-159

See Response to Comment O-158. Comparative analysis and information for evaluation of the Van Buren Offset Alternative (Alternative 2) is provided in the DEIR and Visual Technical Report (Appendix B). The Visual Resources Visual Technical Report includes comparative impact data in the Impact Summary Table in Appendix B of the report. This data is summarized in Table 6.5-1 cited by the commenter. Also, please see discussion with regards to the comparative analysis in Response to Comment O-162 below.

Response to Comment O-160

See Response to Comment O-22.

Response to Comment O-161

See Response to Comment O-22.

Response to Comment O-162

“Link-level” analysis was the primary approach in the Aesthetic and Visual Resources Technical Report. The links and segments are clearly depicted in Appendix A of the technical report and Figures 2.3-3 and 2.3-4 of the DEIR. The route comparisons contained within the technical report are applicable for the Proposed Project, the Van Buren Alternative, and the 69 kV Route Segments carried forward in the DEIR. Although the link and route identifiers may have changed from the time of the technical report analysis, the data and analysis of the DEIR routes are contained in the report, and the conclusions remain the same. For example, Appendix A of the Aesthetics and Visual Resources Technical Report shows that the Proposed Project consists of Links Ax, D, I, Ja, and Jb with associated impact analysis data shown in Appendix B of the report and described in Section 6.1 of the report. Similarly, the Van Buren Alternative is presented in the map, impact discussion, and the table, as are the 69 kV alternatives. Therefore, the conclusions and analysis contained in the technical report is directly applicable to the DEIR.

Response to Comment O-163

The roadways shown on Tables 7, 9 and 10 would likely experience temporary lane closures for construction of the 230 kV transmission line and the 69 kV subtransmission lines (Table 8 shows the roads for the Van Buren Route, which is no longer under consideration).

Section 3.2.15 (Transportation and Traffic), under the “Environmental Setting” heading, now includes a new Table 3.2.15-1 listing roadways, bus routes, and bicycle facilities where construction of the 230 kV transmission line and 69 kV subtransmission lines would occur either parallel to and/or across these facilities and would likely create temporary closure or lane reduction. Revisions can be seen in Volume II of this FEIR. Changes to the Traffic Technical Report were not made.

Response to Comment O-164

Section 3.2.15 (Transportation and Traffic), under the “Environmental Setting” heading, now includes a new Table 3.2.15-1 listing roadways and bicycle facilities where construction of the 230 kV transmission line and 69 kV subtransmission lines would occur either parallel to and/or across these facilities and would likely create temporary closure or lane reduction. Revisions can be seen in Volume II of this FEIR. Changes to the Traffic Technical Report were not made.

Response to Comment O-165

Section 3.2.15 (Transportation and Traffic), under the “Environmental Impacts” for criterion a), now includes a new Table 3.2.15-6 that documents the roads anticipated to have high traffic volumes during construction based on the sensitivity analysis conducted. No transit facilities/routes or bike routes are anticipated to experience high temporary traffic volumes. Revisions can be seen in Volume II of this FEIR. These additions are merely clarifications to the analysis that was conducted to identify potential impacts. The clarifications would not result in changes to the impact identified in the DEIR and would not require additional mitigation measures to reduce potential impacts to a less than significant level. Changes to the Traffic Technical Report were not made.

Response to Comment O-166

Please see Response to Comment O-165. Link “H” of the 230 kV transmission line preferred route was also identified as having high sensitivity impacts; however, this link was removed from consideration for routing of the Proposed Project or Alternatives in order to avoid impacts. Changes to the Traffic Technical Report were not made.

Response to Comment O-167

According to Exhibit 4-1D (2011 Level of Service on CMP System in North Western Riverside) in the 2011 Riverside County Congestion Management Plan, peak hour volumes of arterials in proximity to the proposed 230 kV transmission line route are:

- Limonite Avenue between I-15 and Etiwanda Avenue: 2,181
- Limonite Avenue between Etiwanda Avenue and Bain Street: 2,263
- Limonite Avenue between Bain Street and Van Buren Boulevard: 1,185
- Limonite Avenue west of I-15: 1,748
- Van Buren Boulevard between Arlington Avenue and California Avenue: 3,305

In the transportation and traffic analysis, the DEIR presents 117 as the peak number of construction employees. This number of construction workers would not contribute substantially to vehicle trips on these roads. The additional trips would increase use of these arterial sections less than 5%.

This information has been added to Section 3.2.15 (Transportation and Traffic), under the “Environmental Impacts” for criterion b), as shown in Volume II of this FEIR. Changes to the Traffic Technical Report were not made.

Response to Comment O-168

Please see Response to Comment O-165. Changes to the Traffic Technical Report were not made.

Response to Comment O-169

According to Exhibit 4-1D (2011 Level of Service on CMP System in North Western Riverside) in the 2011 Riverside County Congestion Management Plan, peak hour volumes of arterials in proximity to the proposed 69 kV subtransmission line routes are:

- Limonite Avenue between Bain Street and Van Buren Boulevard: 1,185
- Van Buren Boulevard between Arlington Avenue and California Avenue: 3,305
- Van Buren Boulevard between Magnolia Avenue and Highway 91: 3,964
- Van Buren Boulevard between Highway 91 and Mockingbird Canyon Road: 3,179

An additional 63 peak hour trips by construction workers would not contribute substantially to vehicle trips on these roads. The additional trips would increase use of these arterial sections by approximately 1.5% to 5%.

This information has been added to Section 3.2.15 (Transportation and Traffic), under the “Environmental Impacts” for criterion b), as shown in Volume II of this FEIR. Changes to the Traffic Technical Report were not made.

Response to Comment O-170

Section 3.2.15 (Transportation and Traffic), under the “Environmental Impacts” for criterion b), now includes a new Table 3.2.15-5 that documents the transportation infrastructure where mitigation measures would be applied for both the 230 kV transmission line and the 69 kV subtransmission lines. Mitigation measure MM TRANS-01 was updated to include residential streets and roadways with specific access needs (fire station, hospital/medical facility, and school bus). Mitigation measure MM TRANS-04 was added to address bus transit route mitigation. Mitigation measure MM TRANS-05 was added to address Class I and Class II bicycle facilities mitigation. Revisions can be seen in Volume II of this FEIR. Changes to the Traffic Technical Report were not made.

Response to Comment O-171

During initial Project planning, the Wilderness Avenue/Jurupa Avenue intersection and the Van Buren Boulevard/Jurupa Avenue intersection were identified by RPU as areas of concern for potentially significant traffic impacts based on assumptions of hauling/delivery truck and employee vehicle routes to and from the new substation construction sites. Hence, RPU determined that a specific LOS analysis was warranted at these two locations. The table was added, as shown in Volume II of this FEIR, as Table 3.2.15-6.

No additional LOS analysis on the 230 kV transmission line or the 69 kV subtransmission line routes were conducted. No revisions to the Traffic Technical Report were made.

Riverside Transmission Reliability Project

From: Clotilde Bigornia <CBigornia@rwglaw.com>
Sent: Wednesday, November 30, 2011 1:42 PM
To: Riverside Transmission Reliability Project
Cc: Peter M. Thorson; Ginetta Giovinco
Subject: Riverside Transmission Reliability Project
Attachments: Comments on Draft EIR Part 1.pdf; Comments on Draft EIR Part 2.pdf

Please see attached Comments on Draft Environmental Impact Report being sent to you on behalf of Peter M. Thorson (for the City of Jurupa Valley).

Clotilde Bigornia

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November 29, 2011

VIA MESSENGER AND EMAIL (RTRP@RIVERSIDCA.GOV)

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, California 92522

**Re: Riverside Transmission Reliability Project – Comments on
Draft Environmental Impact Report**

Dear Mr. Hanson:

The City of Jurupa Valley (the “City”) has reviewed the Draft Environmental Impact Report (“DEIR”), State Clearinghouse No. 2007011113, dated August 1, 2011, which was prepared in connection with the proposal of the City of Riverside Public Utilities Department (“RPU”) and Southern California Edison (“SCE”) to construct and operate the Riverside Transmission Reliability Project (“Project” or “RTRP”). As stated in the DEIR, this Project would include a new 230 kV overhead transmission line, new 69 kV overhead subtransmission lines, two new substations, and upgrades at four existing 69 kV substations. This Project would occur partially within the City’s jurisdictional boundaries, and the City’s interests in this matter include ensuring that the proposed Project does not adversely impact the City of Jurupa Valley and its residents, businesses, or visitors.

Based on the numerous comments set forth below and attached hereto, the City believes that the DEIR fails to comply with the requirements of the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000, *et seq.*), and the State of California Guidelines for the California Environmental Quality Act (14 Cal. Code Regs §§15000 *et seq.*) Accordingly, the City requests that RPU suspend any further consideration of the Project until a DEIR that fully discloses and analyzes the potential impacts of the Project, fully considers feasible alternatives (including alternative locations and alternative technologies), and fully complies with all other CEQA requirements has been prepared and recirculated for public review and comment. The City objects to any further action by the City of Riverside or RPU on the Project until the necessary and proper environmental review has been completed.

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Due to the significance of this Project to the City of Jurupa Valley, the City retained experts to assist in the review of the DEIR. Peter Lewandowski, a Principal at Environmental Impact Sciences, has provided comprehensive comments on the DEIR. Mr. Lewandowski's comments are attached as Exhibit A, and are incorporated by reference. Mr. Lewandowski's curriculum vitae is included at the end of his comment letter.

The City requests and expects that responses to each comment, whether in this letter or the exhibit attached hereto, will be provided in accordance with CEQA Guidelines section 15088.

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As explained below and in the attached comments, the City believes that the DEIR is fundamentally flawed and fails to conform to the requirements of CEQA, including CEQA's public disclosure mandates. Specifically, the City provides the following comments on the deficiencies in the DEIR:

Failure to Include the City of Jurupa Valley

It is apparent from reviewing the DEIR that RPU and its environmental consultant, POWER Engineers, did very little to update the DEIR upon the incorporation of the City of Jurupa Valley on July 1, 2011. As a result, the DEIR contains several factually inaccurate statements, and omits any meaningful analysis relating to the City.

Inaccurate Environmental Setting

Although the proposed 230kV line alignment runs directly through the City, the environmental setting discussion in the DEIR does not mention the City at all (*see* page 2-2), nor is the City mentioned elsewhere where the setting is addressed (*see, e.g.,* pp. 3-17; 3-183; 3-239; 3-279). Beyond simply omitting references to the City, the DEIR is plainly inaccurate when it states that "the Proposed Project would be located only on lands within the County of Riverside and the cities of Riverside and Norco." (DEIR, p. 3-14.) Furthermore, several critical graphics have not been updated to reflect the City's corporate boundaries, thus providing the reader with incorrect information. (*See* DEIR Figures 2.3-2, 2.3-3, 6.2-1, 6.2-2, 6.2-3, 6.4-1, and 6.6-1; Table 3.2.7-2.) The DEIR will not be adequate as an informational document until it accurately describes the Project's physical location, jurisdictional boundaries, and localized impacts, including direct and indirect impacts to the City of Jurupa Valley.

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Failure to Include the City as a Responsible Agency

Table 2.9-1 in the DEIR purports to list all of the potential permits and approvals that the Project requires, but nowhere in the table is the City of Jurupa Valley listed. The table states that the Project requires an encroachment permit from the County of Riverside, as does text on page 3-239 (“SCE would still be required to obtain all ministerial building and encroachment permits from local (Riverside County and the cities of Riverside and Norco) jurisdictions”). The DEIR omits critical information by failing to state that an encroachment permit now would be required from the City of Jurupa Valley, given that the applicable land is now within the City’s boundaries. The City also does not appear to be listed as a responsible agency anywhere else in the DEIR, in violation of CEQA Guidelines section 15124(d)(1) (A) (EIR shall include a “list of the agencies that are expected to use the EIR in their decision-making”).

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In short, it is clear from the DEIR that the City and its residents and businesses are non-entities with respect to RPU’s environmental review. As a result of the DEIR’s omission of critical information, the document hinders rather than assists the public in understanding the environmental ramifications of the Project, denies the public meaningful opportunities to participate in the CEQA process, and is fatally flawed such that it cannot be relied upon by decisionmakers.

The DEIR Does Not Adequately Explain Why the City of Riverside, and not the California Public Utilities Commission, is the Lead Agency

The DEIR states that the “City of Riverside is the Lead Agency for the CEQA process.” (DEIR, p. ES-1.) Yet, it is unclear why the City of Riverside is the lead agency given its lack of discretionary authority over the Project.

Under CEQA, a “lead agency” means “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.” Public Resources Code § 21067. According to the DEIR, the only permit required from the City of Riverside is a ministerial grading permit (Table 2.9-1, p. 2-85) and no potential permits or approvals are required from RPU. The City of Riverside’s lack of discretionary authority over the Project is confirmed elsewhere in the DEIR: “no local discretionary permits or local plan consistency evaluations by Riverside County ALUC or the City of Riverside are required for SCE’s proposed 230 kV transmission line” (p. 6-88); “the County and cities would have no jurisdiction over these Proposed Project components, and the proposed 230kV transmission line and Wildlife Substation would therefore be exempt

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from local land use and zoning regulations and discretionary permitting” (p. 3-239). Moreover, the DEIR states that the City of Riverside does not have final review authority over the design of Project elements, and instead the CPUC will review both the 69kV and 230 kV components of the Project. (DEIR, p. 3-181.)

Instead, it appears that under the California Public Utilities Commission’s (“CPUC”) General Order No. 131-D, the CPUC is properly the lead agency for this Project. Section XIV B of the General Order states that “Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission’s [CPUC] jurisdiction.” Section IXV of the General Order then declares that “for all issues relating to the siting, design and construction of electric generating plant or transmission lines. . . *the Commission will be the Lead Agency under CEQA*, unless a different designation has been negotiated between the Commission and another state agency consistent with CEQA Guidelines § 15051(d).” (Emphasis added.)

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Given the City of Riverside’s and RPU’s lack of discretionary authority over the Project, and given the clear requirements of CPUC General Order No. 131-D, the DEIR fails to sufficiently explain exactly why the City of Riverside and not the CPUC is the lead agency for this Project.

This Environmental Review Process Constitutes Impermissible *Post Hoc* Rationalization

The law is clear that “before conducting CEQA review, agencies must not ‘take any action’ that significantly furthers a project ‘in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review for that public project.’” *Save Tara v. City of West Hollywood*, 45 Cal.4th 116.138 (2008); *see also* CEQA Guidelines § 15004(b)(2)(B). Here, it is apparent that significant action has been taken in furtherance of this Project, thus rendering this environmental review process nothing more than *post hoc* rationalization on the part of the City of Riverside and RPU.

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The DEIR acknowledges that “[d]uring the June 14, 2006 California Independent System Operators (CAISO) Board of Governors meeting, *SCE was directed to build the RTRP* (including 230 kV transmission line interconnection and other elements) as soon as possible. . . .” (DEIR, p. ES-1; emphasis added.)

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In response, and according to its own Minutes (January 20, 2006, Agenda Item 4) RPU already has “approved the preferred option to build a new 220 kV source and move forward with Phase I.” At that same meeting, RPU awarded a \$1,000,000 contract to POWER Engineers for preparation of the Project’s environmental documents, with the expressed expectation that “Upon successful completion of PHASE 1, Phase 2 work, including the detailed design, easement acquisition, material procurement, and construction management, would be included in a separate agreement with Power Engineers that would be brought back to the Board for approval.” Thus, it is apparent that the City of Riverside and RPU are determined to move ahead with the Project regardless of what the environmental review process and public input reveal about the Project’s significant adverse impacts.

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This same *post hoc* rationalization carries through the DEIR itself, as demonstrated most notably in the DEIR’s failure to analyze *any* alternative alignments for the proposed 69kV transmission lines, and selective claims of problems with undergrounding lines.

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The City of Riverside and RPU have irrevocably committed themselves to the approval of this Project prior to completion of the environmental review process, in clear violation of the law.

The DEIR Fails to Analyze the Project’s Environmental Justice Impacts

The DEIR states that the areas of controversy related to the Project include “Potential impact to property values of primarily residential property” and “Health effects of electric and magnetic fields, particularly to children and animals.” (DEIR, p. ES-4.) Yet, despite this clear indication of concern from the public, the DEIR fails to include any significant discussion of the Project’s environmental justice impacts. Beyond the cursory discussion of electric and magnetic fields (“EMF”) currently included in the DEIR (pp. 5-3 to 5-6), the DEIR should include a comprehensive analysis of the distribution of EMF risks and electricity benefits. The DEIR should analyze whether there is a disparity in median income between residents along the proposed routes and the income of residents where the bulk of the power is used, and should analyze whether the risk is concentrated on only a few in the City of Jurupa Valley while the benefits accrue to all electricity users in the City of Riverside. Furthermore, the DEIR should analyze alternative routes that specifically are designed not to place a disproportionate burden of impacts on communities whose residents do not receive any benefits from the Project.

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What little analysis the DEIR does contain of EMFs is wholly inadequate. The DEIR states:

“‘No-cost and low-cost’ measures to reduce magnetic fields will be incorporated into the design of this project in accordance with the California EMF Design Guidelines for Electrical Facilities. These measures will be documented in the Field Management Plan for the Proposed Project. The Field Management Plan will be filed as an appendix to the Proposed Project’s Application for a Certificate of Public Convenience and Necessity (CPCN) filed with the CPUC. The CPCN and the Field Management Plan will be available for public review prior to approval by the CPUC.” (DEIR, p. 5-6.)

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This constitutes both deferred analysis and deferred mitigation. The DEIR does not provide any description of the potential “no-cost and low-cost” measures to reduce EMFs, does not explain how they would be selected, does not explain what entity would ensure that they are implemented, and does not demonstrate how effective they would be in reducing exposure to EMFs.

It is not sufficient for an EIR to promise that future documents will reveal to an apprehensive public critical components of a project. The DEIR must contain this analysis in order to fully disclose the Project’s impacts and to provide the public with a meaningful opportunity for comment prior to any approval of the Project.

The DEIR is Premised Upon a Project that is Neither Stable nor Finite

“An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185 (1977). The DEIR fails in this regard, as it is based upon a project description that varies from that described in the Notice of Preparation, and which is still in flux.

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The Notice of Preparation states that the Project includes “[u]pgrades to *eight* existing 69kV substations within the City of Riverside: RERC, Mountain View, Harvey Lynn, Freeman, Riverside, La Colina, Springs, and Orangecrest.” (NOP, p. 6; emphasis added.) But, the DEIR states that “upgrades would be required at *four* existing RPU 69kV substations. . . . The four existing 69kV substations within the City that would require upgrades are Harvey Lynn, Mountain View, Freeman, and RERC.” (DEIR, p. 2-27 (emphasis added); *see also* p. 2-4.) The DEIR does not present any explanation for this discrepancy and inconsistent project description.

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It is also apparent from several sections of the DEIR that the exact locations and designs of key project elements are still unknown. For example, the DEIR states that submittal of various FAA-related notices only would occur “when final design of the Proposed Project is completed and the precise location of all Proposed Project structures are known.” (DEIR, p. 3-200.) Similarly, the DEIR states that based on the results of future geotechnical investigations, “some minor structure location adjustments may be required.” (DEIR, p. 3-182.) Future geotechnical and seismic investigations also would determine the final design of both the 69kV and 230 kV elements of the Project. (DEIR, p. 3-181.)

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If the location and designs are not yet known with certainty, the DEIR cannot claim to accurately and adequately disclose all potential adverse impacts, including impacts to biological resources given that the acreages of impacted habitat might change. The DEIR’s promise to “incorporate recommendations from the geotechnical study into the final design” (p. 3-182) is not sufficient, and amounts to nothing more than deferred analysis that deprives the public of a meaningful opportunity to understand and comment on the Project’s impacts.

The DEIR must be revised to include a complete and accurate project description, and must adjust its analysis accordingly.

The DEIR’s Environmental Analysis is Flawed in Several Critical Respects

The Aesthetic Impacts Analysis is Flawed

Noticeably absent from the DEIR is any analysis of the Project’s visual impacts and accompanying direct and indirect socioeconomic impacts along the I-15 Freeway corridor, including the potential creation of visual and socioeconomic blight due to the 230kV transmission line. By focusing exclusively on views of the natural environment, the DEIR has impermissibly ignored the significance of individual views (as measured by number of viewers), observers’ perceptions of human environments, and viewers’ reactions to the proposed new visual stimuli. The DEIR must be revised to include this analysis.

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In addition, several of the baseline photographs are old, and it is not clear that they accurately reflect the existing environment – or even that they did at the time of the second Notice of Preparation (November 18, 2009), which the DEIR claims is the baseline. For example, the photograph for Viewpoint 10 was taken more than four years ago, in June 2007 (Figure 3.2.1-18). Likewise, the photograph for Viewpoint 11 also was taken in June 2007 (Figure 3.2.1-19), which is nearly 2 ½ years before

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the baseline that purportedly was used. The use of old photographs calls into question the accuracy of the DEIR's conclusions with respect to the Project's aesthetic impacts.

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The Agricultural and Forestry Resources Analysis is Flawed

The DEIR acknowledges that the Project would result in the permanent conversion to non-agricultural use of Prime Farmland (0.7 acre), Unique Farmland (0.7 acre), and Farmland of Statement Importance (0.1 acre). (DEIR, p. 3-67.) The DEIR then proceeds to make findings that have no place in an impartial environmental review document, and which instead are the in the purview of the Project decisionmakers. For example, the DEIR states that agricultural easements and the purchase of mitigation credits as potential mitigation are not feasible because "the City finds that such easements and credits do not actually avoid, minimize, rectify, reduce, eliminate, or compensate for the permanent loss of agricultural lands. . . ." (DEIR, p. 3-67.) How can the DEIR preparers purport to know what the City's decisionmakers will conclude? The DEIR is required to fully consider all potentially feasible mitigation, and the DEIR preparers may not substitute their judgment for that of the decisionmakers on questions of policy.

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The Air Quality and Greenhouse Gas Emissions Analysis is Flawed

The DEIR's determination regarding potential construction-related emissions and air quality impacts rests in large part on Table 3.2.3-10. It is unclear whether the numbers in this chart are accurate, however, because they are predicated on a construction schedule that is assumed to start in August 2012 and be completed in July 2013. (DEIR, p. 3-87.) A start date of August 2012 not only appears wholly unrealistic given that the comment period on the DEIR does not even close until November 30, 2011, but also is inconsistent with other portions of the DEIR; the construction schedule listed on page 2-51 states that the CPUC is not even anticipated to issue the Certificate of Public Convenience and Necessity until December 2012, and the text on page 3-277 states that construction is anticipated to begin in December 2013. How can the project commence prior to issuance of this Certificate? This DEIR's repeated lack of clarity as to the Project's timeframe not only demonstrates the lack of a finite project description, but calls into question the reliability of the air quality analysis that is based on this construction timeline.

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The Biological Resources Analysis is Flawed

The DEIR acknowledges that field surveys of certain biological resources, such as the protected burrowing owl, are “only valid for one calendar year.” (DEIR, p. 3-96) But, the DEIR then improperly proceeds to rely on baseline conditions from 2007 for determining impacts to the burrowing owl. (DEIR, p. 3-96.) The DEIR fails to justify its use of outdated baseline information, and instead compounds the error by impermissibly deferring additional analysis: “Additional presence/absence surveys (Phase II, Phase III) for western burrowing owl will be conducted when the Proposed Project is submitted to RCA for review. . . .” (DEIR, p. 3-96.) By deferring any analysis of actual impacts until after project approval, the DEIR deprives the public and decisionmakers of a true understanding of the Project’s impacts.

Yet, despite deferring actual analysis of impacts to burrowing owls, the DEIR somehow concludes that the Project “is expected to result in potential temporary impact to this species during construction, but is not expected to result in direct impact.” (DEIR, p. 3-113.) Not only is this sentence unclear (are there impacts or not?), but the basis for the conclusion is doubtful given that no current field studies have been done.

The DEIR then proceeds to declare that the Project will permanently adversely impact occupied foraging or breeding habitat, but fails to quantify the area of permanent impact or provide any other description of it. This plainly fails as information disclosure: How much habitat will be impacted? Where is it located? What mitigation is necessary and proposed?

The DEIR similarly uses outdated data to determine impacts to other biological resources, at times even relying upon studies that were conducted approximately five years ago in 2006. (DEIR, pp. 3-96, 3-97.) The DEIR contends that this use of outdated data is sanctioned by the California Department of Fish & Game and the United States Fish & Wildlife Service (DEIR, p. 3-97), but even that claim is based on consultation occurring in March 2010, nearly 1 ½ years before the DEIR was released.

The DEIR’s failure to use current data, and its impermissible deferral of analysis related to the actual impacts of the Project, renders the DEIR inadequate with respect to biological resources.

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The Land Use and Planning Analysis is Flawed

It is undisputed that Jurupa Area Plan Policy 7.13 “discourage[s] utility lines within the river corridor. If approved, lines shall be placed underground where feasible and shall be located in a manner to harmonize with the natural environment and amenity of the river.” (DEIR, p. 3-242.) The DEIR largely evades this policy by stating, in conclusory terms, that undergrounding of the transmission lines is not feasible, and therefore concludes that the Project is consistent with the policy. (DEIR, p. 3-243.) This is akin to a circular argument. The DEIR uses its own unsupported conclusion that undergrounding is not possible as the basis for its conclusion that the Project is consistent with applicable land use policies, and fails to perform any further or in-depth consistency analysis.

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More is required. The DEIR must evidence a good faith attempt to analyze the Project’s consistency with *all* applicable land use policies, and to perform that analysis in a complete manner.

In addition, the DEIR impermissibly defers analysis and mitigation of impacts by failing to include the consistency evaluations that the DEIR acknowledges are required by the FAA and Riverside County Airport Land Use Commission. (DEIR, p. 3-200.) As a result, these analyses are not included in the CEQA process and there is no meaningful opportunity for public review of them prior to the City of Riverside’s and RPU’s action on the Project. Thus, in the case of aircraft navigation safety, the DEIR has deferred analysis and imposed no binding obligation on the City of Riverside, RPU, or SCE to take any necessary actions to mitigate potential impacts resulting from the Project’s stated inconsistency with airport and aircraft related safety plans (p. ES-10).

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The Population and Housing Analysis is Flawed

One example from this section suffices to demonstrate the lack of clarity that permeates the DEIR. On page 3-277, the DEIR states: “As a result of construction of the Proposed Project, population is estimated to temporarily increase by 774 persons.” Only one page later (3-278), the DEIR unequivocally states that the “population increase is based on standard statistics and not caused by the Proposed Project.” This does not make any sense. Either the purported population increase is caused by the Project or it is not. And, even if the analysis is based on statistical assumptions, those assumptions result from Project activities.

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The DEIR must be revised to correct this and other unclear statements in the DEIR, and must present a reliable analysis of Project impacts.

The Recreation Impacts Analysis is Flawed

The Recreation section of the DEIR both fails to fully disclose adverse impacts caused by the Project and fails to demonstrate that the proposed mitigation would reduce impacts to less than significant. Accordingly, the DEIR is deficient.

The DEIR acknowledges that “construction and operational activities could potentially disrupt access to established recreational facilities/areas or otherwise disturb activities in such areas.” (DEIR, p. 3-309.) Despite this unequivocal statement, the DEIR classifies these impacts as less than significant. This is less than candid, and represents an attempted end-run around CEQA’s information disclosure mandates.

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In addition, there is no support for the DEIR’s conclusion that proposed mitigation will reduce impacts to less than significant. The DEIR proposes mitigation that would require coordination of golf course hole and driving range closures, scheduling of construction to avoid heavy use periods, and posting of notices prior to closure. (DEIR, p. 3-309 [MM REC-01].) The DEIR fails to explain how any of these three items actually will reduce the impact of closures to less than significant. The DEIR thus omits a critical component of CEQA analysis – the linkage between the proposed mitigation and the level of significance after mitigation.

The Transportation and Traffic Analysis is Flawed

As with the Recreation section, the Transportation and Traffic section of the DEIR fails to provide any support for its conclusion of less than significant after mitigation. The DEIR acknowledges that construction of the 230kV transmission line “would create temporary impacts along approximately 0.4 miles of the transmission line route at Limonite Avenue and the Vernola Marketplace shopping center parking lot south of Limonite Avenue.” (DEIR, p. 3-316.) The DEIR then concludes that absent specific mitigation, “these temporary impacts would be significant.” (*Id.*) But, it is unclear how the mitigation that the DEIR proposes actually would reduce impacts to less than significant, as claimed.

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For example, the DEIR includes a mitigation measure that requires keeping one lane open in each direction of traffic flow, but it is unclear how the DEIR can thus conclude that this would maintain the same level of service along the straight road

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alignments. (DEIR, p. 3-316.) Absent an actual analysis, how is it certain that the mitigation effectively will ensure that the traffic LOS remains the same? Likewise, absent an actual traffic management plan, it is unclear how or why the DEIR concludes that restricting vehicle operations to designated work areas would minimize closures as crossing points. The DEIR must include support for its claims that the mitigation will reduce adverse impacts to less than significant.



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In addition, the DEIR evades a full analysis and disclosure of impacts by summarily stating that the “Van Buren Boulevard/Jurupa Avenue intersection would be LOS ‘D’ with or without the Proposed Project, so the existing condition would not be worsened by the Proposed Project.” (DEIR, p. 3-317.) This statement ignores the issue. While the LOS may remain the same, the Project would be contributing to a degradation of the intersection’s circulation and time delay. The DEIR must explain what the Project’s contribution to this downgrade would be, and analyze the potential for the Project to create to a cumulative impact in this regard.

The Alternatives Analysis is Flawed

The DEIR impermissibly truncates its discussion of several potential alternatives, and declines to consider them for further review in the DEIR. Most notably, this occurs with respect both alternate technologies (undergrounding) and alternate routes.

The DEIR repeatedly admits that undergrounding of the Project’s lines could reduce adverse impacts (*see, e.g.*, p. 3-168) and, in the case of aesthetic impacts which are significant and unavoidable, could reduce those impacts to less than significant. (DEIR, p. 3-53.) Yet, the DEIR fails to fully analyze this mitigation, and instead rejects from further analysis the possibility of undergrounding some or all of the transmission lines. The DEIR does this without any support, including any disclosure of actual expenses or economic analysis of the costs of undergrounding even some portions of the lines. CEQA does not permit this summary rejection of an alternative on the grounds of economics; *see Citizens of Goleta Valley v. Board of Supervisors*, 197 Cal.App.3d 1167, 1181 (“The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible”). In addition, this summary rejection wholly ignores the fact that industry trends have been towards undergrounding; indeed, Pacific Gas & Electric’s Jefferson–Martin Project, which began construction in 2005, included approximately 10 miles of underground 230kV XLPE cable. The DEIR should fully consider the possibility of undergrounding parts of the transmission line.

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In addition, the DEIR should actually analyze more than one alternate route for the 230kV line, and should analyze *some* other routes for the 69kV line. Currently, the DEIR dismisses from further consideration the Eastern Routes for the 230kV line, largely on the basis that additional permits would be required, including some from federal agencies. This is not a basis for rejecting an alternative from consideration or declining to undertake an analysis of it. And, the DEIR does not even attempt to consider a “range of reasonable alternatives” (CEQA Guidelines § 15126.6(c)) for the 69kV lines; *no* other routes beyond the Project are considered at all.

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The alternatives analysis in the DEIR is fundamentally flawed, and does not evidence a good faith effort to consider alternatives that potentially would have fewer significant adverse impacts than the Project does.

The DEIR is So Fatally Flawed That Recirculation is Required

CEQA requires that an EIR be recirculated when “significant new information is added to the EIR” prior to certification of the document. *See* CEQA Guidelines § 15088.5. “Significant new information” includes a disclosure that the “draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” *Id.*

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The City contends that for all of the reasons discussed above – not the least of which is the DEIR’s utter failure to recognize the City of Jurupa Valley in any meaningful respect – the DEIR’s inaccuracies and omissions constitute a serious and significant failing of the process, and run counter to CEQA’s mandate that an “EIR is to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” CEQA Guidelines, § 15003(d).

The City therefore objects to any further action on the Project until the necessary and proper environmental review has been completed and the public has been provided a meaningful opportunity to comment on the new EIR.

Very truly yours,



Peter M. Thorson

EXHIBIT A

1.0 INTRODUCTION

The City of Jurupa Valley (Jurupa Valley or City) wishes to extend its appreciation to the City of Riverside Public Utilities Department (RPU or Lead Agency) for providing the City with a copy of the "Draft Environmental Impact Report for the Riverside Transmission Reliability Project, SCH No. 2007011113" (DEIR or Draft EIR), dated July 2011. As proposed, the "Riverside Transmission Reliability Project" (RTRP or Proposed Project) includes, but is not limited to, construction of approximately 10 miles of new 230 kilovolt (kV) transmission line (T/L) and about 11 miles of new 69 kV subtransmission line, construction of new substations, and improvements to existing substations. As indicated by the City of Riverside, the proposed improvements, inclusive of both transmission and subtransmission components "will be treated as a single project" (<http://aquarius.riversideca.gov/clerkdb/DocView.aspx?id=50630&page=18&dbid=0>).

A substantial portion of the physical improvements associated with the RTRP, including the installation and operation of new high-voltage transmission lines (HVTL), would occur within the corporate boundaries of the City. However, as indicated in the DEIR, "the County [of Riverside] and cities would not have jurisdiction over these Proposed Project components, and the proposed 230 kV transmission line and Wildlife Substation would therefore be exempt from local land use and zoning regulations and discretionary permitting" (p. 3-239). As a result, absent meaningful opportunities for early participation in the environmental review process and retention of discretionary authority over those aspects of the RTRP which are located within Jurupa Valley, the City perceives the Proposed Project as an infringement upon local sovereignty and self-determination.

None of the comments presented herein are neither intended as indictments of any actions or activities of the City of Riverside, RPU, or any other party nor are they intended to dissuade those entities from their continued efforts to faithfully advance the interests of their constituents, provide critical infrastructure, promote economic development, improve the quality of life, and promote business interests within the City of Riverside. Through the presentation of these comments, the City seeks to raise certain issues with regards to the planning and entitlement processes associated with the Proposed Project. Because of our many shared interests and commonalities, as a new municipality in the Inland Empire, Jurupa Valley would like to formulate a cooperative, progressive, and respectful relationship with its neighbors. The need for cooperation and effective communication is particularly evident when regional and subregional issues are at hand and when broader solutions may be called for. The issues of energy consumption, conservation, and reductions in greenhouse gas (GHG) emissions are the types of issues that would traditionally transcend jurisdictional boundaries.

Within the comment period established by the "Notice of Completion" (NOC), as extended by the Lead Agency, the City has neither had the time nor the resources to undertake an independent siting analysis of a 230 kV transmission route through Jurupa Valley nor is it the City's obligation to do. Similarly, in a broader context, the Jurupa Valley City Council (City Council) has not yet ascertained whether it could support a new 230 kV alignment within the City which did not directly benefit the City and its residents and, if it could support such alignment, where in the City that alignment should be located and under whose authorizing jurisdiction such alignment should be permitted. The City is not, however, adverse to meeting with representatives of the City of Riverside, RPU, the Southern California Edison Company (SCE), the California Public Utilities Commission (CPUC or Commission), or others to discuss right-of-way (ROW) possibilities, environmental concerns, and other issues but believes that any

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such discussions need to be premised on the consideration of a wider range of ROW and other reasonable alternatives than now presented in the DEIR.

As presented, there exists an inherent unfairness in asking Jurupa Valley to shoulder the environmental and economic detriments of a project sponsored by an adjoining municipality in which it will not receive any corresponding environmental, economic, or energy-based benefits. Jurupa Valley was not provided the opportunity to participate in the environmental scoping process and, as indicated in the DEIR, the City will be denied any say in the Proposed Project's approval or conditioning. As evidenced in the DEIR, routing options for the proposed HVTL were never seriously considered through other municipalities.

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As stipulated in Section 15083 of the Guidelines, "[p]rior to completing the draft EIR, the lead agency may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project. Many public agencies have found that early consultation solves many potential problems that would arise in more serious forms later in the review process. This early consultation may be called scoping." The DEIR states that the Proposed Project lies, in part, "in the Cities of Riverside, Norco, and Jurupa Valley" (p. ES-1) and "[i]ncorporated City of Jurupa Valley as of July 2011" (p. 3-233). As such, by its own admission, the Lead Agency was aware of the City's incorporation and likely interest in the Proposed Project. However, as indicated in the DEIR (e.g., p. 7-4), except as initiated by the City following the DEIR's release, no public meetings have been held at any location within the City (or in the near vicinity of the City) following the City's incorporation, no formal or informal solicitation of pre-circulation comments was requested from the City (p. 7-5), no agency or elected official briefings were held either with Jurupa Valley staff or with the City's advisory or decision-making bodies (pp. 7-6 and 7-7), no "packets" were distributed to the City (p. 7-6), no representations of the City were invited to participate in the "technical advisory committee" (TAC) (i.e., "Representatives included county and municipal agencies that have administrative jurisdiction in the Proposed Project area," p. 7-5), and no TAC meetings (pp. 7-5 and 7-6) have been held following incorporation. As such, for all intents and purposes, until receipt of the "Notice of Completion" (NOC) in August 2011, the City was excluded from participation in any scoping activities initiated by the Lead Agency involving the Proposed Project and its accompanying CEQA documentation.

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The City was formally incorporated on July 1, 2011, prior to the release of the DEIR on August 1, 2011. As a result, because no pre-circulation environmental notice was provided after that date and prior to the Lead Agency's release of the NOC, the City was not able to comment on either the January 2007 "Notice of Preparation" (NOP1) or the subsequent November 2009 "Notice of Preparation" (NOP2) and was not invited to participate in any scoping activities that may have been undertaken by the Lead Agency prior to the release of the DEIR. Although a late entry in the environmental process, the City appreciates RPU's attendance at a "community workshop" scheduled by the City at the request of its constituents on September 13, 2011 but notes that the workshop was the result of the City's own initiative and neither that of the City of Riverside nor RPU.

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As indicated in the DEIR, since 2007, "RPU and SCE [have] conducted an iterative process of alternative route refinement, data collection, and inter-agency consultation to respond to concerns and avoid environmental effects" (p. ES-1). The City has not been a participant in that process and has not previously been provided an opportunity to present comments to the City of Riverside or RPU with regards to the RTRP, its potential environmental effects, reasonable mitigation measures, and possible alternatives. Prior to July 2011, the City's lack of prior

participation is understandable in light of the City's recent incorporation. As such, the City cannot fault the Lead Agency for lack of notification before that date; however, the Lead Agency had an affirmative obligation to correct that defect prior to the release of the DEIR.

Incorporation shifted local government responsibility for the unincorporated area that is now the City from the jurisdiction of the Riverside County Board of Supervisors to the newly established City Council. The resulting change is not solely jurisdictional but constitutes a fundamental shift in political and policy-based perspective. Reasons for the City's recent incorporation include, but may not be limited to, the City's desire to give the community greater control over land-use planning decisions; create a politically-accountable governing body; capture, increase, and preserve local revenues; pursue local policy goals; and support and improve local public services. Independent of whatever position may have been espoused by the County of Riverside (County) and County staff with regards to the Proposed Project, the City is an independent entity and has yet to be provided a Lead Agency-sponsored, CEQA-based forum to address those physical changes now being proposed within our community.

Prior to incorporation, those lands now comprising the City were located in unincorporated Riverside County. Any previous statements, comments, or communiqués from the County to RPU with regards to the proposed RTRP should not be construed as indicative of the policy or position of the City. Based, in large part, on the identified transmission alignment within Jurupa Valley, the significant and substantial failings of the current environmental impact report (EIR) to serve as an informational document for informed decision making, and the Lead Agency's election not to conduct pre-circulation consultation with the City, the City is unable to support the RTRP in the manner and location now proposed.

Although newly incorporated, the City recognizes its obligations under the provisions of the California Environmental Quality Act (CEQA), as codified in the Public Resources Code (PRC), and the Guidelines for the Implementation of the California Environmental Quality Act (Guidelines), as codified in Chapter 3 in Title 14 of the California Code of Regulations (14 CCR), and has endeavored to submit comments to the Lead Agency within the time period established by the Lead Agency. As indicated in the NOC, the stated comment period commenced on August 1, 2011 and concludes on September 30, 2011. In response to the City's request, the Lead Agency agreed to extend that comment period for an additional 60 days, concluding on November 30, 2011. These comments have been submitted to the Lead Agency within the time period and are intended to constitute a part of the Proposed Project's CEQA documentation.

CEQA mandates that each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so (Section 21002.1[b], CEQA). Since actions in one community can and often do "spill over" and, either positively or negatively, affect the environment and quality of life in outlying areas, the comments raised herein relate not to the autonomy of the City of Riverside's actions but to the implications of the Lead Agency's actions on the City and its varied constituents.

Based on the staffing and administrative constraints faced by all newly incorporated municipalities and the absence of opportunities for early consultation, these comments should be seen as preliminary in nature and may not reflect the totality of environmental, socioeconomic, and other issues attributable to the RTRP that warrant analysis under CEQA. Due to the voluminous nature of the DEIR and the very limited time that the City has had to review it, further review and/or discovery may disclose additional issues that the City may deem important to raise during the remainder of the CEQA process, whether before the Lead Agency

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or other “responsible agencies” (14 CCR 15381). The City and its constituents accordingly reserve the right to present such additional issues as may be revealed during the course of further review, including pursuit of intervenor status with the CPUC and receipt of intervenor compensation (pursuant to Section 1801-1812 of the Public Utilities Code [PUC]) with regards to the issuance of the required “Certificate of Public Convenience and Necessity” (CPCN) for the “approval and construction of the 230 kV transmission line and substation” (p. 2-85).

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With regards to the proposed HVTL, the City is concerned that “[r]esidential areas are located less than 100 feet from the route” and “there are a few residential areas near Limonite Avenue that are more than 100 feet from the proposed line route” (p. 3-76). The City is also concerned that implementation of the Proposed Project and/or one or more of the alternative alignments might also result in direct and/or indirect adverse impacts to existing City residents, landowners, and businesses (e.g. “The Van Buren Offset Alternative would result in the removal of several residential structures,” p. 6-102). Those residents and affected properties potentially located outside the proposed ROW and neither benefiting from any mitigation or being offered any compensation will be directly and indirectly impacted and subjected to increased health and safety risks, altered views, diminished property valuation, forfeiture of development opportunities, and reduction in the quality of their lives. It is unclear whether those parties (including both owners and tenants) received any direct notice of the Proposed Project and were provided an opportunity to submit comments in response to NOP1, NOP2, and the NOC.

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Based on the limited opportunities presented to Jurupa Valley by the Lead Agency, the City has been able to only focus on certain environmental and socioeconomic consequences of the Proposed Project. As a side note to its own constituents, this limited focus is not intended to be an affront to any of the unaddressed interests of the City’s residents, landowners, and business community. It is the City’s hope that those interests will be expressed through the active participation of others in this CEQA process. The City may elect to avail itself of those comments should discussions with the Lead Agency with regards to the Proposed Project need to be presented at a separate and subsequent forum.

In the preparation of these comments, the City has sought to use typical writing conventions (e.g., utilization and application of parenthesis and bracketing). Use or application of those writing conventions, as well as the use of headings, capitalization, and punctuation herein, are presented to facilitate communication and for convenience purposes only and should not be construed as limiting the nature or broader relevancy of the City’s comments. Similarly, the organization of these comments should neither serve as an artificial constraint to the Lead Agency’s obligations under CEQA nor limit the nature of the Lead Agency’s responses thereto.

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Although a specific comment may be raised under a certain section or under a certain heading, each comment should be construed as having broader application and relevancy with regards to the Proposed Project, the project’s potential direct, indirect, and cumulative environmental and socioeconomic effects, and the Lead Agency’s CEQA requirements. For example, as more thoroughly described herein, confusion exists as to the identity of the CEQA “lead agency” (e.g., City of Riverside and/or Riverside Public Utilities). In recognition of that confusion, the term “Lead Agency,” as used herein, should be broadly construed to refer to both the City of Riverside and RPU independent of which or both of those entities is serving in that role. Similarly, whether explicitly identified in the DEIR or tangential thereto, reference to the “Proposed Project” and/or the “RTRP” herein is intended to be inclusive of all subtransmission, transmission, substations, and other physical improvements associated, both directly and indirectly, with those electrical systems identified in the DEIR, whether localized or regional in

nature, inclusive of new construction and renovation, remodeling, and retrofitting, the real property located thereupon, and all associated maintenance and upkeep activities associated therewith independent of the permitting agency.

Except where otherwise noted, excerpts and page references cited herein are with regards to the DEIR and are intended to be illustrative and not exhaustive. The City's misidentification of a page reference or citation (presented solely for the convenience of the Lead Agency) or typographic or other unintended errors should not be used as an excuse by the Lead Agency not to fully respond to the issues and concerns expressed herein. Highlighting has been used occasionally herein for emphasis purposes. Although certain text is highlighted, the use of that notation is not intended to limit the application or relevancy of other corresponding text that is not comparably illustrated.

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2.0 RECIRCULATION REQUIRED

Pursuant to Section 15088.5 of the Guidelines, a lead agency is required to recirculate a previously circulated EIR when "significant new information is added to the EIR" after release of the NOC but before certification. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantive adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement. "Significant new information requiring recirculation includes, but is not limited to, a disclosure that: (1) a new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented; (2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance; (3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project but the project's proponents decline to adopt it; and (4) the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded" (emphasis added).

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As specified in Section 15064(c) of the Guidelines: "In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency." Because the Lead Agency failed to notify, solicit comments from, or otherwise involve the City in the CEQA process prior to the release of the DEIR, the City was deprived the opportunity to present information germane to the Proposed Project and its potential environmental impacts (e.g., locally-held environmental values, alternative threshold standards, other project alternatives, and feasible mitigation measures). Because it has negated meaningful opportunities for local participation, the Lead Agency's omission of the City constitutes a serious and significant failing and substantiates the need to recirculate the DEIR.

As stipulated in Section 15125 of the Guidelines, "[a]n EIR must include a description of the physical environmental conditions in the vicinity of the proposed project." In *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001), the courts have affirmed that "accurately identifying the baseline conditions is the first step in the process of determining the significance of the project's potential environmental effects." In *Amador v. El Dorado County Water Agency* (1999), the courts have noted that "[w]ithout an appropriate baseline description, an adequate analysis of a project's (County of impacts, mitigation measures, and alternatives "becomes impossible."

Although not disclosed in the DEIR, on June 9, 2011, SCE petitioned the CPUC (Energy 2590E) and, on June 15, 2011, the CPUC granted SCE's "Revision to SCE's Index of Communities to Include Reference to the City of Jurupa Valley (anticipated effective 07/01/11)." Even as a result of that formal acknowledgement, there appears little evidence that the Lead Agency sought to update the pre-release version of the DEIR to reflect the incorporation of the City on July 1, 2011. For example, although the new 230 kV transmission alignment traverses Jurupa Valley, the environmental setting includes no reference to the City (e.g., "The 230 kV transmission line element of the Proposed Project would be located within the City of Riverside, the City of Norco, and the unincorporated County of Riverside," p. 2-2; "the Proposed Project would be located only on lands within the County of Riverside and the cities of Riverside and Norco," p. 3-14; "The 230 kV transmission line alternatives are located primarily in unincorporated areas of Riverside County," p. 3-17; "The proposed 230 kV transmission line and Wildlife Substation are located in unincorporated Riverside County and/or the Cities of Riverside and Norco," p. 3-239; "Jurisdictions in the Proposed Project area include Riverside County and the cities of Riverside and Norco. SCE transmission elements of the Proposed Project [I-15 Route] would be predominately located on unincorporated lands in Riverside County," p. 3-279; and "[Proposed] Project components would be located on lands within the County of Riverside and the cities of Riverside and Norco," Appendix B, p. 17). In addition, important graphics have not been updated to illustrate the City's corporate boundaries (e.g., Figures 2.3-2, 2.3-3, 6.2-1, 6.2-2, 6.2-3, 6.4-1, and 6.6-1) and to reflect the project's physical relationship thereto.

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None of the technical studies presented in Appendix B (Technical Reports) in the DEIR identifies the existence of the City or addresses the potential environmental consequence of the Proposed Project upon Jurupa Valley. For example, the "Land Use Technical Report" (Power Engineers, June 2010) includes no reference to the City and was not subsequently augmented after the City's incorporation and prior to the release of the DEIR.

As indicated in the DEIR, the input of "public and elected official interest was very important to the consideration of routing alternatives" (emphasis added) (p. 6-42) and at least one alternative (i.e., Bain Street) was eliminated based on "public opposition" (p. 6-46). However, for all intents and purposes, although a substantial segment of the Proposed Project is located within the City's corporate boundaries, the City, its residents, landowners, and business community are non-entities with regards to the Lead Agency's environmental review. While the timing of the City's incorporation may have been inconvenient for the Lead Agency, the scheduled incorporation was approved by the voters on March 8, 2011, substantially in advance of the release of the DEIR on August 1, 2011. The Lead Agency, therefore, had ample time to revise the administrative draft (screencheck) DEIR prior to the posting of the NOC to include reference to and analysis of project-related and cumulative impacts on Jurupa Valley. Because the Lead Agency elected not to do so, there now exists substantive factual and material errors in the DEIR, thus denying the affected public meaningful opportunities to participate in the CEQA process and hindering an understand the Proposed Project's potential extraterritorial impacts.

The Lead Agency has sought to apply an erroneous baseline, thus resulting in factual and analytical errors in the DEIR. As indicated in the DEIR: "For the purpose of this DEIR, and pursuant to California Environmental Quality Act (CEQA) Guidelines (Section 15124(a) [sic]), the baseline conditions used to determine the impacts associated with the Proposed Project and Alternatives are the on-the-ground, physical environmental conditions that existed in the Proposed Project area in Fall of 2009. . . Additional data were collected beyond the fall of 2009, during development of this DEIR, to increase the accuracy of baseline conditions, augment

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information, respond to scoping comments, update existing data with survey results, or update the environmental setting to reflect recent changes in land uses within the Proposed Project area" (emphasis added) (p. 3-2). With regards to the City's incorporation and the consequences thereof, no such "update" is presented in the DEIR.

As further indicated in the DEIR: "Although CEQA Guidelines Section 15125 states that the baseline conditions are 'normally' those that exist at the time the NOP is released (here, November 2009) [sic], CEQA permits a lead agency to select a different baseline for analysis purposes if that baseline is supported by substantial evidence" (emphasis added) (p. 3-96), explicitly stating that a governmental agencies "opinion constitutes substantial evidence supporting the City's [of Riverside] baseline determination" (p. 3-97). As such, the Lead Agency itself acknowledges that certain post-NOP release date events may predicate the need to alter the date and/or description of "baseline conditions" (e.g., "data from July 2010 is presented because it represents the most recent and accurate data available," p. 3-79; "Focused surveys for Delhi-Sands flower loving fly habitat were conducted in 2006, 2007, 2010, and 2011," p. 3-96; "To gather more complete information on the most refined proposed routes, noise measurements were collected along the 230 kV and 69 kV proposed routes in February, 2011," p. 3-261). Because it constitutes a substantial physical change and has substantive ramifications with regards to the Proposed Project's environmental analyses, the City believes that Jurupa Valley's incorporate constitutes "substantial evidence" warranting the selection of a "different baseline."

Pursuant to Section 15151 of the Guidelines: an EIR must provide a degree of analysis and detail about environmental impacts that will enable decision makers to make intelligent judgments in light of the environmental consequences of their decisions. The sufficiency of the EIR is to be reviewed in light of what is reasonably feasible (see Kings County Farm Bureau v. City of Hanford [1990]). The Lead Agency must make a good faith effort at full disclosure of environmental impacts. In order to accomplish this requirement, it is essential that the project is adequately described and that existing setting information is complete (see County of Inyo v. City of Los Angeles [1977]). Decision makers and other stakeholders need to fully understand the implications of the choices that are presented relative to the Proposed Project and to feasible mitigation measures and alternatives thereto (see Laurel Heights Improvement Association v. Regents of University of California [1988]). In this case, the DEIR fails to provide sufficient and accurate information about the environmental setting to allow for informed decision making.

As indicated in Village Laguna of Laguna Beach, Inc. v. Board of Supervisors (1982), an EIR is "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return" (emphasis added). The DEIR's failure to disclose and address impacts to and upon the City prevents the document from providing such forewarning. As a result, among other defects, this EIR will not be adequate until the project's physical location, jurisdictional boundaries, and localized impacts are fully described and the analysis of the Proposed Project's direct, indirect, and cumulative impacts revised to explicitly address Jurupa Valley.

The City is an entity to the same extent as are its residences, landowners, and businesses. Even to the extent that it can be argued that the City was not incorporated prior to the release of NOP1 and NOP2, the Lead Agency cannot knowingly release a deficient document (14 CCR 15020). Incorporation constitutes a substantive "change in the project or environmental setting" (14 CCR 15088.5). The absence of any meaningful analysis of project-specific and cumulative

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environmental and socioeconomic ramifications of the Proposed Project on the City effectively "deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect" (14 CCR 15088.5). The totality of comments presented by the City provides substantial evidence supporting the need for the recirculation of the DEIR.

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3.0 LEAD AGENCY AND RESPONSIBLE AGENCY ISSUES

3.1 Lead Agency Status

There is substantial confusion as to the identity of the CEQA lead agency. As indicated in NOP1 (January 23, 2007): "The City of Riverside Public Utilities Department will be the Lead Agency and will prepare an Environmental Impact Report pursuant to the California Environmental Quality Act for the Riverside Transmission Reliability Project" (NOP1, p. 1). However, NOP1 also states that "[t]he City of Riverside is the lead agency" (emphasis added) (NOP1, p. 2). NOP2 (November 18, 2009) states "the City of Riverside will be the Lead Agency in the preparation of the Environmental Impact Report for the proposed Riverside Transmission Reliability Project" (NOP2, p. 1) and "RPU will prepare a Draft EIR" (NOP2, p. 1). NOP1 and NOP2 appear to make a clear distinction between the "City of Riverside Public Utilities Department" and the "City of Riverside," thus suggesting that the two bodies constitute autonomous governmental entities, each independently and separately processing statutory authority to entitle the Proposed Project.

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The NOC fails to explicitly identify which agency is serving as CEQA lead agency but notes that: (1) "The City of Riverside will hold a formal hearing with the City Planning Commission" (NOC, p. 2); and (2) "Comments should be addressed to" the "City of Riverside Public Utilities Department" (NOC, p. 2). Again, the project's documentation draws a distinction between those entities but states or otherwise infers that the "City Planning Commission" is the advisory and/or decision-making body of the "City of Riverside Public Utilities Department" for the purpose of environmental and land-use entitlements. As indicated on the City of Riverside website: "Established in 1895, Riverside Public Utilities is a consumer-owned water and electric utility governed by a Board of nine community volunteers" (<http://www.riversideca.gov/utilities/admin-executive.asp>). It, therefore, appears that the RPU's "Board [of Public Utilities]" and the "City [of Riverside] Planning Commission" are separate governing bodies.

Under the description of "agencies, permits, and approvals," NOP2 identifies two distinct "local agencies" from whom "permits and approvals would be obtained." As indicated therein, those local agencies include: (1) "The City of Riverside Public Utilities (CEQA Lead Agency) [a] CEQA compliance [b] Approval to construct the proposed project"; and (2) "Riverside County [a] Crossing and encroachment permit for County road [b] Land and Water Conservation Fund conversion agreement [c] Compliance with Western Riverside County Multi-Species Habitat Conservation Plan" (emphasis added) (NOP2, p. 4; see also NOP2, p. 8 and DEIR, Table 2.9-1, p. 2-85). Adding to this confusion, the DEIR states that "RPU would be the owner/operator of the 69 kV subtransmission line" (p. 3-277) and states that the Proposed Project includes the "RPU-owned Wilderness Substation" (p. 2-5).

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As specified in Section 15002(i) of the Guidelines: "CEQA applies in situations where a governmental agency can use its judgment in deciding whether or how to carry out or approve a project. A project subject to such judgmental controls is called a 'discretionary project.'" Pursuant to Section 15124(d)(1) of the Guidelines, the project description "shall" contain a "list

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of the agencies that are expected to use the EIR in their decision-making" and a "list of permits and other approvals required to implement the project." As indicated in the DEIR, no "potential permits and approvals" are identified as being required from RPU and only a ministerial "grading permit" is required from "Riverside City Public Works Department" (Table 2.9-1, p. 2-85). Either the project description is incomplete or neither RPU nor the City of Riverside have discretionary authority over the Proposed Project.

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The DEIR is also contradictory. As indicated therein, "the County [of Riverside] and cities would not have jurisdiction over these Proposed Project components, and the proposed 230 kV transmission line and Wildlife Substation would therefore be exempt from local land use and zoning regulations and discretionary permitting" (p. 3-239) and "the proposed 69 kV subtransmission lines and Wilderness Substation are exempt from Title 19 of the City of Riverside's Municipal Code" (pp. 3-250, 3-254). If so exempt, then the Proposed Project would also appear to be exempt from the City of Riverside's "grading permit" requirements. The DEIR does not explicitly state whether the "Riverside City" grading permit constitutes a discretionary or ministerial action.

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As defined in Section 21067 of CEQA: "'Lead Agency' means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment." As further noted in the DEIR: (1) "no local discretionary permits or local plan consistency evaluations by Riverside County ALUC [Airport Land Use Commission] or the City of Riverside are required for SCE's proposed 230 kV transmission line" (p. 6-86); and (2) "local review is not required for SCE facilities" (p. 6-86). Based on these excerpts and assuming their factuality, it can be reasonably concluded that the City of Riverside "would not have jurisdiction over the Proposed Project" (e.g., no discretionary permits or approvals are required from the City of Riverside).

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As indicated under Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities' January 20, 2006 meeting, the Board of Public Utilities has already awarded a design-build contract to Power Engineers, Inc. (Power Engineers) for the proposed project; therefore, RPU and not the City of Riverside would likely be the contract entity responsible for the project's construction.

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RPU is identified as the "Project Proponent" (pp. ES-5 and 3-126). However, NOP2 states that the RTRP "is a joint project between RPU and SCE" (emphasis added) (NOP2, p. 1). As indicated in the DEIR: "RPU and SCE" are identified as "co-proponents for the Proposed Project" (p. 6-2). As such, although critical to an understanding of the Proposed Project, the DEIR is not internally consistent with regards to the identification of the "project proponent."

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It is evident that Power Engineers prepared the DEIR under contract to RPU and for the RPU (e.g., "RPU has retained the firm of Power Engineers, Inc. to assist in the development of the EIR," NOP2; see also DEIR title page). To the extent that RPU is the "project proponent" and/or the "applicant" (14 CCR 15351) and was also responsible for the preparation of the project's CEQA documentation, a greater level of scrutiny (and a greater obligation upon the Lead Agency) is required with regards to demonstrating the EIR's independence and objectivity. Similarly, since Power Engineer has both a design-build contract for the design and construction of the Proposed Project and was tasked with the preparation of the EIR, reasonable questions arise whether a privately-owned firm with a vested economic interest in the Proposed Project's

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construction should be the same firm responsible for the preparation of the project's CEQA documentation and the formulation of environmental mitigation.

In *Friends of La Vina v. County of Los Angeles* (1991), the courts have stated that "CEQA [shall] 'be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language' [Citation]. Implicit in the requirement that the agency exercise independent review, analysis, and judgment when using EIR materials submitted by an applicant's consultant is a heavy demand for independence, objectivity, and thoroughness. Moreover, this standard pursues the prescription that an EIR be 'a document of accountability' [Citation]."

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"The lead agency must independently participate, review, analyze and discuss the alternatives in good faith" (*Kings County Farm Bureau v. City of Hanford* [1990]). "So significant is the role of lead agency that CEQA proscribes delegation" (*Planning and Conservation League v. Department of Water Resources* [2000]).

As specified under Section 21082.1 of CEQA, the EIR must be prepared "directly by, or under contract to" the lead agency (see also 14 CCR 15084[a]). To the extent that they constitute separate and distinct entities, it is evident that RPU (in its role as both applicant and developer) contracted for the EIR's preparation. However, there exists no evidence that the City of Riverside played any role therein. As noted in Chapter 9 (List of Preparers) in the DEIR, six representatives of RPU, four representatives of SCE, twenty representatives of Power Engineers and no representatives of the City of Riverside are included among the "list of preparers" (p. 9-1).

In *Friends of La Vina v. County of Los Angeles* (1991), the courts noted that "[i]f there is any doubt regarding whether a public agency may lawfully direct a developer to prepare his own EIR, it is dispelled by *Friends of Mammoth v. Board of Supervisors* [Citation]. In *Friends of Mammoth*, the Supreme Court ruled that CEQA is to be interpreted to achieve the maximum environmental protection that can be achieved within the reasonable scope of the statutory language. Here it is not merely well within the scope of the statutory language that the public agency, and not the applicant for the public agency's approval, bears the responsibility of conducting the environmental study; it is plainly stated in mandatory language. Clearly, a study conducted by a public agency charged with protection of the public interest and not in a position of conflict of interest is more likely to achieve the purposes of CEQA than a study conducted by paid consultant of the applicant. The point need not be belabored, but needs to be clearly in mind since it demonstrates the rationale for the wording of the statute. *Friends of Mammoth* and all the similar cases following *Friends of Mammoth* are further reason to find that respondent may not comply with CEQA by directing the applicant to conduct his own environmental study and to prepare his own EIR."

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Section 15084(e) of the Guidelines notes that "[b]efore using a draft prepared by another person, the lead agency shall subject the draft to the agency's own review and analysis." In *Friends of La Vina v. County of Los Angeles* (1991), the courts further noted that the "[t]he 'preparation' requirements of CEQA and the Guidelines 'turn not on some artificial litmus test of who wrote the words, but rather upon whether the agency sufficiently exercised independent judgment over the environmental analysis and exposition that constitute the EIR.'" Absent from the DEIR is any evidence that the City of Riverside conducted an independent review of the DEIR other than "rubber stamping" the DEIR delivered to it in its totality. The full extent of the City of Riverside's independent "review and analysis," if any, needs to be fully documented.

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Clarification is, therefore, needed with regards to the precise identity of the CEQA lead agency, the relationship between the City of Riverside and RPU, the autonomous powers and statutory/regulatory authority of those distinct entities, and the existence of any project-related discretionary actions that may be required from the City of Riverside and RPU. Throughout the DEIR, the Lead Agency makes a distinction between the "City of Riverside" and "Riverside Public Utilities." The City of Riverside City Council is the decision-making body for the City of Riverside and, assuming that the City of Riverside in the CEQA lead agency, would be charged with the responsibility of certifying the EIR. In contrast, the "Board of Public Utilities" (e.g., "The Board of Public Utilities sets policy for RPU," p. 1-3) is the decision-making body of the RPU. Assuming that the City of Riverside City Council and the RPU Board of Public Utilities are separate and autonomous entities, it appears that the City of Riverside City Council and not the RPU's Board of Public Utilities is asserting CEQA lead agency status. From the information presented, it is not possible to ascertain the precise identity of the CEQA lead agency and/or the decision-making body tasked with the certification of the EIR.

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Similarly, based on this confusion, it is not possible to discern which agency (e.g., City of Riverside, RPU) and what entity (e.g., City of Riverside Planning Commission, City of Riverside City Council, Board of Public Utilities) is tasked to certify the final EIR and make requisite findings as required under CEQA and the Guidelines and, if so certified, to what agency and what entity that decision is appealable.

Referencing the "Recirculated Draft Program Environmental Impact Report – City of Riverside General Plan 2025 Program, State Clearing House Number 20040211108" (July 2007) (FPEIR) (<http://aquarius.riversideca.gov/clerkdb/Browse.aspx?startid=38872&row=1&dbid=0>): "The City of Riverside is the primary distribution provider for electricity in the entire City. Riverside Public Utility is a municipally owned electric utility and as such maintains electrical facilities and infrastructure within the City. Southern California Edison (SCE) serves electrical customers outside of the City [of Riverside] limits. . . Southern California Edison is a regulated electrical unit which maintains electrical facilities and infrastructure within the Sphere [of Influence] areas and a very small portion of the City [of Riverside]. It provides service to customers within a 50,000 square mile area of central, coastal, and Southern California, including western Riverside County. The California Independent System Operator operates 500 kV and 220 kV transmission lines, which travel east to west throughout the County of Riverside. These lines are part of the Western United States electric transmission system which ties the entire region together and brings power from many areas to Riverside County" (emphasis added) (FPEIR, Volume II, pp. 5.16-16 through 5.16-18).

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The FPEIR makes a clear distinction concerning RPU's and SCE's organizational statutes, jurisdictional responsibilities, geographic service area, and facility operations. The FPEIR further acknowledges that RPU's facilities serve only the City of Riverside while SCE's facilities are part of the nationwide bulk power system. By asserting CEQA lead agency status, the City of Riverside appears to be stating that it has planning and permitting responsibilities and jurisdictional control over all or portions of the "Western United States electric transmission system." The City believes that clearly is not the case and, based on the proposed improvements to the "Western United States electric transmission system" identified in the DEIR, statutory and regulatory authority over SCE's bulk power system appropriately vests with the CPUC (and neither with the City of Riverside nor with RPU).

The RPU states that the 69 and 230 kV improvements associated with the RTRP are "a single project" (<http://aquarius.riversideca.gov/clerkdb/DocView.aspx?id=50630&page=18&dbid=0>). ✓

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NOP2 states that the RTRP "is a joint project between RPU and SCE" (NOP2, p. 1). The DEIR notes that RPU and SCE are "the co-proponents of the Proposed Project" (p. 6-2) and "[b]oth RPU's and SCE's systems are proposed for expansion under the Proposed Project" (pp. 3-278 and 3-288).

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SCE is a regulated utility, operating in accordance with the rules and regulations of the CPUC. The CPUC has issued rules relating to the planning and construction of electric generation and transmission, power, and distribution line facilities and substations in California. Those rules, detailed in "General Order No. 131-D" (GO 131-D), specify CEQA requirements associated with the issuance of permits for electrical facilities. Section I in GO 131-D states that "except as specifically provided herein, no electric public utility, now subject, or which hereafter may become subject, to the jurisdiction of this Commission, shall begin construction in this state of any new electric generating plant, or of the modification, alteration, or addition to an existing electric generating plant, or of electric transmission/power/distribution line facilities, or of new, upgrades or modified substations without first complying with the provisions of this General Order. For the purpose of this General Order, a transmission line is a line designed to operate at or above 200 kilovolts (kV). A power line is a line designed to operate between 50 and 200 kV. A distribution line is a line designed to operate under 50 kV."

In accordance with Section III.A in GO 131-D: "No electric public utility shall begin construction in this state of any new electric generating plant having in aggregate a net capacity available at the busbar in excess of 50 megawatts (MW), or of the modification, alteration, or addition to an existing electric generating plant that results in a 50 MW or more net increase in the electric generating capacity available at the busbar of the existing plant, or of major electric transmission line facilities which are designed for immediate or eventual operation at 200 kV or more without this Commission's having first found that said facilities are necessary to promote the safety, health, comfort, and convenience of the public, and that they are required by the public convenience and necessity."

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In accordance with Section III.B: "No electric public utility shall begin construction in this state of any electric power line facilities or substations which are designed for immediate or eventual operation at any voltage between 50 kV or 200 kV or new or upgraded substations with high side voltage exceeding 50 kV without this Commission's having first authorized the construction of said facilities by issuance of a permit to construct in accordance with the provisions of Sections IV.B, X, and XI.B of this General Order."

Section IXV states that "for all issues relating to the siting, design and construction of electric generating plant or transmission lines. . .the Commission will be the Lead Agency under CEQA, unless a different designation has been negotiated between the Commission and another state agency consistent with CEQA guidelines." As indicated in the DEIR, Section XIV in the GO 131-D further states that "local jurisdictions, acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utility shall consult with local agencies regarding land use matters" (emphasis added) (p. 3-239). As previously noted, no such required consultation occurred with Jurupa Valley.

From the above excerpts, it is clearly evident that the CPUC has major discretionary authority over the proposed project. The CPUC and neither the City of Riverside nor RPU should, therefore, serve in the capacity of CEQA lead agency. The change in CEQA lead agency status

is not seen as insignificant and constitutes substantially more than a name change on the cover of the document (e.g., CPUC procedures are more arduous than those of the City of Riverside and provide opportunities for intervenor participation and compensation). Jurupa Valley, as well as members of its community, would likely pursue intervenor status and compensation in any CPUC proceeding. Following the release of the DEIR, Jurupa Valley's request for compensation for costs incurred in document review were denied by the City of Riverside.

As indicated in the DEIR, with the exception of the City of Riverside, electric services throughout the County of Riverside is provided by SCE (see Table 3.2.13-3, p. 3-282). RPU's jurisdiction extends only over its limited service (control) area and 69 kV subtransmission system. Referencing the "Initial Study/Proposed Mitigated Negative Declaration – Subtransmission Project" (RPU, February 2009) (MND-SP): "The City of Riverside provides electric service to residents and businesses within the city limits via a network of 69/33 kV subtransmission lines, distribution substations and radial 4 and 12 kV feeders. The subtransmission network consists of 24 lines that serve 14 substations" (MND-SP, Technical Appendix A, Section 2).

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As indicated in the DEIR: "The City of Riverside Public Utilities Department (RPU) provides electric service for customers in the City [of Riverside]. Power is delivered to RPU through the regional bulk transmission system owned by Southern California Edison Company (SCE) and operated by the California Independent System Operator (CAISO)" (emphasis added) (p. 1-3). As further indicated therein: "RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth and to provide a second interconnection for system reliability. SCE determined that in order to meet RPU's request, SCE should expand its regional electrical system to provide RPU a second source of transmission capacity to import bulk electric power" (emphasis added) (p. 1-3). "SCE would be the owner/operator of the 230 kV transmission line and associated Proposed Project components, while RPU would be the owner/operator of the 69 kV subtransmission line Proposed Project components. SCE would be responsible for acquiring its own ROWs" (p. 3-277). By the Lead Agency's own admission, SCE and not RPU is, therefore, the party responsible for "develop[ing] a means to provide additional transmission capacity." As such, the governmental entity responsible for regulating SCE should appropriately serve as CEQA lead agency.

It is unclear whether the RPU has the authority to regulate SCE and/or impose conditions on SCE activities undertaken within its jurisdiction. Other than as they may relate to existing requirements, it does not appear that the mitigation measures identified in the DEIR (see Table ES-1, pp. ES-5 through ES-9) relate directly to SCE-sponsored activities and/or serve to effectively mitigate the potential environmental impacts of those activities.

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Since RPU does not "provide" 230 kV power to any of its customers, the DEIR appears to include two separate and distinct projects: (1) "creation of a new SCE 230 kilovolt transmission interconnection" and "construction of a new SCE substation" (p. 1-3), identified in the DEIR as the "SCE 230 kV transmission line" (p. 2-6); and (2) "construction of a new RPU substation" and "expansion of the RPU 69 kV system" (p. 1-3), identified in the DEIR as the "RPU 69 kV subtransmission lines" (p. 2-13). The first project involves regional improvements to SCE's high-voltage (bulk) transmission system (e.g., "Power is delivered to RPU through the regional bulk transmission system owned by Southern California Edison Company," p. 1-3). The second project involves localized improvements to RPU's 69 kV subtransmission (power line) system (e.g., "RPU's 69 kV system is a single system supported exclusively by SCE's Vista Substation," p. 1-4). It is assumed that RPU would own and control the 69 kV system (i.e., "RPU's

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subtransmission system," p. 2-13) and that SCE would own and operate the 230 kV system, including any underlying real property interests. For example, as indicated in the DEIR: (1) "Wildlife Substation would be a 230 kV substation and would be owned and operated by SCE" (p. 1-3); and (2) "Wilderness Substation would be a 230/69 kV substation and would be owned and operated by RPU" (p. 1-4). Even that description may be incomplete. For example, it is reasonable to assume that the 230 kV component of the Wilderness Substation would be owned and operated by SCE while the 69 kV component of that substation would be owned and operated by RPU.

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Further evidence of the existence of two distinct projects can be discerned from the stated schedule. As indicated in the DEIR: "RPU anticipates that construction of components of the proposed 69 kV portion of the Proposed Project (which includes the subtransmission lines, Wilderness Substation, substation upgrades, and associated telecommunication work) could begin following publication of the Notice of Determination of the Final EIR by the BPU Board and Riverside City Council" (Appendix B, p. 11). From this excerpt, in what would appear fragmentation, it can be construed that the RPU will commence construction prior to receipt of the CPCN from the CPUC.

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It is likely that SCE's ratepayers and not just RPU's ratepayers will be required to carry the cost of the proposed 230 kV transmission improvements. Because those improvements and undisclosed costs have been consolidated with RPU's subtransmission improvements, SCE ratepayers have been denied access to this environmental and entitlement process and may only obtain access once "bureaucratic and financial momentum" behind the proposed project builds to the point that approval is a foregone conclusion (see *Save Tara v. City of West Hollywood* [2008]). As such, by excluding the majority of SCE's ratepayers (inclusive of those located outside RPU's service area) from the current CEQA process, notification and dissemination of the DEIR appears inadequate. It would, therefore, appear that a significant number of potential stakeholders (e.g., SCE customers) have been excluded from the CEQA process.

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Because "CEQA was intended to be interpreted in such in such a manner as to afford the fullest possible protection to the environment" (14 CCR 15003[f]), under the stewardship of which agency will the environment be best protected and public participation best promoted? The CPUC is required to consider, as a factor in granting a CPCN, the "influence [of that facility] on the environment" if the Commission concludes that "any emissions or discharges there from would have a significant influence on the environment of this state" (Section 1002[a][4], PUC). "In calculating the cost effectiveness of energy resources, including conservation and load management options," the Commission must also consider "a value for any costs and benefits to the environment, including air quality" (Section 701.1[c], PUC). It is unclear whether a similar statutory or regulatory mandate applies to the RPU.

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As indicated in the DEIR, a CPUC-issued CPCN is required for the proposed project (e.g., "Construction of the 230 kV component of the Proposed Project would begin following the necessary approvals, including a Certificate of Public Convenience and Necessity [CPCN] which is required in order for SCE to proceed to construct its components of the Proposed Project," p. 2-51). Recognizing the need for a CPUC-issued discretionary approval and the requirements of GO 131-D, with regards to CEQA compliance, the State's jurisdiction, broader mandate, and absence of direct financial interests should preempt that of RPU.

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On January 20, 2006, RPU entered into a design-build agreement with Power Engineers to design, entitle, and construct the proposed RTRP. Although the stated schedules may no longer apply, as specified in Exhibit A (Scope of Services) in the supplemental "Agreement for Professional Consulting Services" (November 15, 2006): "SCE is responsible for the design of the 230 kV transmission line and the 230 kV yard at Jurupa Substation. SCE is scheduled to start the design of these facilities in August 2006. Power [Engineers] will be responsible for the environmental permitting (preparation of an EIR) for both the 230 kV and 69 kV project. It will be treated as a single project under CEQA" (Scope of Services, p. 2). "Our approach to facilitate the EIR review by the CPUC is to have SCE develop their CPCN application during the development and internal review of the Draft EIR. Once the Draft EIR is completed, printed, and distributed to agencies and public for review, the CPCN application and copy of the Draft EIR will be submitted to the CPUC" (Scope of Services, p. 6). From this statement, it can be assumed that the CPCN application has been filed with the CPUC; however, it is unclear what level of participation by the CPUC has occurred with regards to the DEIR's preparation and whether the DEIR is intended to serve the dual-role of project-level EIR and "Proponent's Environmental Assessment" (PEA).

As indicated in Section 15060.5 of the Guidelines: "(a) For a potential project involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the lead agency shall, upon the request of a potential applicant and prior to the filing of a formal application, provide for consultation with the potential applicant to consider the range of actions, potential alternatives, mitigation measures, and any significant effects on the environment of the potential project. (b) The lead agency may include in the consultation one or more responsible agencies, trustee agencies, and other public agencies who in the opinion of the lead agency may have an interest in the proposed project."

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To the extent that Power Engineer's Scope of Service accurately depicts the sequence of DEIR preparation and dissemination and SCE's subsequent filing of the CPCN application, it appears that SCE elected to intentionally delay filing its CPCN application until the CEQA process initiated, in whole or in part, in response to that pending applicant was well underway. Traditionally, investor-owned utilities (IOU) file a CPCN application that includes a "Proponent's Environmental Assessment" (PEA). The PEA is analogous to an expanded initial study (under CEQA) and provides a basis for the CPUC to define the project at hand, ascertain the type of CEQA documentation required, focus that environmental review on the potentially significant impacts potentially attributable to the proposed project, and identify a reasonable range of alternatives for concurrent analyses. During its review, the CPUC may request supplemental data from the IOU. Once the application is deemed complete, the CPUC would prepare and disseminate a NOP and formally commence the CEQA process.

In this case, SCE appears to seek to short-cut the CEQA process by providing the CPUC with a published DEIR, thus eliminating the PEA and the scoping activities performed by the CPUC. Not only does this appear contrary to CPUC policies and procedures but it also deprives other stakeholders of the inherent environmental benefits which are derived from CPUC scoping activities.

As disclosed in the DEIR, with single exception (i.e., 69 kV pole height near airport) and when examined from a local rather than regional perspective, all of the unmitigable adverse environmental impacts attributable to the proposed project relate to the "230 kV transmission line," the "230 kV structure placement" (p. ES-9), and/or the "cumulatively considerable" air quality impacts (p. ES-10) resulting therefrom. In recognition of the presence of significant

environmental effects, the CPUC (not RPU) is best qualified to examine the project from a broader regional perspective in order to ensure CEQA compliance (e.g., “The EIR is to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its actions,” 14 CCR 15003[d]).

Even to the extent that it can be argued that the City of Riverside and/or RPU has jurisdiction over localized improvements to RPU’s subtransmission (69 kV) system, State (CPUC and CAISO) authority should preempt local control with regards to the bulk transmission (230 kV) system of State-regulated investor-owned utilities. In recognition of the Lead Agency’s own admission that the Proposed Project constitutes a “single project under CEQA” (Scope of Services, p. 2), the larger project (i.e., “whole of the action”) and not a component thereof dictates the proper manner of CEQA compliance (14 CCR 15003[h] and 15378). Evaluating the whole of the action ensures that impermissible “piecemealing” and “segmenting” of a project does not occur (Bozung v. Local Agency Formation Commission [1975]).

In accordance with this principle, the Guidelines clarify that the term “project” refers to “the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term ‘project’ does not mean each separate governmental approval” (14 CCR 15378[c]). “This important elaboration is meant to “ensure that a project proponent does not file separate environmental reports for the same project to different agencies thereby preventing ‘consideration of the cumulative impacts of the project [Citation]. It also serves as a reminder that there may be more than one agency issuing approvals for a particular project and clarifies that the project is not to be confused with each separate governmental approval” (Nelson v. County of Kern [2010]).

Under CEQA, the lead agency charged with responsibility to conduct this expansive evaluation is typically the public agency with principal responsibility for carrying out or approving a project (Section 21067, CEQA; Section 15367, Guidelines). If the project is to be carried out by a non-governmental entity, the lead agency is the public agency with the greatest responsibility for the entire project. In the case of the proposed project, the CPUC (not RPU) has jurisdictional authority over the regional bulk transmission system of which RPU’s 69 kV subtransmission system is appurtenant thereto. Black’s Law Dictionary (9th Edition, 2009) defines “appurtenant” as “[b]elonging to; accessory or incident to; adjunct; appended, or annexed to.” This definition suggests that an appurtenant (localized) facility must be both subordinate to and integrated with the larger (regional) undertaking.

As indicated in Rural Land Owners Association v. Lodi City Council, the court noted that “responsibility for a project cannot be avoided by limiting the title or description of the project.” Although the RPU has a relatively small service area and clientele (e.g., “The City [of Riverside] owns and operates an electrical utility which provides water and electric power for customers within the approximately 81.5 square mile city limits,” p. 1-9), SCE is an IOU and serves a substantial portion of southern California (e.g., “The entire SCE service area covers approximately 50,000 square miles in Southern and Central California,” p. 1-9). While the DEIR states that the “purpose of the Proposed Project is to provide RPU with adequate capacity to serve existing load” and “provide for long-term system capacity” (p. ES-4), the DEIR acknowledges that “RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth and to provide a second interconnection for system reliability” (p. 1-3). That “second interconnection,” including its associated transmission and substation improvements, could have impacts extending substantially beyond the City of Riverside and encompassing (directly, indirectly, and cumulatively) SCE’s larger southern

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California service area. A reasonable argument, therefore, exists to transfer lead agency status from RPU to the CPUC.

The PUC confers upon the CPUC authority to regulate the terms of service and the safety, practices, and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC, pursuant to its statutory responsibility to protect the environment, to require that mitigation measures be properly implemented and monitored. With regards to environmental mitigation, the DEIR states that “[i]t is the responsibility of the City of Riverside, as the Lead Agency under CEQA, to ensure that both utilities [SCE and RPU] implement the identified EPEs [Environmental Protection Elements] and mitigation measures as identified in reducing impacts within this DEIR” (p. 3-3). Since the City of Riverside lacks jurisdiction authority over SCE, there exists no basis “to ensure” that any mitigation measures applicable to SCE are, in fact, implemented (e.g., “SCE and RPU would be responsible to implement the mitigation measures as they apply to the 230 kV and 69 kV components of the Proposed Project,” p. 3-3)..

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The City has make no presumption that the ultimate outcome of the environment and entitlement processes would be different under a CPUC-managed CEQA process, only that the statutory and regulatory requirements of CEQA would be best served if the CPUC were serving in the capacity of CEQA lead agency. One need only compare the list and substance of mitigation measures imposed by the CPUC on a similar transmission project (e.g., San Joaquin Cross Valley Loop Transmission Project) against the list of mitigation measures presented in the DEIR to immediately recognize the environmental protection benefits associated with a CPUC-managed CEQA process.

3.2 Responsible Agency Status

With regards to the Proposed Project's land-use impacts, the DEIR states that “[t]he location of the ROW within existing and planned developments could result in direct impacts where operation would preclude or impair future development. Preclusion would also occur as a result of the proposed 230 kV transmission line traversing the Vernola Marketplace community shopping center parking lot. The placement of the 230 kV transmission line in the parking lot would result in the reduction of approximately six designated parking spaces and require approval of a Substantial Conformance from Riverside County” (emphasis added) (pp. 3-252 and 3-253). “[A]pproval of a Substantial Conformance request is a discretionary action, and SCE would not be required to obtain approval of this action from Riverside County prior to approval of the Proposed Project” (p. 3-253). It is also construed that the Lead Agency is further asserting that neither the City of Riverside nor RPU would be required to obtain approval of a “Substantial Conformance from Riverside County.”

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As a result of incorporation, the Vernola Marketplace (Pats Ranch Road/Limonite Avenue/I-15 Freeway) is located in the City and not in unincorporated County. Because a substantial portion of the proposed project is located in Jurupa Valley and because the City is now tasked to enforce the provisions of the “Riverside County Municipal Code” (County Code), the City should be identified as a “responsible agency” under CEQA. For the purpose of CEQA, the term ‘responsible agency’ includes all public agencies other than the lead agency which have discretionary approval power over the project.”

Substituting the “City of Jurupa Valley” for “Riverside County,” it appears to be the Lead Agency's declared position that the City has no discretionary actions and/or jurisdictional authority with regards to the RTRP, has no “responsible agency” status or standing, and has no

ability to dictate alignment or impose conditions and/or mitigation measures on the Proposed Project. With regards to the Proposed Project, the Lead Agency is further stating that Jurupa Valley is subordinate to the City of Riverside which (with the possible exception of the CPUC) has exclusive authority and control over land-use decisions, design and development, and environmental mitigation within Jurupa Valley's corporate boundaries, including eminent domain authority over public and private lands located therein. The City neither accepts that position nor does it willingly delegate such control to the City of Riverside or RPU.

As defined in Section 15358(a) of the Guidelines, environmental "[e]ffects include: (1) Direct or primary effects which are caused by the project and occur at the same time and place. (2) Indirect and secondary effects which are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable" (emphasis added). Implementation of the Proposed Project will introduce a new land use into the City, resulting in the introduction of a long-term physical feature possessing unique land-use characteristics and likely requiring a use-specific land-use designation. The County General Plan includes a "public facilities" designation for "existing public utility corridors, including fee owned rights-of-way and permanent easements" (County General Plan, Policy LU 5.4). Should the ROW be established, the City would need to amend the County General Plan (City General Plan) to acknowledge that use and to impose appropriate land-use standards governing the use of those lands.

Independent of the Lead Agency's assertion that local land-use regulations are preempted, the Proposed Project will necessitate the City's subsequent preparation and processing of, at minimum, a general plan amendment (GPA) and zone change based on the introduction of a new unique land use within its jurisdiction. Since a GPA constitutes a discretionary action (14 CCR 15357), the City becomes a "responsible agency" (14 CCR 15381) and/or an agency with "jurisdiction by law" (14 CCR 15366) that will need to consider the adequacy of the Lead Agency's certified EIR as the environmental basis for its own subsequent discretionary action.

As noted in the DEIR: "Electric energy delivered through the CAISO transmission system to RPU's local system is delivered by RPU to customers that are within the City [of Riverside]" (p. 1-3). By its own admission, the RPU does not serve customers within incorporated Jurupa Valley. Nonetheless, the City of Riverside City Council and/or RPU's Board of Public Utilities is asserting jurisdiction over Jurupa Valley (e.g., "The City of Riverside Public Utilities Department and Southern California Edison are proposing to construct and operate the Riverside Transmission Reliability Project in the Cities of Riverside, Norco, and Jurupa Valley," p. ES-1). Notwithstanding this purported preemption of local control, Jurupa Valley has not been identified as a stakeholder by the Lead Agency, was not provided pre-circulation notice of the Proposed Project, and was not invited to participate in any environmental scoping. Specifically, no formal or informal consultation with the City occurred prior to the release of the DEIR.

Under Article XI, Section 7 of the California Constitution, a "county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulation not in conflict with general laws." Pursuant to Section 53091 in Title 5, Division 2, Part 1, Chapter 1, Article 5 of the California Government Code (CGC): (1) "Each local agency shall comply with all applicable building ordinances and zoning ordinances of the county or city in which the territory of the local agency is situated" (Section 53091[a]); and (2) "Zoning ordinances of a county or city shall apply to the location or construction of facilities for the storage or transmission of electrical energy by a local agency, if the zoning ordinances make provision for those facilities" (Section 53091[e]).

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County Ordinance 684 (An Ordinance of the County of Riverside Granting to Southern California Edison Company, Its Successors and Assigns, a Franchise to Use, and to Construct and Use, Poles, Wires, Conduits, and Appurtenances for Transmitting and Distributing Electricity for all Purposes, Under, Along, Across, and Upon the Public Streets, Ways, Alleys, and Places within the County of Riverside) neither preempts local land-use authority on private lands nor diminishes the rights of individual property owners. As specified in Section 5 therein: "Whenever any portion of the territory covered by this franchise shall be annexed to, or otherwise become a part of any municipal corporation, or of any other County, the rights reserved under this franchise to the County or any officer thereof, shall inure to the benefit of such municipal corporation or County, and its appropriate officers."

Pursuant to Section 17.208.010 (Permitted Uses) in Chapter 17.208 (Public Use Permit) in Title 17 (Zoning) of the County Code: "Notwithstanding any other provisions of this title, the following uses may be permitted in any zone classification; provided, that a public use permit is granted pursuant to the provisions of this section. . . (b) Facilities for the storage or transmission of electrical energy where the county is not preempted by law from exercising jurisdiction. This section shall take precedence over and supersede any conflicting provisions in any zone classification. Facilities for the storage or transmission of electrical energy shall not be subject to the development standards of the zone classification in which they are located." As further indicated in Section 17.208.040 (Conditions) therein: "A public use permit shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community. Any permit that is granted shall be subject to such conditions as shall be necessary to protect the health, safety or general welfare of the community." As such, the City asserts that, at minimum, a discretionary "public use permit" is required for any new transmission facility proposed within the City's corporate boundaries. As now presented, the EIR is inadequate and fails to provide a sufficient environmental basis under CEQA allowing the City's issuance of that permit. Similarly, based upon substantial evidence, the City cannot make the finding that the Proposed Project, as conditioned, will "protect the health, safety or general welfare of the community."

"Land use regulation in California historically has been a function of local government under the grant of police power contained in Article XI, Section 7 of the California Constitution" (Big Creek Lumber Co. v. County of Santa Cruz [2006]). The power of a city or county to control its own land-use decisions derives from this inherent police power, not from the delegation of authority by the State. Thus, local governments have been constitutionally endowed with wide-ranging discretion to formulate basic land-use policy (DeVita v. County of Napa [1995]).

As noted in Table 2.9-1 (Potential Permits and Approval for the Proposed Project and Alternatives) in the DEIR (p. 2-85), the Lead Agency purports that the City is not a CEQA responsible agency and no discretionary permits or approvals are required from the City. As indicated in the NOP2: "Local jurisdictions cannot disapprove, impose conditions or environmental mitigation measures, or otherwise assert formal, discretionary jurisdiction over utility projects" and "the [Proposed] Project is exempt from local land use and zoning regulations" (Appendix A, p. 33).

Any exemption does not excuse the RPU from faithfully fulfilling its CEQA obligations, including disclosure and mitigation of significant environmental effects. To the extent that they exist, the Lead Agency is using those exemptions to trample the City's ability to regulate land-use decisions within its own corporate boundaries and to short-cut the CEQA process by ignoring and failing to mitigate the City's environmental and socioeconomic concerns. Independent of

whether Jurupa Valley possesses discretionary land-use authority over the Proposed Project, CEQA nonetheless mandates that those significant environmental impacts attributable to the Proposed Project be disclosed, analyzed, and effectively mitigated (or alternatives formulated).

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4.0 IMPROPER DELEGATION OF RESPONSIBILITIES

As specified under Section 15051((b) of the Guidelines: "If the project is to be carried out by a nongovernmental person or entity, the lead agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole." Because the Proposed Project is critically dependent upon those 220 kV transmission improvements to be constructed and operated by SCE, because neither the City of Riverside nor RPU has jurisdictional authority over a State-regulated utility, because the RTRP involves the taking of real property outside the boundaries of the City of Riverside, and because the Proposed Project involves improvements to the bulk power transmission system, the City believes that the CPUC must serve as CEQA lead agency and has either improperly delegated Lead Agency status to the City of Riverside or has mistakenly consented to "responsible agency" designation.

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Contradictory information is presented in the DEIR with regards to the identity of the CEQA lead agency. The DEIR does not state whether RPU's Board of Public Utilities is empowered to certify the EIR (e.g., "RPU anticipates that construction of the proposed 69 kV portion of the Proposed Project could begin following publication of the Notice of Determination on the Final EIR by the RPU Board and Riverside City Council, including any conditions of approval and statement of overriding considerations," p. 2-64). If the RPU Board of Public Utilities is not so empowered, the RPU is not authorized to serve as CEQA lead agency. Conversely, if the RPU Board of Public Utility will certify the EIR, it would appear inconsistent with CEQA to assign CEQA lead agency status to the City of Riverside.

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As specified under Section 15020 of the Guidelines: "Each public agency is responsible for complying with CEQA and these Guidelines. A public agency must meet its own responsibilities under CEQA and shall not rely on comments from other public agencies or private citizens as a substitute for work CEQA requires the lead agency to accomplish." To the extent that the City of Riverside is the Lead Agency, it is precluded from delegating to others those responsibilities that it must itself perform (e.g., identification of project alternatives).

The DEIR states that SCE (not RPU) "reviewed a range of alternatives" (p. 1-3). The DEIR further states that RPU and SCE "developed and incorporated Project-specific measures that include standard practices, design features and procedures into the description of the Proposed Project to protect environmental quality and to avoid or reduce impacts from construction and operation and maintenance" (p. 3-3). The Lead Agency further states that "[m]itigation measures have been identified that would reduce or avoid potentially significant adverse impacts. . .SCE and RPU would be responsible to implement the mitigation measures" (p. 3-3).

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Under CEQA, although the Lead Agency may delegate certain duties and responsibilities for mitigation monitoring to another public agency or to a private entity which accepts delegation, the Lead Agency cannot delegate to SCE (as a non-governmental applicant) the responsibility for the formulation of, compliance with, and/or the enforcement of mitigation measures promulgated for the purpose of avoidance or minimization of a significant environmental effect (14 CCR 15097[a]).

5.0 PREDETERMINATION

As indicated in Section 15003 of the Guidelines: "The purpose of CEQA is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind." The California Supreme Court, in *Laurel Heights Improvement Association v. Regents of the Univ. of California* (1988), ruled that "[a] fundamental purpose of an EIR is to provide decision-makers with information they can use in deciding whether to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved. If post approval environmental review were allowed, EIRs would likely become nothing more than post hoc rationalizations to support action already taken. We have expressly condemned this use of EIRs."

That same "post hoc rationalization" appears evident here. The most glaring example of this predetermination is the absence of any alternative alignments for the proposed 69 kV transmission lines. A single 69 kV alignment is presented, thus preventing any discussion of or choice between different routing options. As a further means of illustration, with regards to the Lead Agency's rejection of the "new generation" alternative, as indicated in the DEIR, "it is not a viable alternative because it fails to meet the Proposed Project's basic objective of increasing the reliability of the RPU's system" (p. 6-24). The "new generation" alternative is, however, premised on "provid[ing] the same level of reliability as the Proposed Project" (p. 6-22), resulting in the creation of a design and development scenario allowing comparable level of reliability to occur. As evident throughout the DEIR, the analysis is internally contradictory and presents erroneous and unsupportable rationalization in order to conclude that "the Proposed Project was determined to have fewer impacts overall" (p. 6-102) and, excluding the "no project" alternative, was found to be "environmentally superior" (p. 6-102) to the single other alternative examined.

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In addition, the DEIR notes that "it [is] economically infeasible to construct an underground alternative or even to underground in specific locations as a potential means of mitigating localized impacts. These conclusions hold true for the 69 kV subtransmission line." Also, "undergrounding [is] economically infeasible for the 69 kV subtransmission lines, both as a full undergrounding alternative and as undergrounding in specific locations" (emphasis added) (pp. 6-39 and 6-40). However, as indicated in the project description, the proposed project includes "[r]elocation and undergrounding of some existing distribution lines" (p. 2-1). "In ten locations, the proposed 230 kV transmission line would cross existing local overhead distribution lines creating clearance or reliability issue that could not be addressed through simple route alignment. To accommodate the new 230 kV transmission line, these ten locations would require relocation (and in some cases undergrounding). . . A total of 5,680 feet of distribution would be re-installed underground" (p. 2-27).

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Undergrounding activities include, but may not be limited to: (1) "Fourteen poles and the associated overhead facilities would need to be removed and replaced with underground facilities requiring approximately 2,450 feet of trenching" (p. 2-27); (2) "At this location, it is necessary for the overhead facilities to be removed and relocated underground. Approximately 450 feet of trenching would occur" (p. 2-28); (3) "Additionally, four poles and overhead facilities would be relocated by removing them and replacing them with underground facilities. This would require approximately 600 feet of trenching" (p. 2-28); (4) "Some overhead facilities would be removed and relocated underground" (p. 2-29); (5) "Because of insufficient clearances, the existing line would require modification including relocation and undergrounding of existing conductors, and the installation of supporting underground vaults. At seven pole locations in this area, wooden structures and associated overhead facilities would need to be removed and

replaced with underground facilities" (p. 2-29); and (6) "Because of insufficient clearances, the existing line would require modifications, including relocation and undergrounding of existing conductors and the installation of supporting underground vaults. A single wooden structure and associated overhead facilities would need to be removed and replaced with underground facilities" (pp. 2-29 and 2-30). Since undergrounding in specific location is explicitly included as an integral part of the proposed project, except for its own self-serving purposes, no factual basis exists for RPU to allege that undergrounding is infeasible and/or to reject underground as a possible mitigation measure or design alternative (e.g., "undergrounding was eliminated from further consideration in this alternatives discussion and also rejected as an infeasible alternative," p. 6-40).

It appears that the inferred problems of underground occur only selectively. While those problems are germane elsewhere, they do not appear to apply in those locations where undergrounding is now proposed. For example, in excluding underground as a design option, even where aircraft navigation hazards may exist (e.g., "These structures would be an incompatible land use if the heights of the structures were to pose a hazard to air navigation near the airport," p. 3-201), the Lead Agency states that "undergrounding would potentially cause greater traffic impacts from the placement of the transmission line within the public street right-of-way, and would require substantially more excavation than overhead structures. . . Further, during future repairs of an underground line, entire sections between vaults, approximately 2,000 feet apart, may require re-excavation. Outages would also be prolonged on the underground line, due to poor accessibility and time required in identifying the failure location, excavating the underground line, and correcting any outage. Economic considerations associated with undergrounding show that undergrounding is infeasible" (emphasis added) (p. 3-201). Other than the presentation of unsupported conclusions, no factual evidence is provided to support the alleged arguments against undergrounding.

In *Concerned Citizens of Costa Mesa v. 32nd District Agricultural Association* (1986), the courts have emphasized the critical role of linking government decision making with public participation in the CEQA process. "CEQA compels an interactive process of assessment of environmental impacts and responsive project modifications which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process ([Citation]). In short, a project must be open for public discussion and subject to agency modification during the CEQA process ([Citation]). This process helps demonstrate to the public that the agency has in fact analyzed and considered the environmental implications of its action."

As indicated in the DEIR: "(1) "During the June 14, 2006 California Independent System Operators Board of Governor's meeting, SCE was directed to build the RTRP (including 230 kV transmission line interconnection and other elements) as soon as possible and preferably no later than June 30, 2009" (emphasis added) (p. ES-1); and (2) "On June 14, 2006, the CAISO approved and directed SCE to construct and provide the City [of Riverside] a new 230 kV interconnection with the CAISO electrical system" (emphasis added) (p. 1-7) (see also p. 1-18). Assuming that the Lead Agency seeks to assert that the proposed project is the result of the CAISO's purported mandate and that the City of Riverside is, therefore, powerless to exercise independent judgment, then CEQA lead agency status needs to vest elsewhere. It is, however, more reasonable to assume that, absent a separate CEQA process, the CAISO can neither "approve" nor "direct" a municipally-owned utility or an IOU to undertake a specific project (only promote a response to an identifiable need).

As indicated in the DEIR, "RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth and to provide a second interconnection for system reliability. SCE determined that in order to meet RPU's request, SCE should expand its regional electrical system to provide RPU a second source of transmission capacity to import bulk electric power" (emphasis added) (p. 1-3). From that excerpt, it appears more reasonable to conclude that the Proposed Project is the result of RPU's own initiation rather than the CAISO's directive. It, therefore, appears disingenuous for the Lead Agency to seek to avoid compliance with its own CEQA obligations under the false premise that other State agencies have already dictated the precise nature of the Proposed Project.

Alternatively, the Lead Agency may elect to assert that the CAISO's "approval" has no inherent relevancy to the proposed project since the CAISO is merely the grid operator and has no discretionary authority over the proposed project. The grid operator's task is to ensure that utilities and generators meet reliability standards within their areas of responsibility (control area). To the extent it has no inherent relevancy, then the actions of the CAISO should have no bearing on the proposed project, including any assessment of need and the range of alternatives which are examined in the DEIR.

Declarations of support and evidence of pre-commitment can effectively undermine the CEQA and public participation processes. Assuming that the CAISO has already "approved and directed" SCE to build the Proposed Project or has dictated a single solution to RPU's projected energy delivery needs, in clear violation of CEQA, the CEQA process serves merely to justify RPU's and SCE's already predetermined outcome and the project's inevitable construction.

Similarly, as indicated under Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities' January 20, 2006 meeting, the Board of Public Utilities "[a]pproved the preferred option to build a new 220 kV source and move forward with Phase I," noting that a "20-acre site was purchased for this purpose in the 1970's (Jurupa site)." Both the January 20, 2006 actions of the Board of Public Utilities and the acquisition of real property for the express purpose of implementation of the proposed project constitutes a predetermination of the project's outcome by the Lead Agency, such that everything that occurs thereafter constitutes merely a post-hoc rationalization of commitments already made.

The Lead Agency repeatedly states that "[i]n the absence of the Proposed Project, it is likely that RPU would opt to construct another similar transmission project" (p. 6-63). It is, therefore, apparent that the RTRP has no intention of pursuing a different strategy but is fully intent upon building either the RTRP or a "similar transmission project."

As indicated in the City of Riverside's "Capital Improvement Program: 2009/10 – 2013/14": "The five-year Capital Improvement Program (CIP) for the electric system of \$181,078,000 will be required to replace outdated facilities, serve new growth, and install infrastructure to ensure electric system reliability. . .[T]he largest electric system transmission and distribution improvement project in the Utilities' history is the Riverside Transmission Reliability Project (RTRP). This major project was funded by the Electric Utility Reliability Rate Plan approved by the City Council. The 2009/10 through 2013/14 capital plan includes \$16.0 million of City Funds for RTRP, in addition to the 2007/08 capital plan's appropriation of \$90.2 million. The RTRP funding supports both the Sub-transmission Project (STP) and the Riverside Transmission Reliability Project (RTRP). STP is expected to be completed during 2009/10 and RTRP is

expected to be completed in 2011/12" (<http://www.riversideca.gov/finance/PDF/budget-0910/2009-2010-CIP.pdf>).

Referencing a "City Council Memorandum" (Approval of the Proposed Electric Utility 2007-2009 Reliability Rate Plan" (December 19, 2006) from the Riverside Public Utilities Department to the City of Riverside City Council: "This plan will fund the annual debt service requirements for a new high voltage substation – the Riverside Transmission Reliability Project (RTRP) and two additional electric power generation units – Riverside Energy Resource Center (RERC units 3&4" (<http://aquarius.riversideca.gov/clerkdb/PDF/sdm4qs55k14ye3551ccthdvg/26/12-19-2006%20CC%20RPT%2007.pdf>). As evidenced by the above documents, the City of Riverside has already committed substantial funds to the project (including debt service for capital improvements and not merely investigative studies). Absent any CEQA documentation, the City of Riverside has already committed itself and substantial resources to the implementation of the Proposed Project.

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6.0 FRAGMENTATION

With regards to the STP, both the STP and RTRP seem to be interconnected components of a larger RPU capital improvement program. As indicated in RPU's July 2009 "Initial Study/Final Mitigated Negative Declaration – Subtransmission Project, Riverside, California" (MND), as prepared by RPU and Power Engineers (see MND, p. 89): "RPU has been challenged to provide a safe and reliable energy supply and grid infrastructure. RPU's electrical peak demand has grown by 40% since the last major addition to the RPU electrical subtransmission system in 1996. The internal subtransmission system has not kept up with the load growth. During peak load periods (peak demand), the system can experience severe overloads and low-voltage conditions and needs to be reinforced. In the long-term, many of RPU's reliability concerns will substantially be resolved by the proposed Riverside Transmission Reliability Project (RTRP). The RTRP will provide a much-needed second transmission interconnection with the California ISO power grid and an associated increase in capacity. The RTRP will also include work on the 69,000-volt (69 kilovolt, or 69 kV) subtransmission lines directly connected to the proposed interconnection with the state power grid, which are needed to distribute power through the RPU system. In the short-term, however, RPU must resolve critical infrastructure and capacity deficiencies in the eastern part of its 69 kV subtransmission network in order to maintain reliable electric service. Initially, RPU had planned to address the required subtransmission line reinforcements in the eastern part of the City as part of the RTRP. However, due to delays and load growth, the RTRP will not be completed in time to alleviate the problem" (emphasis added) (MND, Section 2, p. 5) (<http://www.riversideca.gov/utilities/pdf/elec-projects-stp/STP-Final-Mitigated-Negative-Declaration.pdf>).

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The separation of the STP and RTRP into separate projects and the absence of discussion of the STP in the DEIR (e.g., Chapter 4 [Cumulative Impacts]) suggest that these two interconnected projects have been intentionally piecemealed for the purpose of facilitating their separate advancement. This action has resulted in a failure of the City of Riverside to address the potential direct, indirect, and cumulative impacts of the STP and RTRP projects, including feasible mitigation measures and reasonable alternatives thereto.

As further evidence of the Lead Agency's erroneous assessment of the feasibility of undergrounding, with regards to the primary 69 kV subtransmission and secondary 12 kV distribution lines associated with the STP, the MND notes that "[t]he STP would also include the undergrounding of sections of primary and secondary electrical distribution lines. In order to

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upgrade the existing distribution network, approximately 2,300 linear feet of overhead distribution facilities would be converted to underground" (MND, p. 28).

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As indicated under Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities' January 20, 2006 meeting: "Deputy Director Badgett reported that for many years the [Riverside] Public Utilities Board, management and staff have expressed concern that the sole source of energy delivery for Riverside Public Utilities (RPU) has been Vista Substation, which is operated by Southern California Edison. Because of this single point of energy delivery into RPU's system, reliability and emergency preparedness are of concern. Additionally, it is anticipated that the RPU system demand will exceed the Vista Substation capacity limit during the summer of 2006. Deputy Director Badgett explained the two planning options under consideration: [1] Option 1 – Add Capacity at Vista Substation [a] Short term solution for approximately 13 years, then required additional capacity elsewhere at Vista Substation [b] Costs more than Option 2 over the long term [c] Not recommended by SCE [d] Does not address the City's [Riverside] emergency preparedness needs – still a single point of delivery. [2] Option 2 – Construct Second Point of Energy Delivery Within the City [of Riverside] [a] Cost is less than Option 1 over the long term [b] Capacity adequate for 27 years and can be expanded at that time [c] 20-acre site was purchased for this purpose in the 1970's (Jurupa site) [d] Improves electric reliability and emergency preparedness. By approving Option 2, the project would be divided into two phases. During Phase 1, the consulting firm, Power Engineers would provide systems studies of alternatives and perform environmental review and permitting services that would enable RPU to construct the project. Upon successful completion of Phase I, Phase 2 work, including the detailed design, easement acquisition, material procurement, and construction management, would be included in a separate agreement with Power Engineers that would be brought back to the Board [of Utilities] for approval. After discussion and questions answered, the Board of Utilities: (1) Approved the preferred option to build a new 220 kV source and move forward with Phase I; and (2) Approved and recommended to the City Council the appropriation of \$800,000 from the Electric Fund balance to the new 220 kV Station Account No. 6130000-470685; and (3) Approved the estimated Work Order 642975 in the amount of \$1,000,000 for Phase I of the 220 kV Upgrade Project; and (4) Approved Power Engineers as Riverside Public Utilities' consulting engineer for the 220 kV Upgrade Project" (emphasis added).

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As indicated above, in 2006, two options were presented to the Board of Utilities for addressing the City of Riverside's projected electrical energy needs. "Option 1" presented a "solution for approximately 13 years" and "Option 2" provided "capacity adequate for 27 years" but could be "expanded at any time." "Option 2" appears to represent the proposed RTRP. No reference to or discussion of "Option 1" is, however, presented in the DEIR.

As indicated in *Antioch v. City Council of the City of Pittsburg (1986)* "Construction of the roadway and utilities cannot be considered in isolation from the development it presages. . . In sum, our decision in this case arises out of the realization that the sole reason to construct the road and sewer project is to provide a catalyst for further development in the immediate area. Because construction of the project could not easily be undone, and because achievement of its purpose would almost certainly have significant environmental impacts, construction should not be permitted to commence until such impacts are evaluated in the manner prescribed by CEQA. As Justice Rouse explained in our opinion *San Franciscans for Reasonable Growth v. City and County of San Francisco (1984)* [Citation], the fact that a particular development which now appears reasonably foreseeable may, in fact, never occur does not release it from the EIR

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process [Citation]. Similarly, the fact that future development may take several forms does not excuse environmental review." Because "Option 2" has a finite lifespan and "can be expanded at any time," it appears that there exists or may exist later activities which are reasonably foreseeable but which have not been identified or addressed by the Lead Agency in the DEIR.

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7.0 DEFERRED ANALYSIS AND MITIGATION

Under CEQA, the Lead Agency is precluded from deferring the preparation of a reasonable analysis of project-related and cumulative environmental effects to later stages in the development process. This deferral of environmental assessment until after project approval violates CEQA's policy that impacts be identified before project momentum reduces or eliminates the agency's flexibility to subsequently change its course of action. More importantly, a deferred analysis and a deferred assessment of mitigation measures fails to provide evidence that the direct, indirect, and cumulative impacts of the project can and have been effectively mitigated either to below a level of significance or to the maximum extent feasible. Because of the Lead Agency's election to defer the preparation of environmental analyses, certain aspects of the Proposed Project (e.g., tower design and alignment) remain undefined (e.g., additional mitigation may be identified as a result of further technical analyses).

As indicated in the DEIR: "the placement of 90- to 175-foot tall SCE 230 kV transmission line structures would occur in the following Airport Compatibility Zones for Riverside Municipal Airport: Zone B1 (Inner Approach/Departure Zone; proposed structures taller than 70 feet may require review) and Zone D (Primary Traffic Patterns and Runway Buffer Area; proposed structures taller than 150 feet may require review)" (p. 3-200). Also, "the placement of 65- to 90-foot tall RPU 69 kV subtransmission structures would occur in the following Airport Compatibility Zones for Riverside Municipal Airport: Zone A (height of any proposed structure may require review), Zone C (proposed structures taller than 70 feet may require review), Zone D, and Zone E (proposed structures taller than 150 feet may require review)" (p. 3-200).

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With regards to "SCE's 230 kV transmission line components" for the "Van Buren Offset Alternative," the DEIR states that "SCE will submit a Notice of Proposed Construction or Alternation (Form 7460-1) to the FAA. . .to determine the extent of any aeronautical hazards and potential recommendations due to the proximity of SCE facilities to public airports and public use airports. Following completion of consultation, SCE will review any recommendations of the FAA, and will submit documentation of this consultation to RPU" (p. 6-88). "Applicable 69 kV subtransmission line components requiring review will be submitted by RPU to the RCALUC [Riverside County Airport Land Use Commission]. Van Buren Offset Alternative adherence to the determinations of the FAA and approval by the Riverside ALUC would ensure that potential conflicts with the RCALUC would be less than significant" (p. 6-86).

Because "no local discretionary permits or other local plan consistency evaluations by Riverside County ALUC or the City of Riverside are required" (p. 6-86), there exists no reasonable assurance that "adherence" will actually occur. Since the FAA and RCALUC analyses will not be undertaken until after "final design of the Proposed Project is completed" (p. 3-200), any information derived from those analyses will not become part of the CEQA process and may not become binding obligations upon the City of Riverside, RPU, and/or SCE. Since no corresponding mitigation measures have been formulated by the Lead Agency, there exists no reasonable assurance that any FAA and/or RCALUC "recommendations" will, in fact, be undertaken. As a result, the Lead Agency cannot demonstrate that potential project-induced aircraft navigational safety hazards have been effectively mitigated.

As indicated in the DEIR, the topic of "hazards and hazardous materials" is identified by the Lead Agency as an "unavoidable significant impact" (p. ES-10). Specifically, "[t]he 69 kV subtransmission line structures as currently designed within the vicinity of the [Riverside Municipal] airport would likely exceed the allowable heights in Zones A, B1, B2, and C. These structures would be incompatible land uses if the heights of the structures were to pose a hazard to air navigation near the airport. As such, the Proposed Project would not be consistent with the adopted RCALUC. This inconsistency would therefore result in a significant impact" (emphasis added) (p. ES-10).

The DEIR notes that "where potential significant impacts were identified, feasible mitigation measures (Table ES-1) were developed to eliminate the potentially significant impact, reduce it to less than significant, or reduce it to the fullest extent feasible" (p. ES-9). In the case of aircraft navigation safety (an impact that can place pilots and the lives of others and property at serious risk), the Lead Agency has deferred analysis and mitigation to an unspecified later date (i.e., when "final design of the Proposed Project is completed") and imposed no binding obligation on the City of Riverside, RPU, and/or SCE to take any remedial actions in order to mitigation that impact (see Table ES-1, pp. ES-5 through ES-9). In lieu of reasoned analysis and mitigation, the Lead Agency merely concludes that the resulting impact is "significant."

As specified in Section 15021(a) of the Guidelines: "CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. (1) In regulating public or private activities, agencies are required to give major consideration to preventing environmental damage. (2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment." With regards to significant aviation hazards, the Lead Agency fails to consider potential alternatives and/or mitigation measures when such consideration might have the most advantageous effect, electing to defer the requisite environmental analysis to an unspecified later date following the certification of the EIR and after the imposition of project-related conditions and mitigation measures.

As further required under Section 15002(g) of the Guidelines: "A significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the project area affected by the proposed project. . . [W]hen an EIR identifies a significant effect, the government agency approving the project must make findings on whether the adverse environmental effects have been substantially reduced or if not, why not." No factual information is presented in the DEIR to support such findings.

8.0 NOTICES OF PREPARATION

As indicated in NOP2: "The purposes of this Notice of Preparation are to provide notification that RPU will prepare a Draft EIR, to assess potential environmental effects resulting from the implementation of the proposed project, and to solicit information on the scope of the environmental analysis for the proposed project" (emphasis added). The DEIR notes that "the comments were generally categorized and summarized by resource" (p. 7-10). In lieu of the presentation of actual comments, the Lead Agency elected to provide only a summary of those comments which were received ("The comments received in response to the NOP and at the scoping meeting are summarized in Chapter 7," p. 1-1).

Absent from the DEIR are copies of any correspondence (including emails) that the Lead Agency may have received in response to the dissemination of NOP1 and NOP2 and in

response to scoping meetings and other outreach efforts. In the absence of that information, the affected public is denied access to the comments, opinions, data, and expertise of those parties electing to participate in the CEQA process and is unable to independently ascertain whether and to what extent those comments have been accurately characterized and adequately addressed in the DEIR. Absent an opportunity to independently review those comments, any correspondence submitted by parties residing, owning property, or conducting business within Jurupa Valley are incorporated by reference herein.

As specified in Section 21061 of CEQA, an environmental impact report is an "informational document." As further specified therein, "[a]n environmental impact report also includes any comments which are obtained pursuant to Section 21004 and 21153, or which are required to be obtained pursuant to this division" (emphasis added). Pursuant to Section 15123(b) of the Guidelines, the DEIR shall include "[a]reas of controversy known to the lead agency including issues raised by agencies and the public" (emphasis added). Absent the Lead Agency's inclusion of those comments received in response to the NOP1 and NOP2, there exists no opportunity to understand the existence of any divergent views with regards to the Proposed Project, to independently ascertain the existence of potential areas of controversy, and to determine the adequacy of the Lead Agency's response to those issues which have been raised. It must be suspected that the Lead Agency's election not to include public and agency comments in the DEIR is the potential presence of information that the Lead Agency seeks to keep confidential or otherwise limit dissemination. The non-inclusion of public and agency comments would appear to result in an incomplete EIR, constitute a prejudicial abuse of discretion, and/or predicate the need to recirculate the DEIR.

The DEIR notes that "[a] Notice of Preparation to prepare a DEIR was distributed for the Proposed Project on January 23, 2007" and "[o]n November 18, 2009, a revised NOP with the new route and Proposed Project description and announcing preparation of the DEIR was distributed to interested agencies" (p. 7-8). Only NOP2 is, however, included in the DEIR. To the extent that the two NOPs relate to the same assigned State Clearinghouse (SCH) docket number (2007011113), both need to be presented, made available for public review and scrutiny, and all comments resulting from the preparation of those CEQA notices and other outreach efforts included in and disseminated with the EIR. Because the SCH number starts with "2007," the number was likely issued in 2007 and would appear to correspond with the release of NOP1. That same docket number corresponds with the published DEIR.

Certain residents, property owners, and business interests in Jurupa Valley have indicated to the City that they have never received formal notice of the proposed project and have, therefore, been excluded from participating in the CEQA process. The City requests that separate maps be produced by the Lead Agency depicting the location of all properties and all parties within the City that received copies of NOP1, NOP2, and the NOC, including the dates those notices were transmitted.

With regards to the 230 kV transmission line, did CEQA notification extend beyond the identified ROWs for the proposed and alternative alignments and substation sites and, if so, how far beyond the edge of those ROWs was notification sent? With regards to SCE's ratepayers, where each of those potential stakeholders provided copies of all environmental notices concerning the Proposed Project?

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9.0 DRAFT ENVIRONMENTAL IMPACT REPORT

As indicated in Section 15002(j) of the Guidelines: "Under CEQA, an agency must solicit and respond to comments from the public and from other agencies concerned with the project." In addition to other comments presented herein, each of which constitute comments on the Proposed Project and its potential environmental impacts and which require a formal written response by the Lead Agency, presented in the following sections are specific comments with regards to the individual sections (chapters) of the DEIR.

CEQA stipulates that the "degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy" (14 CCR 15146). Agencies must make "an objective, good-faith effort to comply [with CEQA]" (Residents Ad Hoc Stadium Commission v. Board of Trustees).

Since no documents are "incorporated by reference" (14 CCR 15150) into the DEIR, the adequacy of the EIR must be examined in the context of what is presented therein and not what may exist beyond the confines of the DEIR.

In citing CEQA, the courts have stated that "[t]he EIR must contain facts and analysis, not just the bare conclusions of the agency" [Citation]. 'An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project' [Citations]. 'CEQA requires an EIR to reflect a good faith effort at full disclosure; it does not mandate perfection, nor does it require an analysis to be exhaustive' [Citation]" (Bakersfield Citizens for Local Control v. City of Bakersfield [2004] [Bakersfield]). "Failure to comply with the information disclosure requirements constitutes a prejudicial abuse of discretion when the omission of relevant information has precluded informed decisionmaking and informed public participation, regardless whether a different outcome would have resulted if the public agency had complied with the disclosure requirements [Citations]" (Bakersfield, quoting from Dry Creek Citizens Coalition v. County of Tulare [1999]).

CEQA contains a "substantive mandate" requiring public agencies to refrain from approving projects with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects (Mountain Lion Foundation v. Fish and Game Commission [1997]). As specified in Citizens of Goleta Valley v. Board of Supervisors (1988): "CEQA defines 'feasible' as 'capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors' [Citation]. The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project."

In numerous places, the Lead Agency asserts that certain mitigation measures (e.g., "undergrounding even limited sections of the Project as a means of potential mitigation is infeasible, pp. 3-53 and 3-54 [see also p. 3-243]) and project alternatives (e.g., "several other Alternatives were considered but eliminated from consideration as infeasible," p. ES-10) are "infeasible." Other than the Lead Agency's "bare conclusion" (e.g., "economic considerations

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associated with undergrounding show that undergrounding is infeasible," p. 3-253), no "substantial evidence" (14 CCR 15384[d]) is presented to support or justify that assertion (e.g., "Without evidence of the amount of any such cost, we must conclude there is no substantial evidence to support the District's claim that mitigation of the adverse project-related off-campus traffic impacts is economically infeasible," County of San Diego v. Grossmont-Cuyamaca Community College District [2006]).

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Both RPU and SCE derive a large percentage of their revenues from rates charged to their customers. As reported by the City of Riverside, RPU "serves over 105,000 metered electric customers" (<http://www.riversideca.gov/utilities/admin-executive.asp>). In comparison, SCE is one of the largest electric utilities in California, serving more than 14 million people" (<http://www.edison.com/ourcompany/sce.asp>). Although the Lead Agency asserts that "economic considerations" make certain mitigation measures and/or alternatives infeasible, absent from the DEIR is any discussion concerning whether all or portion of the Proposed Project will be rate based and, if rate based, which rate payers will be obligated to pay for what project-related costs. Since the Proposed Project, including the SCE-owned and operated components, appears to be undertaken for the RPU's primary benefit, RPU's ratepayers might be responsible for the totality of project-related costs (inclusive of both SCE's and RPU's project-related and administrative costs). Conversely, since SCE's supply-side improvements will add to SCE's transmission inventory, improvements to SCE's system might be appropriately delegated to the larger number of SCE's ratepayers. Information concerning cost distribution (including how those costs would directly or indirectly impact individual ratepayer) appears critical to any assertion that a mitigation measure or alternative is infeasible.

With regards to allocation of costs, as indicated in the City of Riverside City Council Memorandum from RPU to the City of Riverside City Council (Subject: CEQA Document for an Electric Subtransmission Project within the City of Riverside – Initial Study and Mitigated Negative Declaration), dated May 19, 2009 and part of the MND for the STP, the City of Riverside notes: "This project will not require an increase in electric rates. In December 2007, the [City of Riverside] City Council recognized the need for reliability-based improvements to Riverside's electric system by approving a rate plan, as a result of public hearings and meetings. This plan consisted of a reliability charge, and rate increases in 2008, 2009 and 2010. The plan finances not only this [STP] Project, but other needed system improvements. Without the improvements, the City's electric system would not meet the needs of the City" (emphasis added) (MND, Appendix F, p. 5). It is reasonable to assume that reference to "other needed system improvements" relates specifically to the proposed RTRP (presenting further evidence of predetermination).

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Based on the information presented in the DEIR it is not possible to ascertain what cost estimates have been formulated by SCE. Even if undergrounding were not included in those cost estimates, Section 1005.5(b) of the PUC specifically allows the utility applicant to seek additional cost recovery beyond that originally set forth in the CPCN application after the decision granting the CPCN has been issued. As such, there appears no factual basis to reject (based solely on undisclosed "economic considerations") either mitigation measures or alternatives at this early stage in the planning and environmental review processes.

Section 15126.2 of the Guidelines requires an EIR to identify and focus on the significant environmental impacts of the proposed project. In relevant part, this section provides: "Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects" (14 CCR

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15126.2[a]). Section 15064(d) of the Guidelines mandates that both primary (direct) and "reasonably foreseeable" secondary (indirect) consequences be considered in determining the significance of a project's environmental effect. Although the economic and social effects of proposed projects are typically outside CEQA's purview, if the forecasted economic or social effects of a proposed project directly or indirectly will lead to adverse physical changes in the environment, then CEQA requires disclosure and analysis of these resulting physical impacts (Friends of Davis v. City of Davis [2000]; Citizens for Quality Growth v. City of Mt. Shasta [1988]). Section 15064(e) of the Guidelines provides that when the economic or social effects of a project cause a physical change, this change is to be regarded as a significant effect in the same manner as any other physical change resulting from the project (e.g., El Dorado Union High School Dist. v. City of Placerville [1983]). Where economic and social effects result from a physical change that was itself caused by a proposed project, then these economic and social effects may be used to determine that the physical change constitutes a significant effect on the environment (Christward Ministry v. Superior Court [1986]). Section 15131(a) of the Guidelines provides: "An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes in turn caused by the economic or social changes."

CEQA compels public agencies to disclose, in an EIR, project-related contributions to any significant environmental problems, even if those contributions are indirect; even if project-specific contributions, if viewed in isolation, would seem small; and even if those impacts occur partly outside the agency's jurisdictional boundaries (extraterritorial impacts). CEQA does not include provisions whereby one government agency can accept, on the part of another government agency, the introduction of new significant impacts without first taking all actions reasonable and feasible to reduce those effects to the maximum extent possible.

The California Supreme Court has confirmed that an agency must identify and attempt to mitigate the extraterritorial (e.g., located beyond its jurisdiction) environmental effects of any project it intends to carry out or approve. In *City of Marina v. Board of Trustees of California State University* (2006), citing Sections 21002.1(b) and 21060.5 of CEQA, the court stated that "CEQA requires a public agency to mitigate or avoid its projects' significant effects not just on the agency's own property but 'on the environment' [Citation], with 'environment' defined for these purposes as 'the physical conditions which exist within the area which will be affected by a proposed project' [Citation]." That functional definition invokes no political boundaries. Rather, if an area is affected, it is part of the relevant physical environment, regardless of the governmental authority exercising local jurisdiction.

The proposed project involves the extraterritorial condemnation of lands within the City (e.g., I-15 Freeway frontage and "several residential structures and other 'out-buildings,'" p. 6-102). The City did not, however, have the opportunity to participate in any pre-circulation consultation or scoping and the impacts of those actions on the City, its residents, property owners, and business community have neither been addressed nor mitigated by the Lead Agency. In addition, those property owners whose property may be acquired by SCE and/or RPU for the Proposed Project are left facing extreme uncertainty (including potentially non-compensable impacts) with regards to their land holdings, thus creating a "cloud of condemnation" over their property and impacting each owner's ability to advance individual development plans, process entitlements, affect real property transactions, find tenants, etc.

Absent from the DEIR is documentation that all potentially affected property owners and tenants (including abutting properties) within the City received notice of the Proposed Project (including

documentation attesting to when such notices were provided) and were provided an opportunity to participate in the planning and environmental review processes.

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9.1 Project Description

The courts have stated that “[a] curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, and assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance” (County of Inyo v. City of Los Angeles [1977]).

Certain information critical to an understanding of the Proposed Project was not included in the DEIR (e.g., “In November 2004, the RPU Board authorized RPU to enter an agreement with Southern California Edison for completion of a System Impact Study and a Facilities Study,” Appendix D, p. 1). As a result, absent that information, it is not possible to ascertain the “whole of the action” (14 CCR 15003[h] and 15378) and the full extent of those physical changes that need to be examined in the EIR. The City is concerned that certain improvements to the SCE transmission and/or RPU subtransmission systems have not been identified, potentially resulting in an incomplete and defective project description. For example, as indicated in both NOP1 and NOP2, the proposed project includes “[u]pgrades to eight existing 69 kV substations within the City of Riverside: RERC, Mountain View, Harvey Lynn, Freeman, Riverside, La Colina, Springs, and Orangecrest” (emphasis added) (NOP1, p. 6; NOP2, p. 6). In contrast, the DEIR states: “To accommodate the proposed subtransmission lines to be added to the RPU 69 kV system, upgrades would be required at four existing RPU 69 KV substations. . . The four existing 69 kV substations within the City that would require upgrades are Harvey Lynn, Mountain View, Freeman, and RERC” (emphasis added) (p. 2-27; see also p. 2-49). No information is presented in NOP2 and/or the DEIR that clarifies this apparent discrepancy.

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A number of specific issues relating to the project description are separately addressed below.

- **Project Objectives.** As required, in part, under Section 15124(b) of the Guidelines, a project description shall include a “statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR. . . The statement of objectives should include the underlying purpose of the project.”

Consistent with CEQA, from the Lead Agency's list of stated objective, it would appear that the underlying purpose of the project is “to meet existing electric system demand and anticipated future load growth” (pp. 2-5 and 6-1). That objective allows a broad range of alternatives to be considered, including both demand-side and supply-side options. However, as a means of curtaining the type and number of alternatives examined in the DEIR, the Lead Agency does not appear to define the underlying purpose of the project as the delivery of electricity to the residents and businesses within its service area but the construction of new HVTL (i.e., “Provide an additional point of delivery of bulk power to the RPU electric system, thereby reducing dependence on Vista Substation and increasing overall reliability” [emphasis added], pp. 2-5 and 6-1 through 6-2). The CPUC states that “[t]he bulk-power system generally consists of the high-voltage electricity network connecting generators to areas of power consumption” (http://www.cpuc.ca.gov/PUC/energy/wholesale/03_statenatl/).

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As demonstrated by the September 8, 2011 energy outage affecting southern California, the provision of a "second point of bulk power" to a service area and "increased reliability" are not necessarily synonymous objectives when both interconnections are operated by the same provider. Should that bulk power provider itself lose power, all interconnections would likely be equally affected. Reliance of a single power delivery system, independent of how robust that system may be, continues to place all RPU's "eggs in one basket." When operated in combination with demand-side reduction strategies, reliability is truly enhanced when two or more independent supply-side sources of generation are available, such that should one supplier cease operation or should delivery be curtailed, a second power supply can substitute for the loss of the primary or ancillary system(s).

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In defining meaning, the courts (California Oak Foundation v. Regents of the University of California [2010]) have stated that "[t]he primary goal in interpreting any statute is to 'determine the Legislature's intent so as to effectuate the law's purpose' [Citation]. To this end, we 'give meaning to every word and phrase in the statute to accomplish a result consistent with the legislative purpose, i.e., the object to be achieved and the evil to be prevented by the legislation' [Citation]. If the statutory language is clear, we follow its plain meaning so long as an absurd or unintended consequence does not result [Citation]" (emphasis added). A plain reading of the Lead Agency's objective indicates that the provision of "an additional point of delivery of bulk power" constitutes the "objective to be achieved" while "reducing dependency on Vista Substation" constitute the "evil to be prevented."

To the extent that the Lead Agency asserts that "delivery of bulk power" constitutes the underlying purpose of the project, it is noted that RPU does not presently (and following project implementation will continue not to) operate a 230 kV transmission system. As the operator of a subtransmission system, it does not appear that RPU has jurisdictional authority over the State's "high-voltage electricity network." In California, particularly with regards to improvements undertaken by an IOU, that authority would appear to vest solely with the CPUC.

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As specified under Section 15040(b) of the Guidelines: "CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws." As a result, to the extent that the primary purpose of the Proposed Project is the "delivery of bulk power," the CPUC must function as CEQA lead agency since neither the City of Riverside nor RPU operate a bulk power transmission system.

Based on the Lead Agency's self-imposed objectives, the Lead Agency asserts that all possible alternatives that do not include new high-voltage power connections to the Vista Substation fail to meet the stated project objectives and, therefore, can be rejected. By narrowly-defining the project's objectives, the Lead Agency curtains not only the range of options brought forward in the DEIR but public dialogue concerning both reductions in demand and expansion of supply. Rejected alternatives include, but may not be limited to: (1) "new generation" (e.g., "it is not a viable alternative because it fails to meet the Proposed Project's basic objective of increasing the reliability of the RPU's system," p. 6-24); (2) "distributed generation" (e.g., "would not meet the need for the Proposed Project to provide a second point of importing energy," p. 6-25); and (3) "energy conservation and load management" (e.g., "This alternative does not provide a second point for importing energy," p. 6-25). Other alternatives were rejected primarily for cost reasons,

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including: (1) "undergrounding" (e.g., "An undergrounding alternative would also be economically infeasible," p. 6-40); (2) "direct current" (e.g., "The cost of DC terminals would be much greater than the cost of the entire Project," p. 6-41); and (3) "alternative conductors" (e.g., "the cost of ACCC or ACCR is two to three times that of a traditional conductor," p. 6-41).

As a result, despite its size, the singular focus of the DEIR is to build the 230 kV transmission lines along one of two candidate transmission alignments. In what would appear contrary to CEQA, no alternative routing is presented for the proposed 69 kV subtransmission lines (i.e., "The [alternative] impact analysis presented below includes assessment of only the 230 kV transmission line alternative route," p. 6-67). With regards to the construction and operation of the proposed 69 kV subtransmission improvements, no alternative "build" scenario is examined and only a "no project" alternative is presented in the DEIR. A single development plan, absent any other solution-based scenario, does not constitute a "range of reasonable alternatives" (14 CCR 15126[a]), as required under CEQA.

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With regards to other specified objectives, as indicated in the DEIR, one of the stated project objectives is to "[p]rovide sufficient capacity, in a timely manner, to meet existing electric system demand and anticipated future load growth" (emphasis added) (pp. 2-5 and 6-1). Neither that objective nor any other objective includes a precise schedule. Since the Proposed Project has been in the planning stage since at least the 1960s (p. 1-7) or 1970s (p. 1-7) or 2004 (pp. 1-3 and 1-7) or 2006 (p. ES-4), the term "timely manner" must, at best, be broadly construed.

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Even the assertion that the CAISO "directed" SCE to build the RTSP "no later than June 30, 2009" (p. ES-1) is long past. Assuming the criticality of that date, the project's long delayed implementation would have necessitated the establishment of a development moratorium or resulted in the succession of issuance of building permits by the City of Riverside. No such demand-side development controls have, however, been enacted or are under consideration by the City of Riverside who continues to issue building permits for new constructed activities.

As indicated in the "City of Riverside General Plan 2025," it is the adopted policy of the City of Riverside to "[r]equire development projects to be timed and phased so that projects are not occupied prior to the provision of necessary urban services" (Policy LU-10-4). Unlike most areas where electricity is provided by a large IOU serving large control areas, RPU provides electricity to the City of Riverside and to no other area. Since the City of Riverside and RPU are cooperating entities, growth authorized by the City of Riverside can be more directly tied to the advanced provision of critical energy-based infrastructure needed to support that growth. In the case of the City of Riverside, there appears no apparent connectivity between unbridled development and the realization that infrastructure delivery systems need to be in place prior to allowing demand to outstrip supply. As a result, the Lead Agency now alleges that only a single remedy will forestall imminent doom. The City of Riverside's own self-generated failings cannot now become a supportable excuse for circumventing CEQA.

By alleging that the proverbial "sky is falling," the Lead Agency rejects the "Bain Street" alternative because it "fail[s] to meet timing requirements of the Objectives" (p. 6-44) and rejects the "Eastern Route" alternative because it "fail[s] to meet the timing requirements

of the Proposed Project" (p. 6-47) and because it would "impede the ability to meet the Proposed Project's timing objectives" (p. 6-50).

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Even to the extent that "in a timely manner" equates to anything approximating a specified schedule (e.g., "construction is not anticipated to begin until spring 2014," p. 2-51), the Lead Agency's self-created inability to advance the EIR prior to this time cannot serve as a supportable basis for: (1) rejecting possible alternatives based on timing considerations; and/or (2) avoid alternatives because they may necessitate specified permits (e.g., "protracted permitting process for the U.S. Army Corps of Engineers," p. 6-43) or additional analytical requirements (e.g., "A take permit under the federal ESA would likely be required. This alternative would also exit out of the Riverside County MSHCP territory, which would require additional biological studies," pp. 6-49 and 6-50).

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Although impacts to jurisdictional waters and protected species are valid environmental considerations, based on the analysis presented, the Lead Agency's rejection of certain alternatives does not appear to be based on avoidance or minimization of those impacts but on the scheduling ramifications of having to work with non-exempt governmental entities from whom requisite permits and approvals may be required (e.g., "The proposed 230 kV transmission line and Wildlife Substation are located in unincorporated Riverside County and/or the Cities of Riverside and Norco. As such, the County and cities would not have jurisdiction over these Proposed Project components, and the proposed 230 kV transmission line and Wildlife Substation would therefore be exempt from local land use and zoning regulations and discretionary permitting," p. 3-239).

Jurisdictional waters and protected species are only one of a broader range of environmental and socioeconomic impacts which are directly or indirectly attributable to the Proposed Project. To the extent that the Lead Agency now wishes to alter that rationale and subsequently assert that rejection was not based on timing considerations but avoidance of impacts to jurisdictional waters and protected species, the DEIR's authors step beyond their authority by prematurely curtailing discussions on the balancing of often competing environmental values (e.g., "CEQA requires that decisions be informed and balanced, Section 15003[j], Guidelines). The elimination of possible alternatives based solely or predominately on singular environmental issues prevents both the project's decision makers and other stakeholders from comparatively balancing the full array of those impacts against the project's purported benefits.

- **Economic Characteristics.** The Guidelines state that the four mandatory items that must be included in and EIR's project description are: (1) a detailed map with the precise location and boundaries of the proposed project; (2) a statement of project objectives; (3) a general description of the project's technical, economic, and environmental characteristics with consideration of supporting public service facilities; and (4) a statement briefly describing the intended use of the EIR and listing the agencies involved with the approvals required for implementation (14 CCR 15124). Despite this requirement, the following two mandatory items are missing from the DEIR: (1) a detailed map showing the location of the proposed project (e.g., depicting the project's relationship to the City's corporate boundaries); and (2) information concerning the project's economic characteristics. As a result, because the project description fails to comply with minimal CEQA requirements, the DEIR is defective.

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An understanding of the project's economic characteristics is critical because economics is often cited by the Lead Agency as the fundamental basis for the rejection of alternatives and mitigation measures. The Lead Agency's failure to comply with CEQA has precluded informed decision making and informed public participation and has thwarted the statutory goals of the CEQA process. As indicated in *County of Inyo v. City of Los Angeles* (1977), an inaccurate project description distorts the balancing process of public decision makers by giving them a false impression of the environmental costs, available mitigation measures, and feasible alternatives, and may also distort public input on those matters.

The DEIR states: "To provide a basis for identifying and evaluating potential economic impacts and significance of impacts, this chapter presents a description of the Proposed Project and construction methodologies. Specific topics include: [1] Characteristics of the regional and local setting [see Section 2.1, pp. 2-2 and 2-3] [2] Project objectives developed to support the Purpose and Need (Chapter 1) [see Section 2.2, p. 2-5] [3] Project components [see Section 2.3, pp. 2-5 through 2-40] [4] Design characteristics [see Section 2.4, pp. 2-41 through 2-51] [5] Construction, including methods, equipment, personnel estimates and schedule [see Section 2.5, pp. 2-51 through 2-82] [6] Operations and maintenance [see Section 2.6, pp. 2-82 and 2-83] [7] Economic characteristics of the Proposed Project [absent from the DEIR] [8] Environmental protection standard practices [see Sections 2.7 and 2.8, pp. 2-83 and 2-85] [and] [9] Mitigation measures" [see Section 2.9, p. 2-87] (emphasis added) (p. 2-1).

Noticeably absent is any corresponding discussion or analysis of the "economic characteristics of the proposed project" (whether presented in the "project description" or elsewhere in the DEIR). The Lead Agency either knowingly released an inadequate EIR or consciously extracted all economic information concerning the proposed project from that document. Absent full disclosure, no factual basis is presented to: (1) understand the cost implications of the Proposed Project, including a comparison of alternatives; (2) support assertions that an alternative or a mitigation measure (e.g., undergrounding) is economically feasible or infeasible; (3) allow for a reasonable balancing of environmental and other costs; and (4) support any specific economic-based findings (see 14 CCR 15091[a][3]). To the extent that economics and cost-efficiency is a driving force in system planning and operation, then economic feasibility constitutes a measurable indices and not a nebulous concept that the Lead Agency can wave and then hide behind as an unsupported rationale for the rejection of a possible demand-side or supply-side alternative or environmental mitigation measure.

The only "economic characteristics" presented in the DEIR are the statement that: (1) the project costs are "in the hundreds of millions of dollars" (p. 2-1); and (2) "[t]he potential \$330 million construction cost for 664 MW of [new] generation would be substantially more than the construction cost of the Proposed Project" (p. 6-23). The "construction cost of the Proposed Project" is, however, never disclosed. From the limited information presented in the DEIR, it can be construed that the Lead Agency's sole measure of feasibility lies somewhere between "hundreds of millions of dollars" and "\$330 million." Based on the information available from the City of Riverside's CIP, because the allocated funding is less than "hundreds of millions of dollars," it can be reasonably argued that even the Proposed Project appears economically infeasible.

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Absent from the DEIR (and to the City's knowledge the project's administrative record) is any comparative economic analysis of project alternatives and mitigation measures. Despite that absence, the Lead Agency asserts: (1) "economic considerations associated with undergrounding show that undergrounding is infeasible" (emphasis added) (pp. 3-54, 3-169, 3-201, 3-243, 3-253, and 3-310); (2) "undergrounding limited portions of the Proposed Project's line as a form of mitigation for localized impacts is infeasible due to economic factors" (p. 6-29); (3) comparative cost "factors make it economically infeasible to construct an underground alternative or even to underground in specific locations as potential means of mitigating localized impacts" (p. 6-39); (4) "undergrounding [is] economically infeasible for the 69 kV subtransmission lines (p. 6-40); (5) "An underground alternative would also be economically infeasible" (p. 6-40); and (6) "the New Generation Alternative is economically infeasible" because the "construction cost. . . would be substantially more than the construction cost of the Proposed Project" (p. 6-23).

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As stipulated in the Guidelines, "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (emphasis added) (14 CCR 15126.6[b]). Although undergrounding would "be expected to be many times more costly than overhead" lines (p. 6-29), the fact that one option is more expensive to construct and/or maintain than another does not constitute a supportable basis for the rejection of an alternative whose implementation might effectively reduce an otherwise significant impact to a less than significant level (e.g., "The 230 kV transmission line would affect scenic vistas" and "degrade the scenic quality" p. ES-9; "The 69 kV subtransmission line structures as currently designed within the vicinity of the airport would likely exceed the allowable heights in Zones A, B1, B2, and C," p. ES-10).

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Similarly, even to the extent that it can argued that "although such an alternative might provide some overall increase in reliability, an underground alternative would not meet the Proposed Project's fundamental goal of increased long-term reliability of the transmission and distribution system in the area to the same extent as the Proposed Project" (emphasis added) (p. 6-40), the fact that one option out-performs another but still accomplishes a stated objective does not constitute a supportable basis under CEQA for the rejection of that alternative.

- **Project Area and Service Area.** Presented in Figure 2.1.1 (Regional Map) is a graphic depicting the "project area" (p. 2-3). Although never represented, a substantial portion of the project area is located within the corporate boundaries of Jurupa Valley. Similarly, since the purported purpose of the Proposed Project is to "provide RPU with adequate capacity to serve existing load, to provide for long-term system capacity for load growth, and to provide needed system reliability" (p. ES-4), the "project area" would be reasonably expected to encompass the service (control) area of the RPU. The "project area" and RPU's "service area" are not, however, coterminous. As a result, rather than looking inward at its own jurisdictional area and ascertaining the existence of solutions to its identified need, the Lead Agency too willingly looks beyond its own boundaries and seeks to export potential deleterious impacts to outside areas.

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In that same fashion, the Lead Agency establishes a 230 kV "study area" (p. 6-3) for the purpose of identifying "potentially feasible RTRP 230 kV transmission line alternatives"

(p. 6-3). The "study area," however, does not bear clear relationship with either the "project area" or RPU's existing "service area." Because both the "project area" and the "study area" are of purely arbitrary construction, the areas depicted therein cannot be credible utilized for any representative or analytical purposes. As a result, the Lead Agency has arbitrarily imposed limiting constraints on the environmental and alternatives analyses that bear no clear nexus to the Proposed Project and its primary objective.

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- **Disturbance and Diminishment.** The Lead Agency makes a material misrepresentation of the Proposed Project. This error is not merely a semantic problem but hints at an inherent failing in the EIR (i.e., misrepresentation of the Proposed Project and underestimation of the project's potential environmental impacts). As defined in Section 21065 of CEQA: "Project" means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." Notwithstanding that definition, the Lead Agency alleges that the approximately 10 miles of new 230 kV transmission line through Jurupa Valley will "result in permanent disturbance of a total of approximately eight acres" (p. 2-78). Based on the City's independent assessment, the Lead Agency's quantification is neither believable nor supported by any factual evidence presented in the DEIR.

As indicated in the DEIR, land-use restrictions will be imposed within the proposed 230 kV ROW (e.g., "Incompatible land uses within the transmission line ROW include, but are not limited to, construction and maintenance of inhabited dwellings, and any use requiring changes in surface elevation that would affect existing or planned facilities," p. 2-83). Based on those restrictions, the City asserts that the "permanent disturbance" associated with the new 230 kV transmission lines is inclusive of the entirety of the length of the alignment within the City, encompassing the minimum 100-foot width of the ROW (e.g., Table 2.4-1, p. 2-41) and extending along approximately 3.5 miles (e.g., "The route traverses a variety of landscapes and land uses over approximately 3.5 miles until reaching the Proposed Project's tap point connection east of SCE's Mira Loma Substation," p. 3-55). Assuming a length of 3.5 miles (approximately 18,480 feet) and a 100-foot ROW, a total of over 42 acres (excluding any requisite access or spur roads, pull sites, construction lay-down areas, etc.) within the City would be directly impacted (representing an area over 525% greater than that presented in the DEIR).

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Under California law, a condemning agency is typically required to acquire an entire property if the remainder will be left an uneconomic remnant. In accordance with Section 1240.410 of the California Code of Civil Procedures (CCP): "(a) As used in this section, "remnant" means a remainder or portion thereof that will be left in such size, shape, or condition as to be of little market value. (b) Whenever the acquisition by a public entity by eminent domain of part of a larger parcel of property will leave a remnant, the public entity may exercise the power of eminent domain to acquire the remnant in accordance with this article."

To the extent that the reduction in parcel size, as required to accommodate the proposed transmission alignment and its associated facilities, adversely impacts the developability, marketability, or functionality of the residual property (severance damage) unencumbered by the easement and any associated access restrictions, the indirect impacts of the Proposed Project could extend substantially beyond the acreage of direct impact. Severance damage can be caused by such factors as substantial impairment of access, irregular size and shape of the remainder, loss of commercial frontage, and

other conditions caused by the project's effects on the remainder property's fair market value. Here, a distinction may exist between condemnation law involving the acquisition of property by utilities through eminent domain (e.g., compensation to the landowner is set at the fair market value of the property acquired and not the value or change in value of other property) and CEQA. The issue of landowner compensation may not yet be ripe; however, the resulting direct and indirect impacts to affected property owners and the cumulative effect of those impacts upon Jurupa Valley are clearly issues that must be addressed under CEQA.

Section 851 of the PUC provides that no public utility "shall. . . lease. . . [property] necessary or useful in the performance of its duties to the public. . . without first having secured from the [C]ommission an order authorizing it so to do." The relevant inquiry for the Commission in Section 851 proceedings is whether the proposed transaction is "adverse to the public interest." Under SCE's "Easement Policy" (Rev. 1, July 7, 2008), it is stated that "[b]uildings and other permanent structures, both above ground and underground are prohibited within SCE's ROWs. Examples of permanent structures are pipelines, concrete slabs [i.e., parking lot], foundations, vaults, decks, detention basins, pools, and anything else that is not portable and easily moveable." In SCE's "Secondary Land Use Policy," it is states that SCE "will permit secondary uses of its transmission rights-of-way only when these secondary land uses do not conflict with current or projected first priority use, as determined by the company's Transmission and Distribution Business Unit (TDBU). Such uses will be low intensity in nature. . . Other possible low-intensity projects include short-term or overflow parking lots or equestrian stables. Since these are not the preferred uses, SCE will not actively pursue these uses but will consider them on a case-by-case basis."

As proposed, without consultation and absent any discretionary authority, Jurupa Valley is being directed by the City of Riverside to forfeit over 42 acres of valuable I-15 Freeway frontage which would otherwise be likely developed for revenue-generating and/or employment-oriented land uses and, as a highest-and-best use, dedicate those lands for "overflow parking lots and equestrian stables." The DEIR neither acknowledges the short-term and long-term implications of that "permanent disturbance" nor considers the potential environmental and socioeconomic impacts associated therewith upon not only the affected property owners by upon Jurupa Valley.

As reported by the International Right-of-Way Associations (Right of Way, March-April 2007), secondary land uses on SCE ROWs in the Los Angeles Basin "includ[e] golf courses, parks, playgrounds, horse stables, amusement parks, agricultural land, self storage facilities, retail stores, public recreation facilities, truck parking, auto storage, RV storage and nurseries" (<http://www.irwaonline.org/EWEB/upload/0307-3.pdf>). None of the uses cited constitute the types of uses that the City envisions along the I-15 Freeway corridor, such as regional or other large-scale commercial development, major employment centers, and other substantive municipal revenue-generating uses. As such, conversion of commercially-designated property to transmission ROW will have significant deleterious consequences with regards to the range of possible land uses that can be permitted within and adjacent to that ROW. In light of the reality that, within the City, large areas of land are "converting from dairy to industrial, warehousing, and truck distribution land uses" (p. 3-234) and that the "conversion from predominately agricultural to urban land uses will likely continue for the foreseeable future" (p. 3-234), the Lead Agency errors in asserting that "permanent [land] disturbance" (inclusive of

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both direct and indirect impacts) will be confined to only "eight acres" and produce no significant environmental and socioeconomic impacts.

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One of the possible reasons for this short-coming is that the Lead Agency never examines the Proposed Project from the perspective of the "mandatory findings of significance," as presented in Appendix G of the Guidelines. As specified therein, the impacts of the Proposed Project would be deemed significant if the project were to produce "impacts that are individually limited, but cumulatively considerable" and/or "have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly." Since the DEIR's analysis of land-use impacts relates solely to an assessment of general plan and zoning code consistency, the Lead Agency has elected to ignore the very real environmental and socioeconomic impacts that the Proposed Project will produce on the human environment.

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- **Inconsistent Project Description.** Because a description of the project is an indispensable component of a valid EIR, the courts have affirmed that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. The defined project and not some different project must be the EIR's bona fide subject" (County of Inyo v. City of Los Angeles [1977]). "A curtailed, enigmatic or unstable project description draws a red herring across the path of public input" (Id., [holding that the shifting description did "vitiating the city's EIR process as a vehicle for intelligent public participation"]). "[O]nly through an accurate view of the project may the public and interested parties and public agencies balance the proposed project's benefits against its environmental cost, consider appropriate mitigation measures, assess the advantages of terminating the proposal and properly weigh other alternatives" (City of Santee v. County of San Diego [1989]).

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For example, as indicated in both NOP1 and NOP2, the proposed project includes "[u]pgrades to eight existing 69 kV substations within the City of Riverside: RERC, Mountain View, Harvey Lynn, Freeman, Riverside, La Colina, Springs, and Orangecrest" (NOP1, p. 6; NOP2, p. 6). In contrast, the DEIR states: "To accommodate the proposed subtransmission lines to be added to the RPU 69 kV system, upgrades would be required at four existing RPU 69 KV substations. . . The four existing 69 kV substations within the City that would require upgrades are Harvey Lynn, Mountain View, Freeman, and RERC" (p. 2-27; see also p. 2-49). Since SCE's "System Impact Study" is not presented, the full extent of RPU's and SCE's electrical system upgrades and improvements may not be fully disclosed.

In addition, as indicated under Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities' January 20, 2006 meeting, the Board of Public Utilities "[a]pproved the preferred option to build a new 220 kV source." All the "photo simulations" presented in the DEIR examine a "220 kV transmission line" (Figures 3.2.1-13 through 3.2.1-26). Elsewhere in the DEIR, the proposed project is described as including a "230 kV transmission line" (p. 2-5). No explanation is presented in the DEIR concerning how or why the voltage of the proposed project changed or what, if any, environmental or other ramifications the change from 220 to 230 kV may engender.

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9.2 Aesthetics

With regards to visual impacts, the DEIR states that “the Proposed Project’s physical elements are located within the City of Riverside, the County of Riverside, and the City of Norco” (p. 3-14). Noticeably absent is any reference to the “City of Jurupa Valley.”

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Although one of the City’s major concerns, absent from the DEIR is any analysis of the Proposed Project’s visual effects and any potential direct and indirect socioeconomic impacts attributable to those visual effects along the I-15 Freeway corridor, including the potential creation of visual and economic bright attributable to the proposed 230 kV transmission line and towers. The Lead Agency’s environmental analysis is limited to “[v]iews of the surrounding hills and mountains (Pedley Hills, Jurupa Mountains, Mount Rubidoux) and Santa Ana River” which RPU asserts “provide the most significant scenic vistas” (p. 3-11). By focusing exclusively on views of the natural environment, the Lead Agency ignores the significance of individual views (as measure by the number of observers), observers’ perception of the human (man-made) environments, and viewers’ reaction and response to those visual stimuli.

It has been stated “humans are thinking creatures who do not merely respond passively to environmental stimuli, but select aspects of the landscape that have value to them. Landscape quality is seen as a construct built up in the mind, usually on the basis of visual information” (Taylor, J.G., Zube, E.H., and Sell, J.L., Landscape Assessment and Perception Research Methods, in Bechtel, R.B., Marans, R.W., and Michelson, W. [Eds], Methods in Environmental and Behavioral Research, 1987, p. 375). An individual’s attitudes and cognitive process influences their perceptions and consequent aesthetic evaluations of the environment. The identification of aesthetic values in landscapes encompasses the “transaction between an observer who is experiencing the environment and the environment that is being experienced” (Pitt, D.G. and Zube, E.H., Management of Natural Environments, in Stokols, D. and Altman, I. [Eds], Handbook of Environmental Psychology, 1975, p. 1019). Judgments of aesthetic value reside in the perceptual experience, such that “[a]esthetic values are neither a direct function of the environmental characteristics being perceived, nor are they a product of the individual involved in the perceptual experience. Rather, human experience, knowledge, expectation, and sociocultural context interact with environmental elements and environments as entities to produce an outcome that affects both the human and the environment” (Ibid., pp 1019-1020).

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As such, the human observer and not just the object being viewed is a critical component of any aesthetic analyses. In that context, views that are rarely seen cannot be assigned the same “value” as views that are seen daily, for an extended duration, and by many. By acknowledging “use level or use volume” (p. 3-9), the Lead Agency appears to recognize this but fails to apply it to the DEIR’s aesthetic analysis (e.g., I-15 Freeway corridor). Similarly, visual analysis must consider the manner in which the observed (physical) features is cognitively processed and the observer’s response thereto.

The question posited under CEQA is whether “the project substantially degrades the existing visual character of quality of the site and its surroundings” (p. 3-53), not solely whether the project adversely impacts perceptions of natural landscapes (e.g., “there are immitigable impacts from some portions of the 230 kV route that would degrade the visual character and quality of the interface of residential, recreational, and the Santa Ana River’s trails and open space uses,” p. 3-53). This bias excludes from analysis “urban areas” (e.g., “Most of the Proposed Project is located within highly developed urban areas where transmission, subtransmission, distribution, and other utility facilities are existing visual elements that

contribute to the definition of the current landscape character," p. 3-53). Because the Lead Agency's definition of "urban areas" appears to encompass almost everything other than the "Santa Ana River's trails and open space uses," even transitioning undeveloped property within the City (including existing agricultural uses) are perceived as already developed and containing a degraded visual character. With regards to the I-15 Freeway corridor in Jurupa Valley, the Lead Agency misrepresents the "current landscape character" by asserting that HVTLS already exist therein; therefore, no adverse visual impacts would manifest from the introduction of new transmission lines within or adjacent to that corridor.

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With regards to visual impacts, the DEIR presents a flawed methodology since it involves the subjective categorization of scenic quality and sensitivity to the author's sole perspective. The methodology, which is inconsistent with that applied in the California Energy Commission's (CEC) "Final Initial Study – Riverside Energy Resource Center Units 3 & 4" (CEC, December 2008) (FIS-RERC3&4) (<http://www.energy.ca.gov/2008publications/CEC-700-2008-010/CEC-700-2008-010-SF.PDF>), assumes a singular perspective of beauty and includes no effort or attempt to survey the attitudes of individual observers or the perspective of the jurisdiction in which the Proposed Project will be located.

Using the Lead Agency's own methodology (Aesthetics and Visual Resources Technical Report, Table 9, p. 23), "visual sensitivity levels" along the I-15 Freeway are categorized as "moderate" or "high." Despite that categorization, with regards to the approximately 3.5-mile segment of the 230 kV transmission line adjacent to the I-15 Freeway, the Lead Agency presents the following unsupported conclusion: "Impacts would be less than significant from this portion because the route is located in undeveloped open space or primarily associated with the adjacent I-15 freeway to the west. The freeway is not considered a highly sensitive road for travelers, and impacts would be less than significant" (p. 3-55). In addition, because it would be disharmonious with the center's existing design and would be highly visible to both on-site and off-site observers, the Lead Agency substantially underestimates the Proposed Project's visual impacts upon the Vernola Marketplace (i.e., "The route would have moderate visual impacts as it passes through the existing Vernola Marketplace commercial center," p. 3-55).

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As indicated in the FIS-RERC3&4, with regards to visual resource analysis, when analyzing key observation points, CEC "staff considers the following conditions: visual quality, viewer concern, visibility, number of viewers, duration of view. Those conditions are then factored into an overall rating of viewer exposure and viewer sensitivity" (FIS-RERC3&4, p. 17-16). The "[n]umber of viewers is a measure of the number of viewers per day who would have a view of the proposed project. Number of viewers is organized into the following categories: residential according to the number of residences; motorists according to the number of vehicles; and recreationalists" (emphasis added) (FIS-RERC3&4, p. 17-17).

The Lead Agency errors by assuming that "residents" constitute the only valid observers (e.g., "residential receptors typically reflect a high sensitivity rating," p. 3-55). It is likely that those lands located adjacent to the I-15 Freeway (in addition to the SR-60 Freeway frontage) are the most observed properties within the City. As reported by the California Department of Transportation (Caltrans), average annual daily traffic volumes (AADT) along the I-15 Freeway between Limonite Avenue (MP 48.26) and the SR-60 Freeway (MP 51.47) is 132,000 vehicles. Traffic volumes along the I-15 Freeway (132,000 vehicles) are about 150% greater than the entire population of the City (87,818 persons). With a reported average of 1.2 occupants per vehicle (<http://www.universityofcalifornia.edu/news/article/6720>), about 158,400 individuals pass along that freeway segment each day, representing an average daily observer population over

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180% greater than the entire population of the City. Although all residents in the City will not observe the 230 kV transmission lines on a daily basis, all the motorists traveling along the I-15 Freeway will. Because it is the first view that most motorists have of the City and is located in the highly observable foreground (at a distance of "0-500'," p. 3-10), it must be assigned an intrinsic aesthetic value at least comparable with those natural landscaped (viewsheds) examined by the Lead Agency.

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As reported by the Institute of Transportation Engineers (ITE): "It has been recognized for some time that shopping centers and several other convenience-oriented land-use types (e.g., banks and fast-food restaurants) have slightly different trip characteristics than other use types. A significant proportion of the trips generated by these uses are simply trips diverted from traffic already on adjacent or nearby roadway facilities." Estimates of the percentage of pass-by trips diverted from adjacent roadways vary by shopping center size. "[T]he following pass-by trip percentages would be appropriate for the afternoon peak hour for shopping centers of various size: [1] Less than 100,000 square feet – 60% [2] 100,000 to 400,000 square feet – 50% [3] Over 400,000 square feet – 40%. These values are appropriate where high-volume arterial roadway facilities pass adjacent to the site. . . High generation convenience-oriented uses could well exceed the 60% range, if located along a high-volume commuter route" (Smith, Steven A., A Methodology for Consideration of Pass-By Trips in Traffic Impact Analyses for Shopping Centers, ITE Journal, August 1986, pp. 37-40).

The ITE further notes: "Another observation is that the nature of the traffic impact in a particular peak period can change dramatically just by the development site being located on the opposite side of the street. If a shopping center is located on the left side of the street (i.e., left in relation to the peak commuting direction), a scenario can be envisioned in which a high percentage of pass-by trips might even adversely impact the level of service at a certain intersection. . . One of the questions that arise is how traffic should be handled from roads that are nearby but not adjacent to the site. These trips should actually be handled as part of the new trip percentage, but must be carefully factored into the forecast distribution of new trips. For example, a shopping center that lies near a freeway interchange may attract some trips that exit the freeway, enter the shopping center, and get back on the freeway after the shopping trip is completed. These trips would be considered as new trips to the intersections in front of the shopping center. . . Unless the new site borders on the roadway itself, trips on nearby roadways must be considered as new trips" (Ibid.).

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The ITE further reports that "new commercial centers located in otherwise underserved market areas are likely to reduce total vehicle miles traveled and also total fuel consumption within the region. They are also likely to have the effect of lowering traffic volumes and general congestion levels at the critical intersections throughout the metropolitan area" (Kittelson, Wayne K. and Lawton, Keith T., Evaluation of Shopping Center Trip Types, ITE Journal, February 1987, pp. 35-40).

To the extent that the Proposed Project effectively shifts commercial development away from freeway frontage to more distal sites as a result of reduced visibility, diminished visual appeal of abutting commercial uses, and/or reduced visibility of associated signage, the number of "pass-by trips" would be expected to be reduced and the number of "new trips" would be expected to increase. The greater the potential pass-by trip reduction, the greater the potential beneficial traffic impacts on the local street network. Similarly, the further removed the shopping center is from that frontage, the greater the potential adverse impacts on level of service (LOS) conditions. As such, the indirect impact of any forfeiture of commercial development

opportunities adjacent to the I-15 Freeway is increased traffic volumes and potential reductions in LOS, including additional traffic-generated noise and mobile source emissions (e.g., carbon monoxide "hot spots" and greenhouse gas [GHG] emissions). Those indirect impacts are not, however, addressed in the DEIR (e.g., "Upon completion of the proposed Project, the only operational emissions would be generated from transmission line and substation maintenance activities," p. 3-88).

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There is an old axiom that the three keys to real estate are "location, location, location." With regards to commercial development, the three keys that likely guide a use's success are "visibility, accessibility, and parking." With regards to "visual sensitivity," the DEIR acknowledges that there exists a higher sensitivity to visual intrusion along the I-15 Freeway than along other vehicular roadways (e.g., "use level or use volume would be expected to be higher along the interstate highway and lower along a local street," p. 3-9). Despite this acknowledgement, the Lead Agency fails to define freeway motorists and freeway-associated viewsheds from and along the I-15 Freeway as "critical viewpoints" (e.g., "Sensitive viewers and potentially critical viewpoints that were identified and inventoried generally include recreation areas, travel routes, and residences," p. 3-9). The proposed development of high-voltage transmission lines and towers along the I-15 Freeway frontage would, therefore, reasonably be expected to adversely affect visibility (including opportunities for elevated signage) and could adversely impact site accessibility. On-premise signage serves to "brand" a site (i.e., a sign "brands" a location just as a product label brands the product). If an attractive image is not communicated, the business will rarely convey its message or get the clientele it seeks.

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As proposed, 230 kV steel lattice or tubular steel transmission towers are specified adjacent to or in close proximity to the I-15 Freeway ROW. Since a minimum "100-foot-wide easement would be required for the proposed 230 kV transmission line right-of-way" (p. 2-42), any commercial uses adjacent to the freeway will be located, at minimum, 100-feet from that transportation corridor (e.g., "additional ROW of up to an estimated 280 feet may be required," p. 2-42). Within that ROW, towers with a height of up to 180 feet (Table 2.4-1, p. 2-41) and with a typical span separation of 600 to 800 feet (p. 2-41) will be erected. The loss of that freeway frontage not only diminishes the visual character of the affected property but makes site planning (e.g., building placement, ingress/egress, on-site parking) substantially more difficult. The resulting diminished marketability, reduced visibility, restricted signage, and impediments to site planning and on-site circulation, will all affect the resulting use and valuation of those and other residual properties. With regards to both individual property owners and future City revenues, the environmental and socioeconomic impacts resulting from those physical changes cannot be reasonably compensated for through the "payment of fair market value [which] would be offered for these easements" (p. 2-42).

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In an October 1992 article in "The Journal of Real Estate Research" (High Voltage Power Lines: Do They Affect Residential Property Value), it was reported that "appraisers are according a negative adjustment to property bordering or within sight of HVOETLs [high-voltage overhead electrical transmission lines]. The range of value decline was estimated to be 0 to 50% (<http://business.fullerton.edu/FInance/Journal/papers/pdf/past/vol07n03/v07p315.pdf>). In written testimony submitted before the State Corporation Commission of Virginia concerning a HVTL project proposed by Dominion Virginia Power (DVP), it was reported: "As a result of my research and analysis, it is my opinion the market values of the properties in the vicinity of the proposed 500 kV HVTLs will incur significant monetary losses. Due to the extent of the impact the HVTLs will have on properties along the corridors, most of the owners will not be compensated for the monetary losses as a result of any future takings by DVP"

Draft Environmental Impact Report

Riverside Transmission Reliability Project

(http://www.pecva.org/_downloads/powerlines/documents/statefilings/VA_PEC_WHarveyTestimony_120407.pdf).

Although research findings on the effects of HVTs on property value vary, a universal component of those studies appears to relate to broadly-held public perceptions. The public's negative feelings about proximity to HVTs center on aesthetics, fears of potential health effects, and impacts on property-valuation. It is likely that those perceptions will steer future commercial and jobs-producing development west of the I-15 Freeway or elsewhere and leave lands east of the freeway, within Jurupa Valley, to languish.

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As indicated in the project description, with regards to the 230 kV transmission towers, "[t]ypical heights range from 90 to 170 feet for the single poles, and approximately 113 to 180 feet for the lattice towers (p. 2-41); however, the environmental analysis assumes an "average height of 125 foot structures for 230 kV lines" (p. 3-10). Similarly, with regards to the Proposed Project, tower heights are represented to range from "90 to 180 feet" (p. 3-246). With regards to the Lead Agency's assessment of the "Van Buren Offset Alternative," 230 kV transmission tower are described as ranging "from 110-175 feet in height" (p. 6-86). As a result, in addition to the inconsistencies in the project description, both the computer simulations and analysis potential underestimate and misrepresent the visual impacts of those towers (e.g., actual tower heights will likely exceed those presented in the illustrations).

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Two photo-simulations were presented in the DEIR that illustrate the visual impacts that the proposed 230 kV transmission lines will have along the I-15 Freeway corridor: (1) Viewpoint 5 (230 kV transmission line from I-15 Freeway south of 68th Street overpass looking north); and (2) Viewpoint 18 (230 kV transmission line from the south end of Vernola Marketplace looking north) (pp. 3-22, Figure 3.2.1-17 and Figure 3.2.1-26). While the Lead Agency acknowledges that in "limited areas" aesthetic "impacts are potentially significant" (p. 3-53), those areas are confined to "the scenic quality of the Santa Ana River corridor and impact sensitive viewers traveling Van Buren Boulevard, SART users, and residences in the Bradford Street/Julian Drive neighborhoods" (p. 3-53), corresponding with Viewpoints 2 and 13. Clearly absent from the DEIR is any recognition of the Proposed Project's direct and indirect impacts along the I-15 Freeway corridor.

The DEIR states that "[i]n those limited areas where impacts are potentially significant, inmitigable, and unavoidable, some impacts (e.g., aesthetic impacts) could be reduced to less than significant if the Project's lines were underground. However, as discussed in detail in Chapter 6 (Alternatives), undergrounding even limited sections of the Project as a means of potential mitigation is infeasible" (pp. 3-53 and 3-54 [see also p. 3-253]). As a result, whether they occur in limited areas (as purported by the Lead Agency) or are substantially more pervasive (as demonstrated by the City), the visual impacts of the 230 kV transmission lines and towers are, by the Lead Agency's own admission, "unmitigable."

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Although the DEIR asserts that the Proposed Project "would avoid impacts to the maximum extent possible" (p. 3-57), in fact, the opposite is the case. In the judgment of the City, the proposed 230 kV transmission lines and towers would impact Jurupa Valley to the maximum extent possible. Under CEQA, if mitigation measures cannot feasibly and effectively mitigate a Proposed Project's significant environmental impacts (e.g., "There are no feasible mitigation measures to reduce the impact level to less-than-significant due to the contrasts caused primarily by the scale and dominance of the new structures as seen by sensitive viewers located immediately adjacent to the Proposed Project," p. 3-58), the Lead Agency is required to

determine whether there exist feasible project alternatives that would reduce those impacts to a less-than-significant level. As indicated herein, the City believes that such alternatives exist and warrant further analysis by the Lead Agency.

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9.3 Air Quality

The Lead Agency asserts that the "the Proposed Project does not involve combustion of fossil fuels or involve other chemical processes that produce gaseous emissions" (p. 4-10). However, the Lead Agency states that: (1) "RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth" and "[t]he Proposed Project would provide RPU with long-term system capacity for load growth" (p. 1-3); (2) "Riverside is the largest city in Riverside County, and, as part of California's Inland Empire, has experienced tremendous economic growth and development during the past 10 years" and "[t]he rapid population growth and commercial development have led to an increase in local electric customers" (p. 1-14); (3) "A new interconnection to SCE's transmission system is urgently needed to provide capacity for existing as well as new electrical load" and "[w]ithout this addition, load shedding and area electrical blackouts will eventually be required" (pp. ES-4 and 1-14); (4) "If this deficiency condition would persist under the projected load growth scenario, long-term system reliability would be in jeopardy, increasing the potential for black-outs in the city [of Riverside]" (p. ES-11); (5) "The Proposed Project is intended to accommodate, rather than encourage, area growth" and "[b]oth PRU's and SCE's systems are proposed for expansion under the Proposed Project in order to meet projected load growth" (pp. 3-278 and 3-288); (6) "Within the City of Riverside Public Utilities' service area, demand is already exceeding capacity to provide reliable electric power from external generation sources. The Proposed Project will allow RPU to meet current demand for energy service within the city [of Riverside] limits, as well as projected demand related to population and economic growth" (p. 5-1); (7) "The Proposed Project. . . could therefore be considered to be growth-accommodating rather than growth-inducing" (p. 5-2); and (8) "Under the projected load growth scenario, long-term system reliability would be in jeopardy, increasing the potential for black-outs in the City [of Riverside]" (pp. 6-19 and 6-63).

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Based on those excerpts, under the existing environmental setting, load shedding and black-outs are anticipated (resulting in an undesired but nonetheless a quantifiable reduction in energy consumption within the RPU service area). With the Proposed Project, RPU states that load shedding and black-out can be reduced or avoided (resulting in a continuing increase in energy consumption within RPU's service area). Conversely, "the Proposed Project will address peak demand issues and reduce the need for energy-consuming internal generation during peak events" (p. 5-7) (resulting in a reduction in energy generated by internal peaking plants). Those differences (delta) and/or changes, however, are neither quantified nor examined in the DEIR. As a result the potential air quality and other potential environmental impacts associated with those differences and/or changes addressed therein.

In addition, as indicated in Appendix F (Energy Conservation) of the Guidelines: "The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include: (1) decreasing overall per capita energy consumption, (2) decreasing reliance on fossil fuels such as coal, natural gas and oil, and (3) increasing reliance on renewable energy sources. In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy. Energy conservation implies that

a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements." Absent from the DEIR is the energy demand and conservation analysis required under Appendix F of the Guidelines (e.g., "The effects of the project on local and regional energy supplies and on requirements for additional capacity," Appendix F, Guidelines).

It is reasonable to assume that, if infrastructure (e.g., water, sewer, and other utilities) were unavailable to support development and if continued development were to result in potential health and safety impacts (e.g., "public services that could be impacted by disruptions to electric service include hospitals," p. 6-66), a responsible land-use entity would curtail development (e.g., not issue building permits) pending resolution of those constraints. As with water conservation, local governments have the ability to impose mandatory conservation efforts, such as requiring all new development to exceed the energy conservation design standards for new residential and new nonresidential buildings mandated under California's "Energy Efficiency Standards for Residential and Nonresidential Buildings" (Title 24), as codified in Title 24, Part 6 of the CCR.

It is evident that the City of Riverside and/or RPU perceives the absence of a second interconnect to the bulk power system to be a constraint or potential constraint to development (e.g., "A new interconnection to SCE's transmission system is urgently needed to provide capacity for existing as well as new electrical load. . . reinforcement is urgently needed to the existing 69 kV subtransmission system," [emphasis added], p. 1-14). Absent an analysis of increased energy consumption within the RPU's service area (including future development activities "accommodated" by the proposed project), the analysis of air quality impacts (including GHG emissions) is inadequate and fails to accurately characterize the Proposed Project's direct and indirect environmental effects.

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The Legislature enacted the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32; Section 38500 et seq., Health and Safety Code [H&SC]), identifying global warming as a serious threat to California's economy, public health, natural resources, and the environment and requiring the reduction of GHG emissions to 1990 levels by 2020. AB 32 added Section 38530 to the H&SC, which required that regulations be adopted requiring the reporting and verification of GHG emissions from all electricity consumed in the State. Senate Bill (SB) 1078 (2002) established the California Renewables Portfolio Standard Program, which requires each electrical corporation to increase its procurement of eligible renewable energy resources by at least one percent per year until 20 percent of its retail sales are from renewable energy resources. SB 107 (2006) moved the RPS date to achieve 20 percent renewable energy sales up to December 31, 2010. Absent from the DEIR is any discussion of RPU compliance with those requirements and whether the Proposed Project is needed to reach those goals.

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Absent any discussion of RPU's attainment or nonattainment of the State's RPS, the Lead Agency seeks to rationalize the Proposed Project by stating that the project is predicated on "the inability of RPU to maximize the potential for importing renewable energy generated in the Western U.S." (p. 6-24) and "allow the City of Riverside to access more renewable energy sources" (p. 5-7). Neither of those objectives are cited by the Lead Agency as project objectives. However, specific alternatives are rejected because they do "not provide a second point for importing energy, including from renewable sources" (emphasis added) (p. 6-25). No evidence is presented in the DEIR that the Proposed Project will increase the City of Riverside's use of renewable energy or that any of the identified alternatives (including the "no project" alternative) would not have comparable benefits. If the Lead Agency now seeks to allege that

increased use of renewable energy resources is a project objectives, the environmental analysis needs to be expanded to include a wider range of alternatives (e.g., distributed generation).

As indicated by the CEC: "California has adopted energy policies that require substantial increases in the generation of electricity from renewable resources. Extensive improvements, however, are needed to California's electric transmission infrastructure to get the electricity generated by new renewable power facilities to consumers. The Renewable Energy Transmission Initiative (RETI) is a statewide initiative to help identify the transmission projects needed to accommodate these renewable energy goals, support future energy policy, and facilitate transmission corridor designation and transmission and generation siting and permitting" (<http://www.energy.ca.gov/reti/index.html>). With the DEIR's repeated assertions, it must be assumed that the Proposed Project must be a vital part of the CEC's RETI. Similarly, by referencing the CEC's "Strategic Transmission Investment Plan" (e.g., "The goals of the CEC's Strategic Transmission Investment Plan are to meet state greenhouse gas policy objectives through the interconnection and integration of renewable generation to the transmission grid," p. 3-93), it might be assumed that the Proposed Project is an integral part of the most recent State-approved program. However, based on a review of the 2009 "Strategic Transmission Investment Plan – Final Commission Report" (CEC, December 2009), only one SCE project (i.e., "Tehachapi Renewable Energy Project") is cited therein (<http://www.energy.ca.gov/2009publications/CEC-700-2009-011/CEC-700-2009-011-CMF.PDF>).

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By introducing "renewable energy" into the project's analysis and asserting that non-quantified GHG benefits will be derived therein, the Lead Agency links transmission to generation. Because demand for electricity in the City of Riverside is growing (e.g., "the local RPU system load will grow approximately 15 MW per year on average, through the year 2026," p. 6-24), that growth will be satisfied by power generated by some internal and/or external source(s). Electrical generation is recognized as one of the largest generator of GHG emissions in California. The CEC reports that "25 percent of the state's greenhouse gas emissions is attributable to electricity generation while 38 percent is attributed to the transportation sector" (<http://www.energy.ca.gov/climatechange/index.html>) (see also Table 3.2.3-1, p. 3-75).

The missing and critical components of the Proposed Project's GHG emissions analysis are: (1) quantitatively, what would happen without the Proposed Project; and (2) are there demand-side and/or supply-side alternatives available to the City of Riverside and/or RPU that would reduce GHG emissions attributable to existing and projected "local RPU system load" (e.g., energy conservation)? That information has not been presented in the DEIR.

With regards to GHG emissions attributable to the "no project" alternative, in lieu of the presentation of any comparative analysis, the Lead Agency merely states that "[u]nder the No Project Alternative, none of the facilities or infrastructure upgrades associated with the Proposed Project evaluated in this DEIR would be constructed by SCE or RPU. However, RPU and SCE would likely be required to design a new transmission project in order to satisfy the objectives of the Proposed Project. Potential impacts from the construction, operation, and maintenance of such a project would likely be similar in significance level to the Proposed Project" (p. 6-64). As such, no factual basis is provided allowing stakeholders to understand the totality of GHG emissions directly and indirectly associated with the Proposed Project and to compare the air quality and GHG emission impacts of the Proposed Project relative to any of the alternatives examined in the DEIR.

9.4 Biological Resources

As indicated in the DEIR, the Lead Agency seeks to base its biological resource assessment on biological surveys "conducted in 2006 and 2008" (p. 3-96). As indicated in the DEIR: (1) "the CEQA baseline for all biological impacts is 2008" (p. 3-96); (2) "Field surveys were conducted and analysis provided by Power [Engineers] in 2006, 2007, and 2008" (p. 3-96); (2) "the baseline conditions for determining impacts to burrowing owl is 2007" (p. 3-96); and (3) "Focused surveys were conducted during summer and autumn 2006 and spring 2008 to delineate vegetation communities and identify sensitive plant habitats and species" (p. 3-97).

Based on a meeting with representatives of the Riverside County Regional Conservation Authority (RCA) (e.g., "RCA meeting in June 2010, p. 3-97), the Lead Agency asserts that out-dated biological surveys (conducted in 2006, 2007, and 2008) continue to constitute a supportable basis for assessing the presence/absence of protected species and habitats in the general project area. For the purpose of biological resource assessment, the Lead Agency seeks to define "baseline conditions" as those that existed in 2006, 2007, and/or 2008 and not those that existed at the time NOP1 (January 2007) and/or NOP2 (November 2009) was released (i.e., "Based on meetings with the RCA, USFWS [United States Fish and Wildlife Service], and CDFG [California Department of Fish and Game] during 2010, it was determined that the baseline 2006 and 2008 surveys are sufficient for evaluation of existing field conditions of the evaluated Proposed Project and alternatives," p. 3-96). It would appear unlikely that the RCA, USFWS, and CDFG would collectively consent to the use of four or five-year old studies as the basis for assessing the presence/absence of sensitive species and habitats. No documentation or other evidence of that "determination" is presented in the DEIR.

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Because biological resources and habitats are subject to rapid change, biological resource surveys are typically only valid for 12 months from the date of performance (e.g., "survey results are only valid for one calendar year," p. 3-96). It, therefore, appears more reasonable to assume that the Lead Agency's failure or unwillingness to conduct or require RPU and SCE to perform subsequent general and focused species-specific biological surveys is more a result of budgetary considerations than acceptance by County, State, and federal regulatory agencies. As indicated in Power Engineers' Scope of Services: (1) "Biological surveys completed during as a [sic] separate task and approved by RPU Board June 26, 2006 are sufficient and no additional protocol biological surveys are necessary for the 230 kV transmission line"; (2) "230 kV biological surveys will be completed during spring/summer surveys period 2007"; (3) 69 kV biological surveys will be completed within one survey season"; and (4) "Surveys conducted on 'preferred' routes only for 230 kV and 69 kV transmission lines" (Scope of Services, p. 37).

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From the information presented, it is not possible to ascertain when and where field surveys were actually performed and whether they were inclusive of all project components (e.g., the proposed 230 kV alignment was not identified until some time after the release of NOP1) (see Appendix B, "Burrowing Owl Focused Survey Report – for the 230kV Portion of the Planned Riverside Public Utility's Riverside Transmission Reliability Project, TRC, August 2007, Figure 1). In lieu of post 2008 surveys, the Lead Agency seeks to avoid critical (and costly) analysis and disclosure by deferring on-site surveys to after project approval (e.g., "Conduct preconstruction surveys for western burrowing owl no more than two weeks prior to vegetation clearance or soil disturbance," Mitigation Measure BIO-03, p. ES-6).

The biological reconnaissance surveys do not appear to comply with the USFWS' "Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and

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Candidate Plants" (USFWS, January 2000), the CDFG's "Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (CDFG, December 9, 1983, revised May 8, 2000), and the Riverside County Transportation and Land Management Agency's (TLMA) "Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Survey Guidelines and Protocols" (TLMA, July 18, 2007) (http://www.rctlma.org/epd/documents/survey_protocols/wrmshcp_survey_guide_protocols.pdf).

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According to the City of Riverside's "Biological Survey Requirements" (January 1, 2008): "The City of Riverside only accepts biological surveys from biologists listed on the County of Riverside's list of qualified biological consultants" (<http://www.riversideca.gov/planning/pdf/2008-forms/biological%20survey%20requirements.pdf>). Based on the list provided by the City of Riverside, Power Engineers does not appear to be a "qualified biological consultant." As such, in accordance with the City of Riverside's stated requirements, biological surveys and analyses conducted by Power Engineers would not be deemed acceptable for CEQA compliance purposes.

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In addition, it is not clear whether Power Engineers is included in the County's "Authorized Consultant List" (<http://www.tlma.co.riverside.ca.us/epd/documents/BioConsultantsList.pdf>), as last revised on August 23, 2011, and whether they were so listed at the time the biological reconnaissance surveys were performed.

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Because the locations of observed and suspected species are never clearly identified (either by location or by routing alternative), it is not possible to compare the biological impacts of different alignments. Similarly, no definitions are presented with regards to each species' categorization of "high potential for occurrence," "moderate potential for occurrence," or "low potential for occurrence" (Table 3.2.4-2, p. 3-109). Those category headings provide no clear information concerning the actual presence/absence of those species (assuming that multiple survey year studies were conducted under optimal conditions), each species historic range in relation to the project area, and/or habitat restoration opportunities along each alignment.

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With regards to certain bird species (e.g., western yellow bat), the DEIR states that "the new transmission line will provide a new aerial obstacle. This has the potential to result in an indirect impact to this species' foraging habitat. This is negligible because the Proposed Project will also conserve open-space vegetated habitat within the right-of-way" (p. 3-115). The Lead Agency's rationale is fatally flawed. Since the Lead Agency states that "the CEQA baseline for all biological impacts is 2008" (p. 3-96), at least with regards to the "I-15 Route," the majority of the proposed alignment is already open space or undeveloped lands. The introduction of towers, HVTLS, access routes, staging areas, pull sites, and other activities will produce a quantifiable or qualifiable physical change (e.g., "Installation of new towers could result in the permanent loss of limited areas of native and non-native vegetation communities," p. 3-129). The environmental analysis seeks to ignore the proposed physical changes and assert that unspecified and non-delineated portions of the ROW may "conserve open-space vegetated habitat." Unless secondary use requests are denied beneath the HVTLS, to the extent that SCE and RPU seek only to obtain an easement and not a fee-simple interest in real property along the transmission ROW (e.g., "payment of fair market value would be offered for these easements," p. 2-42), there exist no evidence that the Proposed Project will promote, require, or ensure the retention and conservation of any "open-space vegetated habitat."

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Relative to each species' habitat requirements, the "conserved" areas are not depicted relative to those habitat opportunities and requirements, the type, level, and permanency of disturbance.

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is not depicted, and maintenance requirements (including vegetation clearance and thinning) are not examined. As a result, it is not possible to replicate the Lead Agency's analytical process or independently verify the Lead Agency's purported findings.

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In the absence of recent biological reconnaissance surveys, conducted within the optimal time periods (with those optimal time periods and survey dates explicitly identified), performed within all analyzed alignments (not only in the purported area of "disturbance" but along the entire alignment and not less than 500 feet from the centerline), with field notes and accompanying documentation presented for independent review and validation, it is not possible to determine the presence/absence of protected plant and animal species and/or general biological resources within the general project area. Since the Lead Agency has presented an incomplete and inadequate biological assessment (e.g., "Based on survey data," p. 3-129), it is not possible for stakeholders to meaningfully comment on the Proposed Project's direct, indirect, and cumulative biological resource effects and efficacy of the identified mitigation measures.

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As indicated in the DEIR: "Installation of new towers could result in the permanent loss of limited areas of native and non-native vegetation communities" (p. 3-129). Absent from the DEIR, however, is any graphic and/or accompanying narrative depictions of high-voltage tower placement, including the type of tower proposed in each location. Despite the absence (e.g., "Prior to construction, a survey would be conducted to determine centerline location, specific structure locations, tower leg elevations, ROW boundaries, work area boundaries, and access roads to work areas," p. 2-64; "The Proposed Project would be expected to submit the identified habitat impacts for consistency determination and mitigation compensation fee requirements," p. 3-125) and public disclosure of that information (e.g., "The Water Resources analysis identified this potential effect based on design footprints," p. 3-129), the DEIR quantifies impacts to only one of the "11 vegetation communities [that] were identified in the study area" (p. 3-99). The DEIR states that a total of 58.7 acres of Riversidian sage scrub habitat is located within the "2000-foot study corridor for 230 kV portion of proposed project (I-15 Route)" (Table 3.2.4-1, p. 3-107) but "Riversidian sage scrub impact is expected to be less than 0.5 acres," p. 3-129). Since stakeholders have been denied access to that information, appropriate mitigation (including the provision of compensatory resources) can neither be established nor quantified.

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The DEIR states that "the Proposed Project would primarily consist of the construction, operation, and maintenance of a new approximately 10-mile double-circuit 230 kV transmission line. . . Total length of the new 69 kV subtransmission lines would be approximately 11 miles" (p. 2-1). As noted, the burrowing owl "study area for this report [was] approximately 6.6 miles" (Appendix B, "Burrowing Owl Focused Survey Report – for the 230kV Portion of the Planned Riverside Public Utility's Riverside Transmission Reliability Project, TRC, August 2007, p. 4), suggesting either that a different transmission alignment was surveyed or that the field survey was not inclusive of both the proposed and alternative transmission routes.

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Notwithstanding the presence of 10-miles of new transmission and 11-miles of new subtransmission lines, the Lead Agency seeks to avoid an analysis of the potential impacts of those facilities on avian species (e.g., "It is possible that birds would strike the new transmission lines; however, it is not expected to result in a substantial increase from current conditions due to preexisting power lines within the same area," p. 3-132). Under the Lead Agency's rationale, under CEQA, agencies could be able to avoid an analysis of new housing or commercial development projects (independent of their size or location) because there already exists housing or shopping in the same general area. Proximity to development does not constitute a supportable rationale for assuming that a new land use (physical change) on a site presently

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absent that use would not create or have the potential to create new significant environmental effects.

Mere compliance with a design standard (e.g., "conformance to Avian Power Line Interaction Committee standards," pp. 3-132 and 3-133) does not serve as an alternative to reasoned analysis (e.g., "It is difficult to predict the magnitude of collision-caused bird mortality without extensive information on bird species and movements in the Proposed Project vicinity. These data are not available for the proposed transmission line study area," p. 3-132) or factual evidence of the absence of significant impacts. To the extent that there remain unresolved issues, the Lead Agency cannot attempt to hide behind the absence of collectible data for not performing independent analysis. The DEIR lacks any substantial evidence that applicable "information on bird species and movement" could not be readily obtained by the City of Riverside, RPU, and/or SCE or that the collection of that data constitutes an unreasonable requirement or would fail to yield meaningful results.

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9.5 Hazards and Hazardous Materials

As indicated in the City of Riverside's "Application for Certification for a Small Power Plant Exemption - Environmental Assessment" for the RERC, as submitted to the CPUC: "The proximity of the transmission line to objects in or near the corridor can be susceptible to fires because of one of the following effects: [1] A direct flashover to the object if the object is less than the minimum clearance to cause an electric arc between the line and object [and] [2] A spark discharge on the object as a result of an increase in voltage between the object and ground" (City of Riverside/Power Engineers, Environmental Assessment, Section 4 – Transmission Line Safety and Nuisance, April 2004, pp. 41-42). Notwithstanding that acknowledgement, potential fire hazards attributable to the Proposed Project were not examined in the DEIR. For example, parking lots located in large commercial centers (such as the Vernola Marketplace) generate substantial traffic, including large delivery trucks, recreational vehicles, and vehicles with large antennas. With regards to the Proposed Project, the potential for farm equipment, large delivery and trash trucks, parking lot cleaning equipment, and similar oversized vehicles driving beneath energized transmission line and other objects to produce direct flashover or other discharge (e.g., "the potential for induction effects if the Project's electrical lines were located nearby the railroad," p. 6-11) and the potential health and safety hazards associated therewith were never examined in the DEIR. The Lead Agency never explains why, assuming that minimum clearance distances are maintained, proximity to rail lines would produce unacceptable safety hazards but proximity to truck traffic and other metallic objects (e.g., signage, structures), as may be associated with commercial and agricultural operations, is deemed acceptable.

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As indicated in the DEIR: "Following best management and design practices throughout conception, construction, and implementation of the Proposed Project ensures that public safety is paramount and potential environmental impacts are minimized through avoidance" (pp. 3-193 and 3-194). "Minimized," however, does not directly equate to "never."

As indicated in an SCE filing before the CPUC (Application No. A.07-06-031), since 1966, SCE has experienced at least 16 major failures to its 220 kV transmission towers. Identified tower failures include, but may not be limited to: "[1] 1969 – One suspension tower in the San Onofre-Santiago and Chino-San Onofre lines was damaged by flooding of San Mateo Creek. [2] 1969 – One suspension tower (M9-T4) in the Nos. 1 and 2 Santa Clara-Goleta lines was threatened by flooding of the Ventura River. The conductors and ground wire were unclipped and the tower

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was pulled over by Edison before the river could damage the tower. Adjacent 66 kV towers were damaged by the river. The geometry of all involved spans was such that conductor work was not required to maintain design clearances in use at that time. [3] 1971 – A crossarm was damaged by the Sylmar Earthquake on the Eagle Rock-Saugus line. No forced outages. [4] 1976 – One tower each melted and collapsed as a result of a gas pipeline fire on the Eagle Rock-Pardee, Pardee-Pastoria and No. 2 Pardee-Santa Clara lines. [5] 1977 – One tower was damaged by a flash flood in the Devers-Julian Hinds line. No forced outage. [6] 1978 – One tower was damaged by erosion in the San Onofre-Santiago and Chino-San Onofre lines. No forced outages. [7] 1979 – One tower was damaged by vehicle contact in the Big Creek No. 3-Reactor line. [8] 1983 – Two towers were washed out in the Nos. 1 and 2 Pardee-Sylmar lines by the Santa Clara River. [9] 1983 – Five towers were damaged by aircraft contact in the Nos. 1 and 2 Alamitos-Barre lines. [10] 1984 – Two towers were damaged by aircraft contact in the Nos. 1 and 2 Devers-Vista lines. [11] 1992 – One tower was damaged in the Lugo-Plagah line by the Landers Earthquake. The fault trace was through the tower – 11 to 13 foot lateral displacement. No forced outage. [12] 1994 – Two Portal dead-end towers were damaged by the Northridge earthquake at Pardee Substation. One tower was replaced by a lattice tower and the other tower was repaired. [13] 1998 – Two towers were damaged by landslides in the Nos 1 and 2 Goleta-Santa Clara lines. [14] 2000 – One tower was damaged by a landslide in the No.1 and 2 Goleta-Santa Clara lines. [15] 2000 – An insulator failure damaged a crossarm on the Moorpark-Ormond Beach No. 4 line. [16] 2002 – One double circuit tower was damaged by fire in Southgate. All four circuits on the right-of-way were damaged by the intense flames. The three aluminum layers of the ACSR conductor melted but the steel core remained intact" (SCE, Southern California Edison Company's Exhibit – Redacted Excerpt from SCE's Rebuttal Testimony Confidential Exhibit R [SCE's Design Specs D-2005-198, July 8, 2009, pp. D-6 and D-7) (<http://leonavalleytowncouncil.org/Documents/Chino%20Hills%20Brief.pdf>). It can be assumed that each of these failed towers were also followed "best management and design practices." As such, compliance with those practices and GO 131-D is no guarantee that towers will not fail and transmission lines will not be grounded.

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As indicated, tower failure and/or damage can occur through a variety of causes besides flooding (e.g., wind damage, fire, earthquake, vehicle and aircraft contact). Absent from the DEIR, however, is any discussion of potential health and safety hazards associated with any of the proposed improvements, including hazards to "existing and future development activities" (e.g., Vernalia Marketplace) (pp. 3-252 and 3-253). Although the Lead Agency includes a brief reference to fire hazards (e.g., "Transmission and subtransmission infrastructure may present a fire hazard during Proposed Project operation," p. 3-287), the only remedy posited is to restrict structures from the ROW (e.g., "structures that may present a fire hazard and damage to the public would be restricted from the rights-of-way," p. 3-287). If fires were to occur, either attributable to the proposed transmission and subtransmission facilities or other cause, those fires may not be confined solely to the ROW.

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Under the Lead Agency's own assumptions (i.e., structures within the ROW), impacts to the Vernalia Marketplace would likely be substantially greater than now assumed in the DEIR (e.g., "The placement of the 230 kV transmission line within the parking lot would result in the reduction of approximately six designated parking spaces," p. 3-253). Although never disclosed, under the Lead Agency's avoidance strategy, all parking and associated vehicle travel (as well as existing signage and other improvements) within the transmission line's ROW would need to be eliminated, resulting in a substantially larger reduction in on-site parking than the number of spaces now presented. These physical changes would likely extend beyond parking and include the potential disruption to on-site circulation and change in on-site and off-

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site travel patterns. Similarly, assuming that the DEIR is internally consistent, no structures would be authorized within the proposed 230 kV ROW, thus producing further adverse design and development impacts upon not only the Vernola Marketplace but other "existing and future development activities" within Jurupa Valley (e.g., along the I-15 Freeway corridor).

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As reported in Power Systems Engineering Research Center's (Arizona State University) "Electric Transmission Line Flashover Prediction" (Felix Amarh, PSERC Publication 01-16, Ph.D. Thesis and Final Report, May 2001): "Flashover of contaminated insulators in polluted areas has proven to be one of the most important factors influencing the operation of extra- and ultrahigh voltage transmission lines and substations. These are power-frequency flashovers on transmission lines without evidence of switching or lightning overvoltages and usually take place in wet weather conditions such as dew, fog, drizzle or light rain. Near industrial, agricultural or coastal areas, airborne particles are deposited on insulators and the insulator pollution builds up gradually. These deposits do not decrease the insulation strength when the insulators are dry. However, when fog or light rain wets the polluted insulator, a conductive layer is formed on the contaminated insulator surface, which initiates leakage current. The drying effect of leakage current produces dry-bands. The line voltage flashes over the dry-band and extension of the arc causes the insulator to flashover. In the operational system, several arcing periods precede actual flashover."

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According to the National Pipeline Mapping System (NPMS) Public Map Viewer, there appears to exist both gas transmission and liquid hazard pipelines in close proximity to the proposed transmission alignment (<https://www.npms.phmsa.dot.gov/PublicViewer/>). The existence or potential existence of those or other pipelines within and proximal to the proposed ROW and any potential tower failure, flashover, or other hazards associated therewith are not addressed in the DEIR

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9.6 Land Use

As noted in the DEIR: "An inconsistency between a proposed project and an applicable plan is a legal determination" (p. 3-239). Since the DEIR was written by staff and/or a hired consultant and has not yet been considered by the project's decision makers, statements in the EIR cannot be seen as determinant of, among other things, the Proposed Project's consistency with the "City of Riverside General Plan 2025," the "County of Riverside General Plan," and other applicable public policy documents.

As indicated in the DEIR: "There is no agreed objective standard by which to judge the degree of inconsistency or the significance of a project's inconsistency with the various policies and objectives enumerated in adopted plans. Inconsistencies may, however, may [sic] be a factor in determining the significance of an underlying physical impact" (p. 3-239). The City disagrees with that contention. Citing the Lead Agency's own threshold of significance criteria, the DEIR states that the Proposed Project "would have a significant impact to land use if it would. . . Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect" (emphasis added) (p. 3-251). Under CEQA, the Lead Agency cannot establish a self-imposed threshold standard and then elect to ignore it.

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As required under Section 15125(d) of the Guidelines: "The EIR shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans."

In lieu of an objective assessment of applicable planning documents, the Lead Agency attempts to “cherry pick” those policies which appear to best support the Proposed Project and then to conclude that the Proposed Project is “consistent” (pp. 3-241 and 3-242) with a specific planning document. In order to balance the one-sided perspective now presented, outlined below is a broader assessment of the Proposed Project’s consistency and/or inconsistency with those municipal planning documents examined in the DEIR.

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- **City of Riverside General Plan 2025.** As indicated in the DEIR: “The City of Riverside is the Lead Agency for the CEQA process” (p. ES-1). As further indicated in the DEIR: “The proposed 69 kV subtransmission lines are located within the City of Riverside, and a portion of the proposed 230 kV route is located in the City of Riverside” (p. 3-14). Although the City of Riverside is the Lead Agency and the Proposed Project is located, in part, within the City of Riverside, noticeably absent from the DEIR is any reasonable analysis of the project’s consistency or inconsistency with the “City of Riverside General Plan 2025” (City of Riverside, 2007). The DEIR merely recites a list of “City of Riverside General Plan 2025” policies and, with no or minimal (or often erroneous) analysis, asserts consistency.

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For example, the DEIR states that “General Plan 2025 includes an Energy Conservation Objective which states that the City [of Riverside] will ‘increase energy efficiency and conservation in an effort to reduce air pollution’” (p. 3-92). Although the Proposed Project is a supply-side improvement and includes no energy-efficiency measures, the Lead Agency concludes that “[t]he Proposed Project is consistent with the applicable General Plan energy efficiency measures, as it will increase transmission capacity” (emphasis added) (p. 3-93). Energy efficiency and increased transmission capacity are separate and distinct factors, such that one does not equate with the other.

There is not a single reference to “energy efficiency” or “energy efficient” in the project description and only an unrelated reference can be found in the DEIR’s analysis of project alternatives (i.e., “also available is consumer education material on energy efficiency,” p. 6-25). It is, therefore, event that, from the perspective of the Lead Agency and contrary to the requirements of Appendix F (Energy Conservation) of the Guidelines, energy efficiency is neither a component of the Proposed Project nor a factor in either the consideration of the project or any alternative thereto.

The DEIR further asserts that “the Proposed Project would not consume energy (except for vehicles used for line patrols and other maintenance activities)” (p. 3-93). However, absent from the DEIR is any discussion of transmission and distribution (T&D) efficiency. T&D losses (typically dissipated as heat due to the resistance of the conductors) can be estimated from the discrepancy between energy produced (as reported by power plants) and energy sold to end customers. The difference between what is produced and what is consumed constitute a measurable T&D loss.

As reported by the United States Department of Energy’s (DOE) “The Feasibility of Replacing or Upgrading Utility Distribution Transformers during Routine Maintenance” (Barnes, P.R., et al, Oak Ridge National Laboratory, April 1995): “About 92.5 percent of the energy generated at power plants is distributed to the ultimate consumer; the other 7.5 percent of the energy – approximately 229 billion kWh [kilowatt hours] annually – is dissipated as losses in transmission and distribution (T&D) systems. If subtransmission lines are included in the distribution system, about 35 percent of the losses occur in the

transmission system and 65 percent of the losses occur in the distribution system" (DOE, p. 1) (<http://www.ornl.gov/~webworks/cpr/v823/rpt/78562.pdf>). As reported by the United States Energy Information Administration, "annual electricity transmission and distribution losses average about 7% of the electricity that is transmitted in the United States" (<http://www.eia.gov/tools/faqs/faq.cfm?id=105&t=3>).

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Assuming that the Proposed Project allows for the importation "of an additional 332 MW of capacity" (p. 6-22), estimated project-specific T&D losses account for approximately 23.2 MW. Because distribution distances would be substantially less, a locally constructed "new generation" (pp. 6-22 through 6-24) alternative would exhibit a substantially higher rate of efficiency. Since efficiencies and T&D losses are neither quantified nor examined, insufficient information is presented by the Lead Agency to allow a comparative analysis of alternatives and to assess the potential environmental impacts associated with those inefficiencies.

As indicated in the "City of Riverside General Plan 2025," it is the policy of the City of Riverside that "[c]onstruction of power generation stations will enable the Riverside Public Utilities Department to supply the needs of emergency operations by directing power to those facilities as power is restored to the larger geographic area. The power system will not have to rely on state or regionally operated transmission lines as all distribution lines will be owned and operated by the Riverside Public Utilities Department" (emphasis added) (Public Facilities and Infrastructure Element, p. PF-27). However, rather than furthering the goal of "construction of power generation stations," the Proposed Project "would eliminate the need for additional peak or base load internal generation" (p. 3-93). As a result, the Proposed Project appears not to be consistent with but in direct contradiction to the City of Riverside's own energy policies (e.g., "will not have to rely on state or regionally operated transmission lines"). Although it is the City of Riverside's own energy-related goal, the Lead Agency rejects "new generation" as a non-viable alternative (p. 6-24).

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With regards to the "City of Riverside General Plan 2025," there exist numerous policies that have not been addressed by the Lead Agency and which have direct relevancy to the Proposed Project. It is the City's believe that the Proposed Project is not or may not be consistent with the following "City of Riverside General Plan 2025" land-use policies: (1) "Recognize and enhance the Santa Ana River's multiple functions: a place of natural habitat, a place for recreation and a conveyance for stormwater runoff" (Objective LU-2); (2) "Minimize the extent of urban development in the hillsides, and mitigate any adverse impacts associated with urbanization" (Objective LU-4); (3) "Work closely with the County of Riverside, emphasizing the City's [of Riverside] need to participate in the development review of projects proposed in surrounding unincorporated areas. Work to ensure that such developments proceed in concert with City of Riverside standards" (Policy LU-4.3); (4) "Minimize public and private development in and in close proximity to any of the City's arroyos" (Policy LU-5.1); (5) "Enforce and adhere to the special protections for agricultural areas set forth in Proposition R and Measure C" (Policy LU-6.1); (6) "Continue to participate in the Multi-Species Habitat Conservation Plan (MSHCP) with Riverside County" (Policy LU-7.4); (7) "Emphasize smart growth principles through all steps of the land development process" (Objective LU-8); (8) "Encourage the design of new commercial developments as integrated centers, rather than as small individual strip development" (Policy LU-9.5); (9) "Protect residentially designated areas from encroachment by incompatible uses and from the effects of

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incompatible uses in adjacent areas. Uses adjacent to planned residential areas should be compatible with the planned residential uses and should employ appropriate site design, landscaping and building design to buffer the nonresidential uses" (Policy LU-9.7); (10) "Time the provision of capital improvements to ensure that all necessary public services and facilities for an area planned for new urban development are in place when development in the area occurs" (Policy LU-10.3); (11) "Require development projects to be timed and phased so that projects are not occupied prior to the provision of necessary urban services" (Policy LU-10.4); (12) "Avoid land use/transportation decisions that would adversely impact the long-term viability of the March Air Reserve Base/March Inland Port, Riverside Municipal and Flabob Airports" (Objective LU-21); (13) "Work to limit the encroachment of uses that potentially pose a threat to continued airport operations, including intensification of residential and/or commercial facilities within identified airport safety zones and areas already impacted by airport noise" (Policy LU-21.3); and (14) "Enhance and ensure the long-term viability of Riverside Municipal Airport by developing facilities that efficiently serve present and anticipated future needs and encouraging increased business and corporate usage" (Objective LU-22)."

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It is the City's believe that the Proposed Project is not or may not be consistent with the following "City of Riverside General Plan 2025" open space and conservation policies: (1) "Preserve designated agricultural lands in recognition of their economic, historic and open space benefits and their importance to the character of the City of Riverside" (Objective OS-3); (2) "Protect valuable agricultural land from urban development through the use of agricultural zoning districts and other appropriate development regulations, as well as financial and tax incentives" (Policy OS-3.3); (3) "Encourage the efficient use of energy resources by residential and commercial users" (Objective OS-8); (4) "Encourage incorporation of energy conservation features in the design of all new construction and substantial rehabilitation projects and encourage the installation of conservation devices in existing developments" (Policy OS-8.2); (5) "Encourage private energy conservation programs that minimize high energy demand and that use alternative energy sources" (Objective OS-8.3); and (6) "Encourage the efficient use of energy resources by the City of Riverside" (Objective OS-9). In addition, it is the City's believe that the Proposed Project is not or may not be consistent with the following "City of Riverside General Plan 2025" public facilities and infrastructure policy: "Promote and encourage energy conservation" (Policy PF-6.3).

As evidence of the Lead Agency's failure to fully and faithfully comply with CEQA, with regards to the above referenced "City of Riverside General Plan 2025" objectives and policies, only "Objective LU-21" was examined in the DEIR (see pp. 3-15 and 3-16). No reference to or analysis of any of the other cited objectives and policies has been presented by the Lead Agency.

- **City of Jurupa Valley General Plan.** As reported in the Local Agency Formation Commission's (LAFCO) "LAFCO 2009-32-2 – Reorganization to Include Incorporation of Jurupa Valley, Concurrent Detachment from the Riverside County Waste Resources Management District and Dissolution of County Service Areas 72 & 73" (LAFCO, January 21, 2010), in 2009, the estimated population of the City was 87,818 persons. As such, the City represents a large resident and business constituency, covering an area of approximately 47 square miles.

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With regards to Jurupa Valley, the DEIR states that “[t]he newly formed city has adopted the current Riverside County General Plan elements that would be applicable to the City of Jurupa Valley; therefore, the analysis within this Draft Environmental Impact Report includes Riverside County General Plan designations and consistency reviews for impact analysis purposes” (p. 3-2). The Lead Agency improperly asserts that County General Plan consistency equates, either directly or indirectly, to the absence of significant environmental impacts.

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Similarly, the Lead Agency asserts that the “County of Riverside General Plan” (County General Plan) and, by inference, the County Board of Supervisors governs Jurupa Valley, giving neither thought nor value to the fundamental change in governance resulting from incorporation. With regards to local planning, the City is not a sub-entity within an approximately 7,400 square miles jurisdiction but is an autonomous municipality operating exclusively within its corporate boundaries. The City is administered by locally elected decision makers whose primary focus is on the betterment of the community and not by distantly elected officials bearing no direct allegiance to Jurupa Valley. This paradigm shift (from decentralized to centralized control) in both planning and policy is clearly absent from the DEIR and its project-specific application and ramifications were never sought out through post-incorporation scoping activities conducted by the Lead Agency. The RPU never approached the City and asked for the City’s perspective either with regards to the Proposed Project or the siting of a transmission alignment that the City could reasonably support.

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As stipulated under Section 57376(a) of the California Government Code (CGC): “If the newly incorporated city comprises territory formerly unincorporated, the city council shall, immediately following its organization and prior to performing any other official act, adopt an ordinance providing that all county ordinances previously applicable shall remain in full force and effect as city ordinances for a period of 120 days after incorporation, or until the city council has enacted ordinances superseding the county ordinances, whichever occurs first.” By statute, the City is required to adopt those land-use and related policies and ordinances that were in effect within the County at the time of incorporation. Although the City has had little time to prepare and adopt an independent “City of Jurupa Valley General Plan” (City General Plan) and “City of Jurupa Valley Municipal Code” (City Municipal Code), separate and apart from the County General Plan and “County of Riverside Municipal Code” (County Municipal Code), it is clearly the City’s intent to proceed with the preparation of those documents (e.g., “The City of Jurupa Valley would likely adopt the policies and goals delineated in the County of Riverside General Plan and Jurupa Area Land Use Plan, including those related to land use, until the City develops its own General Plan” [emphasis added], p. 3-234).

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Recognizing the economic realities of a newly incorporated municipality, one reasonably foreseeable policy change from County to local control relates to a broadening of local perspective so as to allow consideration of economic development opportunities with regards to land-use decisions within Jurupa Valley. While the fourth largest county in California can be nonchalant with regards to any limited geographic area, this small municipality must endeavor to preserve those economic development opportunities that exist within its corporate boundaries.

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Much work has to be done before the City can adopt an independent City General Plan. In the interim, because the City is mandated to perpetuate existing land-use policies,

those policies continue to regulate land use within Jurupa Valley but are subject to the City Council's and not the Board of Supervisor's interpretation.

As specified, in part, in Section 1002(a) of the PUC: "The [C]ommission, as a basis for granting any certificate pursuant to Section 1001 shall give consideration to the following factors: (1) Community values. (2) Recreational and park areas. (3) Historical and aesthetic values. [and] (4) Influence on environment" (emphasis added). In *Santiago County Water Dist. v. County of Orange* (1981), the courts have stated that "[t]he EIR must contain facts and analysis, not just the bare conclusions of a public agency. An agency's opinion concerning matters within its expertise is of obvious value, but the public and decision-makers, for whom the EIR is prepared, should also have before them the basis for that opinion so as to enable them to make an independent, reasoned judgment" (emphasis added). As noted in *Endangered Habitats League, Inc. v. County of Orange* (2005), the courts "defer to an agency's factual findings of consistency unless no reasonable person could have reached the same conclusion on the evidence before it." With regards to interpreting the City General Plan, the City of Jurupa Valley's opinion (and not the City of Riverside's opinion) should be given substantial credence.

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As indicated in the County's "Countywide Design Standards and Guidelines" (January 13, 2004) (County Design Guidelines): "The physical character of our communities cannot be divorced from the values they respect. Sooner or later, these values manifest themselves in how our development decisions are made and how those decisions shape our communities. Where our values and actions are synchronized, our communities prosper; where they are in conflict, so are the communities" (emphasis added).

Because RPU appears willing to accept significant extraterritorial adverse impacts, without mitigation, it cannot be presupposed that the Lead Agency's values (with regards to Jurupa Valley) are the same as those possessed by the City. The City, therefore, asserts that it possesses the singular expertise to interpret and articulate its own environmental "values." As outlined below, the Lead Agency misrepresents and mischaracterizes the Proposed Project's consistency (and inconsistency) with the County General Plan (City General Plan).

- **County of Riverside General Plan.** With regards to the County General Plan (City General Plan), there exist numerous policies that have not been addressed by the Lead Agency and which have direct relevancy to the Proposed Project. With regards to those policies, as a result of incorporation, the terms "County" and "City of Jurupa Valley" should be viewed as interchangeable. Based upon discernible information, it is the City's belief that the Proposed Project is not consistent with the following County General Plan (City General Plan) land-use policies or with specific portions thereof: (1) "Notify city planning departments of any discretionary projects within their respective spheres-of-influence in time to allow for coordination and to comment at public hearings" (LU 1.3); (2) "Promote the development and preservation of unique communities in which each community exhibits a special sense of place and quality of design" (LU 3.3); (3) "Require that new developments be located and designed to visually enhance, not degrade the character of the surrounding area through consideration of the following concepts: (a) Compliance with the design standards of the appropriate area plan land use category. (b) Require that structures be constructed in accordance with the requirements of the County's zoning, building, and other pertinent codes and regulations. (c) Require that an appropriate landscape plan be submitted and implemented for

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development projects subject to discretionary review. (d) Require that new development utilize drought tolerant landscaping and incorporate adequate drought-conscious irrigation systems. (e) Pursue energy efficiency through street configuration, building orientation, and landscaping to capitalize on shading and facilitate solar energy, as provided for in Title 24 of the California Administrative Code. (f) Incorporate water conservation techniques, such as groundwater recharge basins, use of porous pavement, drought tolerant landscaping, and water recycling, as appropriate. (g) Encourage innovative and creative design concepts. (h) Encourage the provision of public art. (i) Include consistent and well-designed signage that is integrated with the building's architectural character. (j) Provide safe and convenient vehicular access and reciprocal access between adjacent commercial uses. (k) Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods. (l) Mitigate noise, odor, lighting, and other impacts on surrounding properties. (m) Provide and maintain landscaping in open spaces and parking lots. (n) Include extensive landscaping. (o) Preserve natural features, such as unique natural terrain, drainage ways, and native vegetation, wherever possible, particularly where they provide continuity with more extensive regional systems. (p) Require that new development be designed to provide adequate space for pedestrian connectivity and access, recreational trails, vehicular access and parking, supporting functions, open space, and other pertinent elements. (q) Design parking lots and structures to be functionally and visually integrated and connected. (r) Site buildings access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity. (s) Establish safe and frequent pedestrian crossings. (t) Create a human-scale ground floor environment that includes public open areas that separate pedestrian space from auto traffic or where mixed, it does so with special regard to pedestrian safety" (LU 4.1); (4) "Require property owners to maintain structures and landscaping to a high standard of design, health, and safety through the following: (a) Provide proactive code enforcement activities. (b) Promote programs and work with local service organizations and educational institutions to inform residential, commercial, and industrial property owners and tenants about property maintenance methods. (c) Promote and support community and neighborhood based efforts for the maintenance, upkeep, and renovation of structures and sites" (LU 4.2); (5) "Ensure that development and conservation land uses do not infringe upon existing public utility corridors, including fee owned rights-of-way and permanent easements, whose true land use is that of "public facilities". This policy will ensure that the "public facilities" designation governs over what otherwise may be inferred by the large scale general plan maps" (LU 5.4); (6) "Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts" (LU 6.1); (7) "Direct public, educational, religious, and utility uses established to serve the surrounding community toward those areas designated for Community Development and Rural Community uses on the applicable Area Plan land use maps. These uses may be found consistent with any of the Community Development, Rural Community, or Rural foundation designations, including the Rural Village Overlay, as well as the Open Space – Rural and Agriculture designations, under the following conditions: (a) The facility is compatible in scale and design with surrounding land uses, and does not generate excessive noise, traffic, light, fumes, or odors that might have a negative impact on adjacent neighborhoods. (b) The location of the proposed use will not jeopardize public health, safety, and welfare, or the facility is necessary to ensure the continual public safety and welfare" (LU 6.2); (8) "Consider the positive characteristics and unique features of the project site and surrounding community during the design and development process" (LU 6.3); (9) "Retain and

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enhance the integrity of existing residential, employment, agricultural, and open space areas by protecting them from encroachment of land uses that would result in impacts from noise, noxious fumes, glare, shadowing, and traffic" (LU 6.4); (10) "Accommodate the development of a balance of land uses that maintain and enhance the County's fiscal viability, economic diversity, and environmental integrity" (LU 7.1); (11) "Create practical incentives for business development, and avoid disincentives" (LU 7.6); (12) "Stimulate industrial/business-type clusters that facilitate competitive advantage in the marketplace, provide attractive and well landscaped work environments, and fit with the character of our varied communities" (LU 7.8); (13) "Locate job centers so they have convenient access to the County's multi-modal transportation facilities" (LU 7.10); (14) "Encourage the involvement of business leaders in overall economic development strategies" (LU 7.11); (15) "Improve the relationship and ratio between jobs and housing so that residents have an opportunity to live and work within the County" (LU 7.12); (16) "Require a fiscal impact analysis for specific plans and major development proposals so as not to have a negative fiscal impact on the County" (LU 9.2); (17) "Provide sufficient commercial and industrial development opportunities in order to increase local employment levels and thereby minimize long-distance commuting (LU 10.1); (18) "Ensure adequate separation between pollution producing activities and sensitive emission receptors, such as hospitals, residences, and schools" (LU 10.2); (19) "Locate employment and service uses in areas that are easily accessible to existing or planned transportation facilities" (LU 12.2); (20) "Review all proposed projects and require consistency with any applicable airport land use compatibility plan as set forth in Appendix L and as summarized in the Area Plan's Airport Influence Area section for the airport in question" (LU 14.2); (21) "Ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace" (LU 14.7); (22) "Require that structures be designed to maintain the environmental character in which they are located: (LU 18.1); (23) "Accommodate the development of commercial uses in areas appropriately designated by the General Plan and area plan land use maps" (LU 23.1); (24) "Concentrate commercial uses near transportation facilities and high density residential areas and require the incorporation of facilities to promote the use of public transit, such as bus turnouts" (LU 23.5); (25) "Require that commercial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area" (LU 23.9); (26) "Accommodate the continuation of existing and development of new industrial, manufacturing, research and development, and professional offices in areas appropriately designated by General Plan and area plan land use maps (LU 24.1); (27) "Require that industrial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area" (LU 24.8); (28) "Accommodate the development of public facilities in areas appropriately designated by the General Plan and area plan land use maps" (LU 25.1); (29) "Require that new public facilities protect sensitive uses, such as schools and residences, from the impacts of noise, light, fumes, odors, vehicular traffic, parking, and operational hazards" (LU 25.3); and (30) "Require that public facilities be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area" (LU 25.5).

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As evidence of the Lead Agency's failure to fully and faithfully comply with CEQA, with regards to the above referenced County General Plan (City General Plan) policies, only Policies "LU 6.2" (see pp. 3-240 and 3-241) and LU 6.4" (see pp. 3-242 and 3-243; pp. 6-86 and 6-87) were examined in the DEIR for the Proposed Project and/or the "Van

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Buren Offset Alternative.” No reference to or analysis of any of the other cited policies has been presented by the Lead Agency.

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The “Jurupa Area Plan” (JURAP) is a component of the County General Plan (City General Plan). As indicated therein: “The Jurupa area is in a pivotal position along Interstate 15 and State Route 60. Consequently, it plays an important role in the northwestern portion of Western Riverside County. The Jurupa Area Plan seeks to capture and capitalize upon not only the special qualities of the land, but its strategic location as well.”

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The JURAP divides the City into a number of “unique communities.” The “Mira Loma” community is identified in the western part of the City. The County General Plan (City General Plan) notes: “The largely rural community of Mira Loma is located in the western portion of Jurupa. The presence of several trails throughout the community reflects the importance of equestrian uses in the area. A significant amount of land in the northwestern Mira Loma area near the Interstate 15/State Route 60 junction is converting from dairy to industrial, warehousing, and truck distribution uses to capitalize on direct access to the freeway system and to tap into the rapidly expanding pattern of goods movement throughout the entire region.”

“Industrial, warehousing, and truck distribution uses” are typically large facilities and require large (both in terms of width and depth), unencumbered parcels. The loss of a minimum 100-feet of property (e.g., “additional ROW of up to an estimated 280 feet may be required,” p. 2-42), as minimally required for the transmission ROW, could make the affected properties insufficiently sized to accommodate those land uses. The suitability of the residual parcels to accommodate those or similar land uses has not, however, been addressed in the DEIR.

Similar to Jurupa Valley, the City of Eastvale (Eastvale) was recently incorporated and adopted the County General Plan as its interim policy document for that adjoining community. A portion of the incorporated City lies within the “Eastvale Planning Area” (EAP) of the County General Plan (City General Plan). As such, the DEIR further errors by failing to acknowledge that the Proposed Project also traverses a portion of the EAP and fails to present an analysis of the RTRP’s consistency (inconsistency) with relevant policies outlined therein. With regards to that portion of the EAP located within the Jurupa Valley, it is the City’s believe that the Proposed Project is not be consistent with the following EAP policy: “Require development to adhere to standards detailed in the Design and Landscape Guidelines for Development in the Second Supervisorial District” (EAP 7.1).

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The Lead Agency appears to acknowledge its obligations to examine both the Proposed Project’s impacts on existing land uses and those future conditions defined by locally-adopted planning documents (e.g., future land uses). As indicated in the DEIR, the “Bain Street” alternative was eliminated, in part, based not on existing land uses but on future conditions resulting from the implementation of the jurisdictional agency’s long-range plans. The Lead Agency states that the “Bain Street” alternative was rejected because “the County’s master plan. . .calls for the widening of Bain Street” (p. 6-46). Although that widening has yet to occur, the future conditions envisioned by an adopted planning document is assumed to exist. The Lead Agency cannot arbitrary apply a

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standard when it serves the agency's interests and ignore those same standards when it does not.

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As indicated in the County General Plan (City General Plan), lands located along the I-15 Freeway corridor, north of Limonite Avenue, are designated "Commercial Retail," "Business Park," and "Commercial Office." Lands located along the I-15 Freeway corridor south of Limonite Avenue are designated "Commercial Retail," "Light Industrial," and "Low Density Residential (One-half acre minimum lots)." Although the City is bound by the 120-day prohibition imposed under Section 57376(a) of the CGC, the Lead Agency should not assume that privately-owned vacant and under-improved properties fronting along the I-15 Freeway will either be retained as agricultural or open space use or will not rapidly transition to their highest and best use (e.g., commercial development). The long-term viability of existing and reasonably foreseeable commercial and other revenue and employment-generating development along the I-15 Freeway, including the City's ability to attract development capital, is critical to the City's economic future. Any activity that could impede or otherwise adversely affect that development or the prospects of that development or create an inequity between competing properties within competing jurisdictions would have significant adverse socioeconomic consequences on this newly incorporated City.

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- **Riverside County Design Guidelines.** With regards to the JURAP, there exist numerous policies that have not been addressed by the Lead Agency and which have direct relevancy to the Proposed Project. It is the City's believe that the proposed RTRP is not consistent with the following JURAP policies or portions thereof: (1) "Require appropriate setback and landscape buffering standards per the Riverside County Land Use Ordinance" (JURAP 1.2); (2) "Discourage utility lines within the river corridor. If approved, lines shall be placed underground where feasible and shall be located in a manner to harmonize with the natural environment and amenity of the river" (JURAP 7.13); and (3) "Require development to adhere to standards detailed in the Design and Landscape Guidelines for Development in the Second Supervisorial District" (JURAP 12.1).

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As evidence of the Lead Agency's failure to fully and faithfully comply with CEQA, with regards to the above referenced JURAP policies, only Policy "JURAP 7.13" was examined in the DEIR (see pp. 3-242 and 3-243; pp. 6-86 and 6-87) for the Proposed Project and/or "Van Buren Offset Alternative." No reference to or analysis of any of the other cited policies has been presented by the Lead Agency.

As specified in the County Design Guidelines, Countywide "[d]esign strategies include: [1] Recognizing each community in the County as an identifiable and unique place [2] Defining corridors that, on the one hand link communities, but on the other create distinctive edges that separate and protect each community's qualities and character [3] Promoting interesting juxtapositions that contrast boundaries between distinctly different characteristics of existing neighborhoods [4] Identifying and protecting commonly used view points, view paths, natural panoramas and views of major community landmarks [5] Protecting, repairing, restoring and interconnecting natural watercourses and associated riparian habitat which serve as a unifying element [6] Planning and designing streets and thoroughfares which are visually integrated into the landscape by promoting a distinct sense of district, neighborhood and place [7] Preserving natural and built landmarks which create a special or unique community flavor [8] Protecting and preserving

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buildings, structures and established public places which are historically and culturally significant to local communities and County institutions [and] [9] Planning and designing new neighborhoods in ways that make them visually distinctive/identifiable and please the senses." As further indicated in the County Design Guidelines, "it is the County's desire to advance several specific development goals" including "[u]tilizing building materials and enhanced landscaping to promote a look of quality, both at the time of initial occupancy, as well as in future years" and "[e]ncouraging efficient use of land while creating high quality communities that will maintain their economic values and long-term desirability as places to live and work."

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Absent from the DEIR is any analysis of the Proposed Project's consistency (inconsistency) with the above referenced "design strategies" and "development goals" outlined in the County Design Guidelines.

- **Riverside County Zoning Ordinance.** As indicated in the DEIR: "According to Riverside County Zoning Ordinance (ORD.348), Section 18.29, Public Use Permits: 'Notwithstanding any other provisions of this ordinance, public utilities may be permitted in any zone classification provided that a public use permit is granted pursuant to the provisions of this section. A public hearing shall be held on the application for a public use permit in accordance with the provisions of Section 18.26 of this ordinance. A public use permit shall not be granted unless the applicant demonstrates that a proposed use will not be detrimental to the health, safety, or general welfare of the community" (emphasis added) (pp. 3-247 and 3-248). As noted, the ordinance does not impose an obligation ("may") to grant a permit but does impose an obligation ("shall") to deny an application when the project is found to be detrimental, independent of whether separate benefits may accrue.

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As indicated by the City's comments, as proposed, the RTRP would prove "detrimental to the health, safety, or general welfare" of Jurupa Valley. As such, the Proposed Project does not comply with the Riverside County Zoning Ordinance (now the City Zoning Ordinance).

- **Other Land-Use Considerations.** In *Antioch v. City Council of the City of Pittsburg* (1986), the court determined that "Government Code section 65402 mandates that a public works project such as the roadway and utilities contemplated here must be consistent with the city's general plan. However, there is no indication in CEQA that mere conformity with the general plan will justify a finding that the project has no significant environmental effect. Certainly general plan conformity alone does not effectively 'mitigate' significant environmental impacts of a project." Independent of any conformity determination of County General Plan (City General Plan) consistency, the Lead Agency is obligated to examine the indirect and secondary impacts associated with the Proposed project's implementation. That requisite analysis is not, however, presented in the DEIR.

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In *Protect the Historic Amador Waterways v. Amador Water Agency* (2004), the court further noted that "in preparing the EIR, the agency must determine whether any of the possible significant environmental impacts of the project will, in fact, be significant. In this determination, thresholds of significance can once again play a role. As noted above, however, the fact that a particular environmental effect meets a particular threshold cannot be used as an automatic determinant that the effect is or is not significant. To

paraphrase our decision in *Communities for a Better Environment*, a threshold of significance cannot be applied in a way that would foreclose the consideration of other substantial evidence tending to show the environmental effect to which the threshold relates might be significant."

As reported in the "Jurupa Valley Incorporation Negative Declaration" (LAFCO/BonTerra Consulting, November 2009) (Incorporation ND), with regards to development trends in Jurupa Valley, "[t]he conversion from predominately agricultural to predominantly urban land uses will likely continue for the foreseeable future" (Incorporation ND, p. 4-13). As further indicated therein: "Commercial development has been increasing as a result of the strong residential market in Jurupa Valley. The path of development has proceeded north along I-15 and is concentrated at highway interchanges. Typical of many developing communities, some Jurupa Valley residents have had to shop outside their community for many basic needs" (Incorporation ND, p. 4-19).

As indicated in the "Public Review Draft Comprehensive Fiscal Analysis" (LAFCO/Winzler & Kelley, June 14, 2010) (CFA): "The Jurupa Valley area has significant capacity for expansion of both residential and commercial development activity. The Jurupa Valley area is situated along the I-15 and State Hwy 60 corridors. Both corridors are vital, well traveled north-south and east-west transportation links through Western Riverside County into San Bernardino and Los Angeles Counties. Development along these corridors has been significant, particularly along the I-15 in recent years. Significant undeveloped land exists, in particular along the I-15 freeway north of Limonite, and in scattered areas throughout the entire region. Annual projections for future new commercial development were provided by Riverside County's Planning Department" (CFA, p. 20). As reported, between Fiscal Year 2010/2011 and 2015/2016, an additional 67,100 square feet of "commercial retail," 979,000 square feet of "commercial industrial," and 82,546 square feet of "commercial office/medical" development, collectively representing a total valuation of over \$142 million is anticipated (CFA, Appendix, Table 2-C, p. 33).

With regards to new development, as reported by LAFCO (CFA, Table 3-D, p. 41), assessed valuation assumptions for "commercial industrial" (\$100/square foot), "commercial retail" (\$200/square foot), "commercial hotel/motel" (\$200/square foot), and "commercial office/medical" (\$250/square foot) are provided. Any forfeiture or diminishment of commercial development potential and/or introduction of any physical features, constraints, or impediments to or affecting that development would significantly reduce actual or potential assessed valuation and adversely impact the City's anticipated future revenue stream and ability to provide critical public services. It is upon those assumptions that the City incorporated and which the City's future lies.

It is, therefore, reasonable to conclude that the implementation of the Proposed Project has the potential to substantially and adversely impact the economic projections that served, in whole or in part, as the fiscal basis for Jurupa Valley's incorporation. Any diminishment in projected revenues (e.g., loss of over 42 acres of projected commercial development, including the forfeiture of increased property valuation and anticipated sales tax revenues) will negatively effect the future provision of public services in Jurupa Valley.

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As reported by the Southern California Association of Governments' (SCAG) Fiscalization of Land Use Subcommittee: "While local governments in California are funded through a variety of revenue streams, the legal structure of the finance system restricts local governments' flexibility in allocating funds as well as their ability to raise additional revenue. One of the options for a city to raise revenue is by realizing an increase in 'taxable sales' within its borders and a resulting increase in sales tax revenue returned to the city. This can create a strong incentive for local land use planning to favor retail development that increases taxable sales and sales tax revenue" (http://www.scag.ca.gov/pdfs/agendas/flus/FLUS_CMs_packet_030310.pdf).

Extensive competition exists among neighboring jurisdictions for revenue-generating development. The Public Policy Institute of California (PPIC) reports: "Competition is of particular concern because conventional wisdom holds that it is a ubiquitous motivator among cities" (Neiman, Max and Krimm, Daniel, Economic Development: The Local Perspective, May 2009, p. 32) (http://www.ppic.org/content/pubs/report/R_509MNR.pdf). The PPIC further reports that "[c]ities compete to attract retail development and associated sales tax revenue, which in California is allocated on a 'situs' basis (to the jurisdiction in which the sale occurred)" (Barbour, Elisa, State-Local Fiscal Conflicts in California: from Proposition 13 to Proposition 1A, PPIC, December 2007, p. 16) (http://www.ppic.org/content/pubs/op/OP_1207EBOP.pdf). "Cities are clearly trying to attract retail development. Despite this, the hierarchy among cities in their sales tax success has not changed much. And since per capita sales tax collections are steady or declining overall, it is likely that cities are competing over a relatively fixed amount of per capita revenue. There is only a certain amount of retail activity that can be supported in a region at any given level of population. This makes the growth prospects of retail different from industries in which regions can experience indigenous growth and local gains can lead to broader economic benefits outside the host city. Cities that succeed in recruiting retail businesses within their borders, by contrast, can generally be viewed as simply shifting retail sales geographically within their market region" (Lewis, Paul G., and Barbour, Elisa, California Cities and the Local Sales Tax, 1999, PPIC, pp. xiii and ix) (http://www.ppic.org/content/pubs/report/R_799PLR.pdf). "[C]hain stores and general merchandise stores, which are among the most sought-after retail land uses, tend to seek middle- or upper-income suburban areas with good highway access for their new locations. "For regional and superregional centers, this often implies proximity to a freeway off ramp; for small centers, traffic circulation on adjoining travel routes is important" (Lewis, Paul G., and Barbour, Elisa, California Cities and the Local Sales Tax, 1999, PPIC, p. 77) (http://www.ppic.org/content/pubs/report/R_799PLR.pdf).

As reported by the American Planning Association (APA): "Local governments throughout the country rely on local property taxes and, in some states, local income and sale taxes for revenues for their general operation. Therefore, it is understandable that the revenue-generating characteristics of land uses receive strong consideration in development decisions. In many circumstances, these characteristics are driving factors behind the approval process. . . Because of location and/or the forces of metropolitan change, such as state investment decisions on such facilities as highway interchanges, some local governments are winners and others are losers when government services are tied to a local tax base. For example, if two local governments in a region have exactly the same population, but one has extensive commercial, office, and industrial development, and the other residential development with some commercial uses, the later government will have to increase property taxes to obtain the same amount of

revenue as the former. The differences in the revenue-raising capacity of local government in a region to support basic services is called 'fiscal disparity'" (Meck, Stuart [Ed], Growing Smart Legislative Guidebook – Model Statutes for Planning and Management of Change, 2002 Edition, American Planning Association, p. 14-4).

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Fiscal disparity represents the difference in the long-term fiscal conditions between local governments in metropolitan areas predicated by a municipality's ability to raise revenues. The introduction of HVTLs along the City's entire I-15 Freeway frontage and the resulting loss of revenue-generating development opportunities and/or diminished competitive position attributable to those transmission lines (as a result of the introduction of visual blight and the diminished functionality and marketability of the residual properties) would result in conditions that would create or contribute to fiscal disparity and its corresponding impact on the City's future ability to deliver critical public services.

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With regards to the Lead Agency's rejection of the "Limonite Route," the DEIR states that "[a] route through this area could potentially conflict with planned medium-density residential uses and commercial development by precluding or preventing a developer from developing this land for residential and commercial uses" (p. 6-43). Although constituting the basis for the rejection of one alternative, that same standard was not consistently applied to the Proposed Project. If fairly and objectively applied, the "I-15 Route" would also have been rejected by the Lead Agency because the project has substantial potential to preclude, prevent, and otherwise discourage the development of non-residentially designated lands within Jurupa Valley by decreasing the desirability of those lands within the City and thus redirecting that development to non-blighted lands within other jurisdictions.

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Along the I-15 Freeway, vacant and under-utilized property exists both to the east and to the west of that transportation corridor. The City acknowledges that a substantial portion of the property located west of and adjacent to the I-15 Freeway is already developed. However, with regards to development potential and visibility, both sides of the freeway, as well as areas north and south of Limonite Avenue, should be considered relatively comparable. Following project implementation, the City's side of the freeway will be negatively impacted by the proposed HVTLs. Those same impediments will not exist to the west of the freeway or north of the Mira Loma Substation or south of the Santa Ana River. It is, therefore, reasonable to assume that, provided a choice and assuming comparable land valuation, commercial developers and job-producing industries with a reliance upon or which might benefit from enhanced signage, visibility, and freeway access will elect to locate to the west of the I-15 Freeway or beyond the City's borders. The resulting change in desirability and market attraction potential is directly attributable to the Proposed Project.

By reducing site visibility, restricting signage, reducing land utilization potential, and by adversely impacting design and development opportunities on the residual acreage of affected properties, the Proposed Project would "constitute a barrier that could limit access" (p. 3-252). Because "[t]he location of the ROW within existing and planned developments could result in direct impacts where operation would preclude or impair future development activities" (p. 3-252), with regards to those properties fronting along the I-15 Freeway, the preponderance of evidence suggests that the Lead Agency's preliminary findings that the project would "not constitute a barrier that could limit

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access" and "the proposed routes would not establish a permanent barrier or obstacle" (p. 3-252) are unsubstantiated.

The proposed high-voltage towers and lines would, therefore, negatively impact the marketability, valuation, and functionality of prime commercial property along the I-15 Freeway corridor. If HVTLs exist on one side of the freeway but not the other, if commercial development were to be offset based on the existence of those transmission lines, if signage was restricted or pushed further from the freeway, and if the overall visual character of the transmission-encumbered property was diminished as a result of the existence of those lines and towers (i.e., "The 230 kV transmission line would affect scenic vistas," thus producing an "unavoidable significant impact," p. ES-9), the City would lose commercial development opportunities and future revenues to other competing jurisdictions.

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The Lead Agency states that the Proposed Project would have a significant impact to public services, utilities, and service systems if the project were to "[r]esult in substantial adverse impacts associated with the construction of new or physical altered government facilities needed to maintain acceptable service ratios, response times, or other performance objectives" for a number of public services, including "schools, parks, or other public facilities" (pp. 3-285 and 3-286). The City asserts that, independent of whether a physical change occurs upon or to a school facility, a change in the existing environmental setting, such as the placement of HVTLs in close proximity to an existing or proposed school site, constitutes "physical altered government facilities" because it may create a condition whereby a school site no longer conforms to an adopted school siting standard. Such actions could prevent or impede a school district's ability to construct or expand school facilities needed to accommodate anticipated areawide development.

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As indicated in NOP2: "Twenty-three existing schools and 2 planned schools lie within 0.25 miles of the project" (NOP2, p. 27). In contrast, the DEIR states that "nine existing schools have been identified within one quarter-mile of the RTRP" (p. 3-189). Of those, "VanderMolen Elementary School" (6744 Carnelian, Mira Loma) is identified "within 0.25 miles" of the proposed "I-15 Route" (Table 3.2.7-2, p. 3-185; Table 3.2.13-2, p. 3-281; see also p. 3-198). Although its relevancy to the 69 kV subtransmission line and/or 230 kV transmission line has been left intentionally vague in the DEIR, the Lead Agency reports that "[t]he closest residences have been estimated to be less than 25 meters away, and the closest schools have been estimated to be located approximately 100 feet away based on measurements using aerial photographs" (p. 3-89). In addition, "[t]he 69 kV subtransmission line (Link HL-16) would traverse property that is owned by the Alvord Unified School District for expansion of the La Grandada Elementary School" (Appendix B, p. 16).

Since existing and proposed school sites are not geographically depicted in the DEIR, an assessment of project-related impacts upon those sites and facilities is made difficult by the Lead Agency's nondisclosure and the DEIR's vagary. Similarly, inconsistent descriptions in the DEIR (e.g., "VanderMolen School is located on the northwest corner of 68th Street and Wineville Avenue, over 300 feet from the proposed route," p. 3-264), only serve to hinder understanding and analyses.

Other than with regard to construction-term employment, operational impacts upon school sites and facilities are never examined in the DEIR. Absent any analysis, it is easy for the Lead

Agency to conclude that the Proposed Project will produce “no impact” (p. 3-288) upon school sites and facilities.

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With regards to “high voltage power lines more than 50 kV,” the United States Environmental Protection Agency’s (EPA) “School Siting Guidelines” (EPA Guidelines) identify “exposure to electromagnetic fields” and “safety concerns if power lines fall” as potential hazards. Recommended environmental siting criteria and screening parameters include the identification and evaluation of “all high voltage power lines within ≈500 feet of prospective school locations” (EPA Guidelines, p. 63).

With regards to existing and proposed schools, for the 230 kV transmission line, the use of “100 feet” as a separation criterion has no regulatory basis and only serves to present a false assessment of the project’s potential land-use and potential health and safety impacts. According to the Office of Environmental Health and Safety’s “Distance Criteria for School Siting” (revised December 10, 2008), with regards to 220-230 kV “high voltage power lines,” a “screening distance” of 500 feet is established and an “exclusion zone” of 150 feet is established for “above ground” and 37.5 feet for “below ground” facilities. As further indicated in the California Department of Education’s (Department) “School Site Selection and Approval Guide” (2000): “In consultation with the State Department of Health Services (DHS) and electric power companies, the Department has established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines: (1) 100 feet from the edge of an easement for a 50-133kV (kilo volts) line; (2) 150 feet from the edge of an easement for a 220-230kV line; [and] (3) 350 feet from the edge of an easement for a 500-550kV line” (<http://www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp#highvoltage>). With regards to the 230 kV transmission line, the 100-foot setback identified by the Lead Agency fails to meet the State’s “exclusion zone” criteria or EPA “screening parameters.”

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Critical information germane to the Proposed Project is glaring absent from the analysis of the RTRP but included in the analysis of alternatives for the sole purpose of inferring the superiority of the preferred alignment (e.g., “The California Department of Education has enacted guidelines [California Department of Education – School Site Selection and Approval Guide, 2000] that require newly proposed schools and the construction of new school buildings to be a certain distance from the edge of a transmission line ROW. These guidelines require that schools be set back 150 feet from overhead 220 to 230 kV transmission lines. This alternative route would be within 150 feet of Mira Loma Middle School,” p. 6-45). With regards to the Proposed Project, a separation zone of “100 feet” is deemed to be acceptable by the Lead Agency; however, with regards to project alternatives, that separation criteria increases to 150 feet, thus suggesting the application of an inconsistent set of criterion against which routing options have been evaluated.

9.7 Alternatives Analysis

As described in the DEIR, for the purpose of siting the proposed 230 kV transmission line, “SCE and RPU” created a “study area” (e.g., “The first step of the siting study was to identify the study area in which a transmission line could reasonably be located to fulfill the objectives of the Proposed Project within the framework of the project concept approved by the CAISO Board of Governors in 2006,” p. 6-3). The study area purports to “encompass all of the potentially feasible RTRP 230 kV transmission line alternatives based on the 230 kV Proposed Project concept of making a connection between a point on the Mira Loma – Vista #1 230 kV transmission line and a city-owned site to be developed into Wildlife Substation” (p. 6-3). As

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illustrated on Figure 6.2.1 (Alternative 230 kV Siting Study Corridors), the Mira Loma Substation (representing the western terminus of the Mira Loma – Vista #1 230 kV transmission line) is located west of the I-15 Freeway, near the San Bernardino County/Riverside County line. The eastern terminus of the Mira Loma – Vista #1 230 kV transmission line is located in the City of Grand Terrace.

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Under CEQA, “feasibility” involves a balancing of various “economic, environmental, social, and technological factors” (Section 21061.1, CEQA). The EIR “shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project” (Section 15126.6, Guidelines).

The City believes that there are inherent flaws in the Lead Agency’s methodology. As indicated in the DEIR: “The second step involved gathering environmental resource data within the study area. Inventory data were collected for six land use and resource disciplines: land use, visual resources, wildlife and botanical resources, cultural resources, water resources, and geohazards” (p. 6-4). In comparison, a total of 15 topical issues were examined in the DEIR (i.e., aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services and utilities, recreation, transportation and traffic). Based on the project’s potential to produce significant environmental effects, those 15 topical issues were determined by the Lead Agency to warrant detailed project-specific analysis. With regards to the preliminary siting study, by electing to self-imposed blinders with regards to the Proposed Project’s and alternative project’s potential impacts (i.e., examination of only six indices), absent an analysis of those same 15 topical issues, the Lead Agency is unable to objectively, openly, and fairly balance the full range of environmental and socioeconomic impacts and purported benefits and make requisite findings.

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In assessing the environmental superiority of an alternative, all 15 CEQA resource areas must be taken into account. The environmentally superior alternative is the alternative found to have an overall environmental advantage compared to the other alternatives based on the impact analysis in the EIR. Determining which of the alternatives is environmentally superior or even feasible involves judgment and depends on many factors, as well as requiring a weighing of one type of impact against another type (e.g., weighing short-term effects against long-term effects or weighing effects on the natural environment against effects on the human environment). Any methodology that ignores nine relevant or potentially relevant environmental issues and involves no balancing or weighing of those or other environmental effects only serves to minimize the range of possible alternatives brought forward for public consideration and prematurely excluding others.

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Additionally, the DEIR states that “the third step was a sensitivity analysis for each resource studied. Sensitivity is defined as a measure of probable adverse response of a resource to direct and indirect impacts associated with the construction, operation, and maintenance of Proposed Project components. The mapped inventory data was analyzed and assigned relative sensitivity values. Sensitivity maps were developed for land use, cultural, biological, and water waters, and geohazards. Sensitivity levels were categorized as exclusion, high avoidance, moderate avoidance, and low avoidance” (p. 6-4). This “step” did not include consultation with the City and may not have involved consultation with the County. The extent to which it involved participation by the City’s and County’s residents, property owners, and business interests cannot be determined based on the information presented.

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As indicated in Map 3 (Land Use Sensitivity) in Appendix A of Appendix D (Siting Study), with regards to "land use sensitivity," most areas along the Santa Ana River (SAR) were designated "high sensitivity resources" and the City's I-15 Freeway frontage was designated "high sensitive resources" and "moderate sensitivity resources." As reflected in Map 11 (Composite Environmental Sensitivity), similar categorization was applied to the composite analyses. If consulted, within its corporate boundaries, the City would have categorized the I-15 Freeway frontage as "exclusion." Because the eastern alignment was rejected by the Lead Agency but the western alignment was retained, those designations ultimately proved to have little relevancy with regards to the Proposed Project and the alternatives examined in the DEIR.

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The DEIR identifies the City's I-15 Freeway frontage as the "Santa Ana River West Corridor" (p. 6-7). As indicated therein: "Alternative routes within this corridor were originally eliminated from further study due to impacts to existing commercial and residential development adjacent to the I-15. However, upon further investigation, an alternative was successfully sited through the area and subsequently became part of the Proposed Project" (emphasis added) (p. 6-7). The precise nature of that "further investigation" is not clearly articulated and did not involve any discussions with Jurupa Valley. Similarly, the City believes that utilizing the term "successful" to describe the proposed 230 kV transmission alignment demonstrates a predilection toward this alignment and serves to prejudice the outcome of the CEQA process. Clearly, in the judgment of the City, the proposed alignment represented as the Proposed Project is unacceptable.

The Guidelines stipulate that, among the alternatives examined, the Lead Agency shall include an analysis of a "no project" alternative (14 CCR 15126.6[e]). Although a "no project alternative" is included in the DEIR (pp. 6-63 through 6-66), the analysis presented by the Lead Agency fails to satisfy CEQA obligations because: (1) it assumes that the RPU takes no actions to respond to its short-term and long-term energy needs (e.g., "this deficient condition would persist under the projected load growth scenario, long-term system reliability would be in jeopardy, increasing the potential for black-outs in the City," pp. ES-11 and 6-63); and (2) absent any technical analysis, seeks to represent that the environmental effects of any subsequent "transmission project" that might be undertaken by RPU in the "absence of the Proposed Project" would be "similar compared to those imposed by the RTRP" (pp. ES-11 and 6-63). Both of these shortcomings are separately addressed below.

- **"No Project" does not Equate to "No Action."** The Guidelines set out the dual character of the "no-project" alternative in situations where some other future development is likely under existing designations if the present project is disapproved. As stipulated therein: "The no project analysis shall discuss the existing conditions at the time the notice of preparation is published as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" (14 CCR 15126.6[e][2]).

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Where the project is a development project on identifiable property, the following applies: "[T]he no project alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this no project consequence should be discussed. In certain instances, the no project alternative means no build wherein the existing environmental setting is maintained. However, where

failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment" (14 CCR 15126.6[e][3][B]). The Guidelines further state that the "no-project" alternative is not necessarily the same as the environmental baseline (14 CCR 15126.6[e][1]).

In *Woodward Park Homeowners Association, Inc. v. City of Fresno* (2007), the courts noted: "Environmental treatise writers have recognized that, as a practical matter, these provisions mean the no-project discussion will often be primarily devoted to comparing the proposed project to a project that could be built under existing zoning and plan designations even though the baseline is existing physical conditions. The Guidelines have repudiated the proposition that the analysis of the no project alternative in an EIR must describe maintenance of the existing environment as a basis for comparison of the suggested alternatives to the status quo [Citation]."

Assuming that the proposed project allows for the importation "of an additional 332 MW of capacity" (p. 6-22) and that "the local RPU system load will grow approximately 15 MW per year on average, through the year 2026" (p. 6-24), the Proposed Project constitutes only a short-term (22 years) solution to the City of Riverside's electrical needs. Doing nothing is not an option available to the RPU. Similarly, with a relatively short lifespan, assuming that the RTRP is a long-term solution to the City of Riverside's electrical needs would also be short sighted.

As indicated in the DEIR: "The rapid population growth and commercial development in Riverside have led to an increase in local electric customers and in their use of electric energy" (p. ES-4). "Under the No Project Alternative, the RTRP would not be constructed, existing conditions in the Project area would remain the same, and electrical power would continue to be delivered to the City of Riverside through a single interconnect point which is at capacity. If this deficient condition would persist under the projected load growth scenario, long-term system reliability would be in jeopardy, increasing the potential for black-outs in the city [of Riverside]" (pp. ES-11, 6-19, and 6-63). Within the City of Riverside, RPU "estimates annual load growth of 15 MW per year" (p. 6-25). Based on that projected annual load growth, should the RTRP not proceed, RPU would be required to undertake some other action to address that unmet demand (e.g., "Without this addition, load shedding and area electrical blackouts will eventually be required," p. ES-4). Although "load shedding" might be one potential response, it is more reasonable to assume that RPU would implement other demand-management programs, that the City of Riverside would implement land-use controls or specify conservation and/or distributed generation requirements, and that SCE and other investor-owned utilities (in cooperation with the CPUC) would undertake other broad-based regional efforts to supply additional electricity to southern California. Alternatively, RPU might elect to redefine its control area and allow SCE to service portions of the City of Riverside.

As indicated in the DEIR, the Proposed Project has been ongoing since at least the 1960s (p. 1-7) or 1970s (p. 1-7) or 2004 (pp. 1-3 and 1-7) or 2006 (p. ES-4). Other than stating that, should the Proposed Project fail, RPU would pursue "another similar transmission project" (p. 6-63) whose environmental consequences were "likely to be similar" (p. 6-63), both RPU and the City of Riverside fail to present an alternative

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strategy for addressing current and projected load growth. As now presented, in what appears to be at best a myopic planning program, since at least the 1960s (p. 1-7) or 1970s (p. 1-7) or 2004 (pp. 1-3 and 1-7) or 2006 (p. ES-4), RPU has only been able to formulate a single “all or nothing” strategy for addressing what RPU purports to be a long-term energy need within its service area. Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities’ January 20, 2006 meeting attests to the existence of, at a minimum, a second energy delivery strategy.

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As indicated in the “City of Riverside General Plan 2025” (City of Riverside, 2007) (<http://aquarius.riversideca.gov/clerkdb/Browse.aspx?startid=38872&row=1&dbid=0>) it does not appear that the City of Riverside assumed the need for new transmission facilities but rather assumed that future power demands would be met through the construction of new local generation facilities. As indicated therein: (1) “Construction of power generation stations will enable the Riverside Public Utilities Department to supply the needs of emergency operations by directing power to those facilities as power is restored to the larger geographic area. The power system will not have to rely on state or regionally operated transmission lines as all distribution lines will be owned and operated by the Riverside Public Utilities Department” (emphasis added) (Public Facilities and Infrastructure Element, p. PF-27); (2) “Reducing energy usage represents the most environmentally sound and cost-effective way to limit the negative consequences of consuming non-renewable energy resources and to protect the reliability of the electric power grid” (Open Space and Conservation Element, p. OS-46); and (3) “Efficient use of existing energy supplies through conservation and energy demand management are necessary to ensure that adequate power is available to all residents, businesses and institutions” (Open Space and Conservation Element, p. OS-46). Absent from the “City of Riverside General Plan 2025” is any reference to or policies encouraging the development of new high-voltage transmission facilities within or adjacent to the City of Riverside or the City of Riverside’s promotion of those facilities to the detriment of other policy-based alternatives.

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In the absence of any explicit or implicit policy reference to either localized or regional improvements to the transmission and distribution system, stakeholders could reasonably expect the Lead Agency to present a more objective and balanced assessment of the Proposed Project’s consistency with the “City of Riverside General Plan 2025” (e.g., “The proposed 69 kV subtransmission lines and Wilderness Substation are consistent with the objectives and policies specified in the Public Facilities and Infrastructure Element of the City of Riverside General Plan,” p. 3-249). It is noted that the DEIR neither includes an assessment of the consistency (inconsistency) of the proposed transmission system improvements nor the Lead Agency’s sponsorship of the proposed 230 kV transmission system improvements with the “City of Riverside General Plan 2025” (e.g., City of Riverside’s authority and willingness to usurp local land-use controls and condemn real property in other jurisdictions).

Rather than attempting to regulate development in response to deliverable energy resources, the City of Riverside has allowed that development to proceed despite the knowledge that system reliability issues exist, allowing demand to exceed availability (e.g., “The deficient conditions of RPU’s capacity to meet existing electric system demand and anticipated future growth would remain in place,” p. 6-19). In that context,

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the Proposed Project should not be defined as the RTRP but the City of Riverside's failed facility planning efforts. While building additional facilities may be a component of a broader systemwide planning effort, it clearly should not be the only solution brought forward for deliberations. Although the City obtains no benefit from the project's development, Jurupa Valley is now being asked to bear the brunt of the project's environmental costs (e.g., forfeiture of future commercial development opportunities, deleterious health and safety impacts, visual blight).

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- **All Transmission Projects are not the Same.** The DEIR states: "In the absence of the Proposed Project, it is likely that RPU would opt to construct another similar transmission project in lieu of the RTRP to address the transmission capacity deficiencies of its current electrical system, and to prevent future interruptions in its service area. Potential transmission projects that would need to satisfy the objectives of the RTRP would be within the same geographic region and would probably consist of similar construction methods. Specific impacts from potential projects would depend on the location of the proposed facilities and ROWs; however, effects related to all environmental resources analyzed are likely to be similar compared to those imposed by the RTRP" (emphasis added) (p. 6-63).

In rejecting the "Limonite Route," the Lead Agency concludes that "this alternative would not meet the Proposed Project's objective of meeting the Project need while minimizing environmental impacts" (p. 6-42). If that rationale is universally applied, in recognition of the presence of a number of unmitigated significant environmental effects, the Proposed Project would itself be rejected because it also fails to meet that same project objective.

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As indicated in these comments, numerous issues and environmental considerations germane to the City have not been addressed in the DEIR. As such, the incomplete list of "environmental resources analyzed" by the Lead Agency should not serve as the environmental and socioeconomic bases against which the Proposed Project and a "range of reasonable alternatives" (14 CCR 15126.6[a]) are examined. Presently, the only two proposed routes for the proposed 230 kV transmission line traverse Jurupa Valley. The benefits (wheat) of the proposed project will entirely accrue to the City of Riverside while the environmental and socioeconomic costs (chaff) of the Proposed Project will be borne, in large part, by the City.

If, as the Lead Agency alleges, all transmission projects are the same, there would appear no need to undertake any environmental review or to examine a "range of reasonable alternatives" (14 CCR 15126.6[a]) to the proposed action. The Lead Agency's decision to reject all but a single transmission alternative (i.e., "Van Buren Offset") and reject other alignments because they could "potentially conflict with planned medium-density and commercial development" (pp. 6-42 and 6-43), "impact residential and industrial areas" (p. 6-45), or produce "greater impacts to lands dedicated for recreational purposes" (p. 6-48) demonstrates that different alignments produce substantially different environmental effects. The mere fact that two separate NOPs have been released by the Lead Agency and that the project described in NOP1 was subsequently eliminated attests to the fact that all alignment options are, in fact, neither the same nor likely to produce similar environmental effects.

As indicated in the DEIR, with regards to the 230 kV transmission line, in addition to the Proposed Project and excluding the required "no project" analysis, only a single alternative (i.e.,

"Van Buren Offset") is examined by the Lead Agency. The DEIR states: "Other than the No Project Alternative, one alternative [Van Buren Offset] to the Proposed Project was determined reasonable for evaluation in this DEIR" (p. ES-10). With regards to the "No Project Alternative," the DEIR examines only a single option.

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The City believes that there exists a broad array of alternatives that have not been adequately examined by the Lead Agency. Those alternatives include, but may not be limited to, those described below. Although identified as "alternatives" herein, these actions could potentially constitute "mitigation measures" under CEQA (e.g., "This alternative was considered both as an alternative to the entire proposed 230 kV transmission line and as potential mitigation measure in certain limited locations along the proposed 230 kV transmission line," p. 6-26). As a result, the terms "alternatives" and "mitigation measures" are not intended to be mutually exclusive. Similarly, these demand-side and supply-side alternatives could be individually combined, either in lieu of the Proposed Project or in combination with some variation thereof.

- **Demand-Side Alternatives.** The Lead Agency asserts that "[e]nergy use and conservation were considered during the development of the Proposed Project's Purpose and Need, Project Description, and Environmental Analysis" (p. 5-7). Despite that statement, "energy conservation" was rejected by the Lead Agency as a feasible alternative (e.g., "energy conservation and load management programs were eliminated from further consideration as a feasible alternative to the Proposed Project," p. 6-25).

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As indicated in "The Smart Grid – Enabling Energy Efficiency and Demand Response" (Gellings, Clark W., The Fairmont Press, 2009) (Smart Grid): "A debate has raged for decades in the electric utility industry, centering on the issue of electric end-use energy efficiency as an alternative to traditional supply sources and to using fossil fuels at the point of end use. That debate now seems to be coming to closure. The utility industry is deeply rooted in the need for traditional, controllable sources of capacity and energy such as long-term contracts or power plants. Increasing costs, regulatory encouragement, and concerns about global warming have caused utility managers to consider demand-side activities. Demand-side planning involves those utility activities designed to influence customer use of electricity in ways that will produce desired changes in the utility's load shape, that is, changes in the pattern and magnitude of a utility's load. Energy efficiency as an alternative to traditional supply sources is no longer a debatable issue in the electric utility industry. As this debate has matured, the use of efficient electric end-use applications to displace fossil fuel has again surfaced as an essential part of an overall end-use efficiency strategy. In particular, it is the focus on the smart grid that enables this revival of interest" (Smart Grid, p. 53).

As specified in Section 1002.3 of the PUC: "In considering an application for a certificate for an electric transmission facility pursuant to Section 1001, the [C]ommission shall consider cost-effective alternatives to transmission facilities that meet the need for an efficient, reliable, and affordable supply of electricity, including, but not limited to, demand-side alternatives such as targeted energy efficiency, ultraclean distributed generation, as defined in Section 353.2, and other demand reduction resources." Notwithstanding that requirement, unaddressed in the DEIR are possible demand-side approaches (e.g., incentives for consumers to reduce demand). The Proposed Project represents a supply-side approach (e.g., increase supply to keep pace with demand). Demand-side approaches include, but may not be limited to, electric rates that are based on the time of day or year (to reflect changes in the market price of electricity) and

devices such as updated electrical meters that allow consumers to see their usage by the hour instead of the month. Demand-side analysis is warranted because "the Proposed Project was developed in response to the City's electric demand exceeding the capacity of the interconnection" (p. 3-279). As a result, capacity could be expanded or demand could be reduced. Mistakenly, only one of these options is, however, explored in the DEIR.

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As specified, in part, under Section 9615 of the PUC: "(a) Each local publicly owned electric utility, in procuring energy to serve the load of its retail end-use customers, shall first acquire all available energy efficiency and demand reduction resources that are cost effective, reliable, and feasible. (b) On or before June 1, 2007, and by June 1 of every third year thereafter, each local publicly owned electric utility shall identify all potentially achievable cost-effective electricity efficiency savings and shall establish annual targets for energy efficiency savings and demand reduction for the next 10-year period." Absent from the DEIR is any discussion or analysis (including alternative analysis) whether RPU has acquired "all available energy efficiency and demand reduction resources" and what efforts, if any, has RPU implemented to pursue conservation and energy reduction strategies in lieu of pursuit of new transmission.

Absent from the DEIR is any discussion of RPU's annual targets for energy efficiency savings and demand reduction, the relationship between established targets and projected load demand (e.g., "the local RPU system load will grow approximately 15 MW per year on average, through the year 2026," p. 6-24), RPU's efforts to attain those targets (including the efficacy of those efforts), RPU's performance with respect thereto, and additional programs or other actions and activities that could be undertaken to improve performance.

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As indicated in the FPEIR: "As of the 2004-05 fiscal year, RPU's annual power usage was 1,062,000 megawatt hours (MWh). Demand for the same period was 519 MW. Therefore, current electrical demand within the Planning Area is within the capacity limitations of the electrical facilities serving the area. Projected annual energy usage and demand for the [City of Riverside General Plan 2025] Project are 4,824,478 MWh and 1,032 MW, respectively. Therefore, future demand will exceed current available capacity, however, as discussed above, the RTRP will double inlet capacity and is expected to be operational in 2009. The RTRP and planned generating units will provide additional capacity for projected power demand at the Typical expected buildout of the [City of Riverside General Plan 2025] Project. . In the unlikely event that future growth of the City [or Riverside] reaches the Maximum or Maximum w/RPD levels, the existing facilities plus RTRP facilities and planned generating units would not accommodate projected need. . Therefore, without mitigation, possible impacts associated with the worst case analysis presented above would be significant. With implementation of the General Plan policies and Mitigation Measure MM UTL 3, impacts related to energy capacity are considered less than significant" (emphasis added) (FPEIR, Volume II, p. 5.16-49).

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"MM UTL 3" states: "To mitigate potential impacts to adequate electric service capacity and sources, the City will review population and development trends with respect to electricity consumption approximately every two years to assure that growth and demand are occurring as expected under the Typical Project development scenario which can be accommodated with the present facilities, two new peak generating units,

and the RTRP. If the review finds that the development and/or consumption is outpacing what would be expected under the Typical level, then mitigation and funding mechanisms shall be implemented to address expected capacity deficiencies. Options for mitigation could include, but are not limited to, such approaches as outlined below: (1) accelerated or mandated conservation of electricity, or (2) construct new substations and transmission lines, or (3) develop renewable sources of energy generated within the City's service area" (FPEIR, Volume II, p. 5.16-52).

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As acknowledged by the City of Riverside, alternatives to "new substations and transmission lines" include, but are not limited to "accelerated or mandated conservation of electricity" and/or development of new "renewable sources of energy generated within the City's service area." Since CEQA promotes the "tiering" of environmental documents (see 14 CCR 15152) and since programmatic mitigation measures are intended to have relevancy to later project-specific activities, the DEIR needs to be expanded to include both options as potentially feasible alternatives to the Proposed Project.

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One of the fundamental defects with the Lead Agency's alternative analysis is the assumption that the City of Riverside and/or RPU can only do "this or this." Absent from the DEIR is any analysis of a multi-tiered or multi-component non-wires scenario that generally states, "if we do not build the RTRP, what combination of things would the City of Riverside and/or RPU need to do to ensure the availability of electricity for the short term and for the long term?"

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Assuming that "the local RPU system load will grow approximately 15 MW per year on average, through the year 2026" (p. 6-24), the Lead Agency might consider implementing a combination of programs, such as demand-side energy efficiency in combination with: (1) distributed generation (DG) (e.g., "RPU's current total for DG is less than 7 MW," p. 6-24); (2) energy conservation and load management (e.g., "RPU estimates that the net peak demand saving was 1.8 MW," p. 6-25); (3) alternative conductors (e.g., "potentially doubling the electrical capacity," p. 6-41); and (4) other systemwide retrofitting (e.g., "smart grid" technology). The fact that RPU's "energy conservation and load management" efforts have yet to yield substantial results should not constitute a supportable basis for the overall rejection of that or other demand-side options. If "rebate programs," "in-home energy audits," and "educational material" (p. 6-25) have not worked effectively, RPU should undertake a reassessment of the efficacy of those endeavors and pursue other available energy-efficiency strategies and programs (e.g., targeting industrial- and commercial-sector usage).

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As reported in Smart Grid, a 7.5 percent reduction in peak summer demand is readily achievable. "Residential sector peak summer demand impacts are represented by direct load control programs and energy efficiency programs. The commercial sector is forecast to have the highest contribution to peak demand reductions (almost 42% of total demand reduction). Commercial sector peak summer demand impacts are represented by demand curtailment programs that serve to reduce loads during peak demand periods through the use of automated load control devices and energy efficiency programs, which yield the majority of the impacts mainly resulting from HVAC and lighting programs. The industrial sector demand reduction potential is close to that of commercial sector; peak summer demand impacts are driven primarily by demand curtailment programs and energy efficiency programs targeting motors and process uses" (Smart Grid, p. 72).

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In "The Feasibility of Replacing or Upgrading Utility Distribution Transformers during Routine Maintenance," the DOE notes: "The transmission and distribution (T&D) of alternating current (AC) electric power requires the conversion of voltage and current levels to match the desired application. This conversion, accomplished by transformers, represents a significant portion of the investment in the T&D system. While the transformers used in the T&D system are acknowledged to be very efficient, the cumulative effect of the losses of a large number of distribution transformers can represent a substantial cost to the system. The major objective of transformer design is to achieve the lowest possible TOC [total owning cost] to owners and operators; this requires a trade-off between the capital cost of transformers and the resultant cost of the transformer losses" (DOE, p. 11). Within the RPU system, there may exist opportunities for improved energy efficiency through the replacement of older equipment with newer energy efficient technologies. Those options are not, however, explored in the DEIR.

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- **Energy Storage Alternatives.** As indicated in Smart Grid: "Demand-side planning includes many load-shape-change activities including energy storage, interruptible loads, customer load control, dispersed generation, and energy efficiency" (Smart Grid, p. 53). Pursuant to Section 9620(c) of the PUC: "Each local publicly owned electric utility shall prudently plan for and procure energy storage systems that are adequate to meet the requirements of Section 2836." Referencing the CEC's 2009 "Strategic Transmission Investment Plan" (2009 STIP): "Energy storage technologies have a variety of properties that can serve multiple purposes in stabilizing the energy grid." As further indicated therein, "[t]hese technologies can provide significant value at each level in the transmission and distribution systems, varying in type and size to fulfill that level's unique service needs" (2009 STIP, p. 136).

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- **Additional Local Generation.** The DEIR states that "the total capacity to serve load (internal generation plus Vista Substation transformers) totals 701 MW [megawatts]" (p. 1-17). As indicated in Figure 1.5.2 (Projected RPU Peak Load), system load is not projected to exceed 700 MW until 2024 under "adverse weather" conditions and until 2026 under "normal weather" conditions. Based on that information, it does not appear that the need for the Proposed Project is as "urgent" as the Lead Agency now suggests (e.g., "A new interconnection to SCE's transmission system is urgently needed to provide capacity for existing as well as new electrical load. . . reinforcement is urgently needed to the existing 69 kV subtransmission system," p. 1-14)

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As indicated in the DEIR, with regards to peak demand, the RPU states that "[w]ere it not for RPU generation located internally within the subtransmission system, RPU would have been forced to interrupt electric service to customers" (p. 1-16). The RPU further states that "RERC and Springs generation were constructed within the City in part to address the capacity limit at Vista Substation" (p. 1-14) and, "[w]ith regard to generation, it should be noted that use of Springs generation is intermittent, depending on the current economics of energy supply. Therefore, for planning purposes, it is discounted" (p. 1-16).

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One of the Proposed Project's stated objectives is to reduce dependency on Vista Substation (i.e., "Provide an additional point of delivery of bulk power to the RPU electric system, thereby reducing dependence on Vista Substation and increasing overall reliability," pp. 2-5 and 6-1 through 6-2). To the extent that "RERC and Springs generation were constructed within the City in part to address the capacity limit at Vista Substation" (p. 1-14), the expansion of those or the development of other like-kind

peaking facilities could constitute alternatives to the proposed RTRP. Additional local generation constitutes a potential alternative to the "creation of a new SCE 230 kilovolt transmission interconnection" (p. 1-3). In addition, it would appear that an unaddressed alternative to the Proposed Project would be the conversion of the Springs Generating Project" (p. 1-9) and/or the "Riverside Energy Resource Center" (RERC) (p. 1-9) from intermittent to base load.

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A "new generation" (pp. 6-22 through 6-24) alternative constitutes an option that was considered but rejected by the Lead Agency. The assumptions comprising that alternative and rationale for that rejection do not, however, appear reasonable. For example, the Lead Agency errors in asserting that a "new generation" alternative must "provide a total capacity equal to that of the Proposed Project, for a total of approximately 560 MW. Since RPU will shortly have approximately 228 MW of internal generation through the RERC and Springs plants described above, the New Generation Alternative would have to provide a minimum of an additional 332 MW of capacity" (p. 6-22). Under CEQA (14 CCR 15126.6[b]), an alternative is not required to be "equal to" or provide comparable benefits to those associated with the Proposed Project.

Similarly, "new generation" is rejected because "[a] power plant is inherently more complicated than transmission lines and transformers. The power plant has a large number of moving parts and complicated control systems, and is very maintenance-intensive, compared to a transmission line and transformers which have no moving parts and need only minimal maintenance. . .Accordingly, a New Generation Alternative is technologically impractical" (p. 6-24). Neither the avoidance of complexity nor increased maintenance costs were identified by the Lead Agency as stated project objectives. Additionally, no information is presented that the "number of moving parts" and any relatively minor increase in maintenance costs makes a "new generation" alternative infeasible (see 14 CCR 15364).

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Since "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (14 CCR 15126.6[b]), the fact that one option may involve a higher degree of maintenance than another does not constitute a supportable basis for the rejection of an otherwise feasible alternative. Similarly, since neither the "intensity" nor the cost of maintenance operations have been identified for the Proposed Project, no basis is presented to compare total construction or operational costs. The fact that "RPU has constructed and presently operates two 'peaking' power plants within the City [of Riverside]" (p. 1-9) serves to refute the Lead Agency's rationale (i.e., "a New Generation Alternative installed within the City of Riverside is infeasible because of technological, environmental, legal, economic, and other restraints," p. 6-24) and demonstrates that "new generation" is both feasible and practical.

Although the City of Riverside's "Application for Certification for a Small Power Plant Exemption" (City of Riverside/Power Engineers, Environmental Assessment, Section 2 – Project and Facility Description, April 2004) for the RERC included no reference to an inability to secure component parts, the Lead Agency now alleges that because of uncertainty in procuring parts (e.g., "A search of industry sources indicates that the availability of a large power generator is, at best, only 90%," p. 6-23), under this alternative, RPU would need to construct two 332 MW units (i.e., "A single 332 MW

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natural-gas powered unit would be constructed on the land now designated for the Wilderness/Wildlife Substations" and "[a] second 332 MW unit would be constructed on the same site to cover the outage of the first unit," p. 6-23). To assert that the Lead Agency would need to build "two 332 MW units," which is twice the Lead Agency's own identified need (e.g., "the New Generation Alternative would have to provide a minimum of an additional 332 MW of capacity," p. 6-22), to constitute an alternative to the Proposed Project, is both disingenuous and serves to illustrate the lack of objectivity inherent in the EIR. If this same rationale were applied to the Proposed Project, RPU would need to construct two sets of transmission and distribution lines to "cover the outage of the first."

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Under this alternative, the Lead Agency further assumes that both RERC and Springs would remain intermittent load and "provide necessary capacity only when the City's [Riverside] load exceeded the 332 MW" (p. 6-23). From an environmental perspective, at least as a variation to a "new generation" alternative, it would appear more reasonable to assume that both RERC and Springs convert from intermittent generators to base load.

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In *Dry Creek Citizens Coalition v. County of Tulare* (1999), the courts have stated that "[a]n adequate EIR must be 'prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences' [Citation]. It 'must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project' [Citation]."

In rejecting the "new generation" alternative, the Lead Agency references an un-cited source (i.e., "according to a Southern California air-emissions industry consultant," p. 6-23) as the basis for asserting that air quality permits could not be obtained for this alternative and, if obtainable, would cost "on the order of \$100 million or more" (pp. 6-23 and 6-24). Since no source is cited either in the text or in Chapter 6 (References), stakeholders are neither able to independently verify the validity of the DEIR's assumptions nor understand the implications of additional carried cost on the Proposed Project's feasibility.

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In addition, the Lead Agency alleges that "the operation of the New Generation Alternative would result in very significant environmental impacts in the form of extensive particulate matter emissions" (p. 6-24). However, as indicated in the City of Riverside's "Application for Certification for a Small Power Plant Exemption - Environmental Assessment" for the 96 MW Riverside Energy Resource Center, "the air quality impact analysis demonstrates that the [RERC] project will not lead to, or significantly add to, an exceedance of the most stringent air quality standards when both turbines and the cooling tower are in full operation, including startup operations. The project's ambient air quality impacts are demonstrated to be below a level of significance" (City of Riverside/Power Engineers, Environmental Assessment, Section 6.1 – Air Quality, April 2004, pp. 93-94). Assuming that the "new generation" alternative was comparable to the RERC, air quality impacts would, therefore, be expected to be less than significant.

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In rejecting the "new generation" alternative, the Lead Agency states that this alternative would not address "the inability of RPU to maximize the potential for importing renewable energy generated in the Western U.S." (p. 6-24). Similarly, the Lead Agency

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rejects an "energy conservation and load management" alternative because it "does not provide a second point for importing energy, including from renewable sources" (p. 6-25). Increased utilization of "renewable energy" and reduced consumption of fossil fuels is a very worthwhile objective but has no direct relevancy to the Proposed Project because the "importing [of] renewable energy" is not a stated project objective. With single exception (see p. 3-93), absent from the DEIR is any discussion of the importation of renewable energy and/or any evidence that the Proposed Project would facilitate that importation to any greater extent than now occurs based on SCE's existing facilities (e.g., under the "no project" alternative).

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No evidence is presented that the use of "renewable energy" will increase within the RPU service area as a direct or indirect result of the Proposed Project or that an alternative alignment would not equally "allow the City of Riverside to access more renewable energy sources" (p. 5-7). As a result, the Lead Agency seeks to reject project alternatives based on worthwhile but extraneous parameters and unsupported assertions for which no factual basis has been established.

The Lead Agency further states that "it is not standard utility practice to defer the addition of transformer capacity by installing generation. To do so is akin to applying a mere 'band-aid' to a condition that really calls for a larger solution" (p. 6-24). However, as indicated under Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities' January 20, 2006 meeting, construction of a second point of energy delivery within the City of Riverside would provide "[c]apacity adequate for [only] 27 years and can be expanded at that time." It, therefore, appears that the Proposed Project is itself but a "band-aid" and constitutes only the initial phase of a larger undisclosed "expanded" project.

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As indicated in the FPEIR: "In the unlikely event that future growth of the City reaches the Maximum or Maximum w/PRD levels, the existing facilities plus RTRP facilities and planned generating units would not accommodate projected need" (FPEIR, Volume II, p. 5.16-49). The City of Riverside acknowledges that implementation of the RTRP, in and of itself, will likely prove insufficient in addressing RPU's service area needs. As a result, the RTRP must itself be considered a "band-aid" and not a long-term solution.

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Absent from the DEIR is any discussion of RPU "Reliability Rate Plan," including a list of energy-related projects identified therein. With the separate processing of the RERC and Springs units, STP, and RTRP, it is evident that the City of Riverside has either not sought the development and implementation of a comprehensive strategy ("larger solution") to address its long-term energy needs or has intentionally fragmented and piecemealed the individual component parts of that strategy (e.g., "The five-year Capital Improvement Program (CIP) for the electric system of \$181,078,000 will be required to replace outdated facilities, serve new growth, and install infrastructure to ensure electric system reliability," City of Riverside, Capital Improvement Program: 2009/10 – 2013/14) in order to minimize the disclosure and mitigation of cumulative environmental effects.

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- **Vista Substation Capacity Upgrades (Option 1).** As indicated under Agenda Item 4 (Approval of the New Energy Point-of-Delivery Project, Additional Appropriation, and Consulting Engineering Services – Work Order 642975) of the Official Minutes of the Board of Public Utilities' January 20, 2006 meeting, the RPU's Deputy Director described

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the two "planning options" available to address "energy delivery" for RPU. As indicated therein, "Option 1" was identified as "add[ing] capacity at Vista Substation." "Option 2" was identified as "construct[ing] second point of energy delivery within the City [of Riverside]." While "Option 2" appears to constitute the Proposed Project (as analyzed in the DEIR), absent from the DEIR is any reference to or discussion of "Option 1."

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- **Undergrounding.** The Lead Agency asserts that "undergrounding even limited sections of the Project as a means of potential mitigation is infeasible" (p. 3-242). However, as indicated in Power Engineers' Scope of Services, not only is undergrounding identified as a feasible technology, but Power Engineers' work program was based on "[a]pproximately three miles of line" and "three miles of underground line staking" (Scope of Services, pp. 57-59). Although the relationship cannot be discerned, it is noted that the "I-15 Route" is estimated to be approximately 3.5 miles (p. 3-55).

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Referencing the CEC's 2009 "Strategic Transmission Investment Plan": "Undergrounding transmission lines inherently have no visual effects, which could reduce public opposition and speed approval of new lines. Construction costs and environmental impacts for underground lines, however, are much greater than those for overhead lines. The gap is narrowing, as the costs to site and build standard overhead alternating current (AC) lines are increasing. New converter technologies and cables, as well as new construction methods such as directional drilling, have emerged and are improving the costs and environmental impacts of underground transmission lines" (2009 STIP, p. 137).

While acknowledging that undergrounding is more costly (e.g., "economic considerations associated with undergrounding show that undergrounding is infeasible," p. 3-243), from a technological perspective, undergrounding HVTLs is both feasible and is presently in operation both in the United States and internationally. Citing the Joint Legislative Audit and Review Commission to the Governor and the General Assembly of Virginia's "Evaluation of Underground Electric Transmission Lines, House Document No. 87" (Document No. 87) (<http://jlarc.virginia.gov/reports/Rpt343.pdf>), the Virginia State Corporation Commission (SCC), focusing exclusively on transmission systems with voltages of 230 kV and above, noted that nationally "there are about 160,000 miles of overhead line and about 750 to 1,000 miles of underground line at these voltages. Thus, at the higher voltages, the percent of underground line is about 0.5 to 0.6 percent of the total. Some industry observers have indicated that the underground options may be increasing in appeal in the United States, due to reductions in underground costs and other concerns (Document No. 87, p. 18). The SCC found that "underground lines typically appear to cost four to ten times more than overhead lines" and "underground lines can be very cost competitive in some unique circumstances" (Document No. 87, pp. 33 and 34). Because "[t]his method of transmission largely eliminates the need for towers and substantially reduces the width of the right-of-way on which the line is located" (Document No. 87, p. 6), reduced real property and steel costs may serve to offset some or all of the costs associated with undergrounding transmission lines.

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The SCC stated that "the two systems which are seen by U.S. experts as the most viable for use for most higher voltage transmission projects are HPFF (fluid-insulated cable) and XLPE (cable insulated by a solid material, polyethylene). HPFF accounts for about 80 percent of all underground line mileage in the United States" (Document No. 87, p. 24). As indicated in the DEIR: "Currently, the industry trend is to use XLPE as the

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cable type of choice for undergrounding. In the U.S., at least two manufacturers, noting this trend, have developed manufacturing capacity for 230 kV cable. Outside the U.S., manufacturing capability of up to 765 kV XLPE exists" (p. 6-27). Based on these excerpts, the Lead Agency acknowledges that undergrounding is technically feasible.

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The Lead Agency alleges that "[w]hile undergrounding may reduce some of the Project's potentially significant land use impacts, the overall environmental impacts caused by undergrounding would be greater and, as such, it is not considered a feasible mitigation measure for the Proposed Project" (p. 3-242). The Lead Agency further alleges that undergrounding would result in "increased environmental impacts to air quality, agricultural resources, biological resources, cultural resources, and geology and water resources" (p. 3-242 [see also p. 3-253]). Note that "aesthetics" is not among the list of impacts identified by the Lead Agency.

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With the exception of "agricultural resources" and for which no mitigation has been proposed by the Lead Agency (e.g., "there are no feasible mitigation measures for Proposed Project-related loss of these agricultural lands," p. 3-68), none of the above referenced impacts were deemed to be significant from a project perspective and no evidence is presented that undergrounding would elevate an otherwise less-than-significant impact to a level of significance. Since "air quality" impacts were deemed to be cumulatively significant, it would be assumed that cumulative impacts would continue to exist independent of whether the project were to be developed and independent of whether the transmission line were constructed overhead or underground.

With regards to the 230 kV transmission line, the Lead Agency acknowledges that the Proposed Project would adversely "affect scenic vistas" and "degrade the scenic quality," however, "no "mitigation measures [have been] proposed" (p. ES-9). As indicated in the Edison Electric Institute's "Out of Sight, Out of Mind? A Study of the Costs and Benefits of Undergrounding Overhead Power Lines" (Johnson, Brad, January 2004) (EEI Study), with regards to undergrounding, "[t]he 'aesthetic' benefits are virtually impossible to quantify but are, in many instances, the primary justification for projects to place existing power lines underground." (EEI Study, p. 11). As a result, with regards to the City's I-15 Freeway frontage, it can reasonably be concluded that: (1) undergrounding is feasible; and (2) undergrounding would effectively reduce aesthetic impacts to a less-than-significant level.

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- **Parallel Alignment and Rewiring.** With regards to "an additional point of delivery of bulk power" (pp. 2-5 and 6-1), the Lead Agency has failed to present any factual information that would eliminate from consideration either a parallel alignment following the "existing SCE 230 kV transmission line" (either within the existing or expanded SCE ROW) or a rewiring alternative allowing for more efficient energy conveyance. For example, the 3M Company has developed a high-performance Aluminum Conductor Composite Reinforced (ACCR) transmission conductor that can provide transmission capacities up to two to three times greater than those of existing transmission lines. None of the Lead Agency's stated objectives would appear to preclude consideration of such alternatives.

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In addition to the Proposed Project, only two 230 kV transmission alignment alternatives were analyzed in detail in the DEIR. Since one of those alternatives (i.e., "no project" alternative) is specifically required under CEQA and since the Lead Agency concludes that a "no project"

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alternative fails to meet any the Proposed Project's identified objectives (pp. ES-11, 6-58, and 6-63) and is deemed "infeasible" (pp. ES-11 and 6-63), only a single 230 kV transmission alignment alternative is presented in the DEIR (i.e., "Van Buren Offset"). With regards to the "Van Buren Offset" alternative, the DEIR notes that the document's "impact analysis. . . includes assessment of only the 230 kV transmission line alternative route" (p. 6-67). Based on a project of the magnitude of the RTRP and the presence of a number of unmitigated significant environmental effects, a single 230 kV transmission alignment alternative fails to meet the CEQA requirement to "describe a range of reasonable alternatives to the project, or to the location of the project" (14 CCR 15126.6[a]).

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As indicated in Power Engineer's Scope of Service: "It is assumed that the 69 kV line will have no alternatives for comparison" (Scope of Services, p. 31). With regards to the analysis of 69 kV subtransmission line alternatives, the DEIR notes: (1) "Most of the 69 kV subtransmission line routes were eliminated from consideration for the Proposed Project. Those routes that were retained became a part of the Proposed Project" (p. 6-55); and (2) "No reasonable alternatives to upgrading these four 69 kV substations were considered feasible" (p. 6-56). It is, therefore, not surprising that, with the possible exception of the "no project" alternative (pp. 6-63 through 6-66), no alternatives to the proposed 69 kV subtransmission alignment and associated substation improvements are identified or presented in the DEIR.

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The Lead Agency's failure to include an analysis of a "range of reasonable alternatives to the project or to the location of the project" (14 CCR 15126.6[a]) prevents the EIR from producing "information sufficient to permit a reasonable choice of alternatives as far as environmental aspects are concerned" (San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino [1984]).

Each of the alternatives examined in the DEIR are separately addressed below.

- **No Project Alternative.** As stipulated in the Guidelines, the EIR shall include an analysis of a "no project" alternative: "(1) The specific alternative of 'no project' shall also be evaluated along with its impacts. The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish the baseline. (2) The 'no project' analysis shall discuss the existing environmental conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure, and community services" (14 CCR 15126.6[e]).

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The analytical requirements specified under the Guidelines have not been addressed by the Lead Agency in the DEIR. The "no project" alternative analysis fails to discuss the existing environmental conditions and the impacts that would reasonably be expected to occur in the foreseeable future (if the project were not approved) based on current plans and consistent with available infrastructure and community services. In lieu of that analysis and absent any reference to other sections in the DEIR where relevant information can be found, the Lead Agency states that, under the "no project" alternative,

"the Proposed Project would not be implemented and the existing conditions in the Proposed Project area would not be changed" (p. 6-63).

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Under the "no project" alternative, "electric power would continue to be delivered to the City of Riverside through a single interconnection point, which is at capacity" (p. 6-63). The DEIR states that "[i]f this deficient condition would persist under the projected load growth scenario, long-term system reliability would be in jeopardy, increasing the potential for black-outs in the City [of Riverside]" (p. 6-63). As part of the "no project" assessment, the Guidelines direct the Lead Agency to include an analysis "consistent with available infrastructure and community services." Contrary to that requirement, the "no project" alternative analysis presumes that the RPU and SCE would "acquire new ROW" for a hypothetical "new transmission project" and that such actions would adversely affect "designated Farmland."

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As indicated under Section 15003(j) of the Guidelines: "CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement."

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The Lead Agency asserts that if the Proposed Project is not constructed, then "traffic signals that depend on power to regulate the flow of traffic would be rendered inoperable during an electricity outage, and subsequent traffic could delay the response time of emergency response providers. Depending on the frequency, duration, and extent of these service interruptions, impacts associated with the No Project Alternative could be significant and cumulatively considerable. Other public services that could be impacted by disruptions to electrical service include hospitals, schools and universities, government services (courts, jails, etc.), and all types of businesses that serve the public" (p. 6-66).

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The City makes no light of these conditions and recognizes that disruptions to electrical services to critical public facilities and private institutions could have significant public health and safety impacts. It is reasonable and appropriate for the operators of those facilities and institutions, working in concert with energy providers, to take all actions to protect their constituents and to ensure the continuance of the services they provide.

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The need for the Proposed Project appears to be premised more on "anticipated future growth" than on "existing electric system demand" (p. 6-19). As such, the above analysis appears intended to inflame and manipulate the public toward a specific outcome rather offer a balanced perspective, while focusing attention away from the existence of other non-pursued supply-side and load management options available to and the delayed response to local energy concerns by the City of Riverside and RPU.

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In *Sunnyvale West Neighborhood Association v. City of Sunnyvale City Council* (2010), (Sunnyvale) the courts have states that "[c]ase law makes clear that '[a]n EIR must focus on impacts to the existing environment, not hypothetical situations [Citation].' 'It is only against this baseline that any significant environmental effects can be determined [Citation].'" In that case, the court noted that "[t]he Supreme Court explained: 'An approach using hypothetical allowable conditions as the baseline results in "illusory" comparisons that "can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts,' a result at direct odds with CEQA's intent [Citation].'" "The Supreme Court never sanctioned the use of

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predicted conditions on a date subsequent to EIR certification or project approval as the "baseline" for assessing a project's environmental consequences."

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Since the Lead Agency alleges that the Proposed Project is already past due (e.g., "During the June 14, 2006 California Independent System Operators Board of Governor's meeting, SCE was directed to build the RTRP (including 230 kV transmission line interconnection and other elements) as soon as possible and preferably no later than June 30, 2009," p. ES-1), it is unclear when the Lead Agency presumes these horrific conditions will occur (e.g., whether they reflect today's inevitability or a hypothetical future scenario) and, in lieu of the Proposed Project, what efforts are being or have been taken by the City of Riverside and by RPU to reduce their probability. To the extent that these purported "electricity outage[s]" describe current and locally-unique conditions, those conditions are neither presented in the DEIR's analysis of the Proposed Project nor with regards to any other project alternative (e.g., each alternative's ability to prevent or forestall these conditions).

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Rather than presenting the information specified under CEQA regulations, the Lead Agency states that "[i]n the absence of the Proposed Project, it is likely that RPU would opt to construct another similar transmission project in lieu of the RTRP" (p. 6-63). As alleged by the Lead Agency, if the proposed RTRP were not to be approved, "RPU and SCE would likely be required to design a new transmission project in order to satisfy the objectives of the Proposed Project. Potential impacts from the construction, operation, and maintenance of such a project would likely be similar in significance level to the Proposed Project" (pp. 6-63, 6-64, 6-65, and 6-66). Instead of presenting a reasoned analysis of the "no project" alternative's potential impacts upon each topical issue (at least with regards to aesthetics, air quality biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing public services and utilities, recreation, and transportation and traffic), the Lead Agency merely "cuts-and-pastes" the same narrative and rationale under each of those topical headings.

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The repeated assertion that, should the Proposed Project not be approved, RPU and SCE would merely "design a new transmission project" suggests that there exists other alignments and other design alternatives that are known to the City of Riverside and RPU but which the Lead Agency has elected not to present in the DEIR.

- **Van Buren Offset Route.** Insufficient information is presented with regards to this alternative to allow the City to provide a more definite assessment. Selection of this alternative alignment may alleviate some of the City's stated concerns with regards to the "I-15 Route" but may result in the introduction of new or further exacerbate the existence of certain environmental and socioeconomic impacts previously addressed herein. Because this alternative alignment "would locate the route within many private parcels" (p. 6-11), the City raises concerns as to its potential direct and indirect impacts on residents and businesses, on land use and valuation (including developability, marketability, and functionality of the residual property), and on the more intrinsic concept of community character.

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Based on the description presented in the DEIR, it would appear that the "Van Buren Offset Route" would produce substantial deleterious visual impacts that would be unacceptable to the City (e.g., "the alternative route travels into hilly terrain and through

residential areas of Jurupa. In this area the route also crosses another large throughfare [Limonite Avenue] with two more lattice steel tower structures adjacent to each side of Limonite Avenue. The route zigzags through residential areas where the structures would be accentuated by the hilly terrain and pronounce their visibility for the local neighborhood streets, residential properties, and recreationists in Jurupa Hills," p. 6-68).

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The DEIR concludes that the "Van Buren Offset Alternative would meet the majority of the Proposed Project Objectives. However, environmental impacts to Aesthetics, Hydrology and Water Quality, Population and Housing, and Public Services and Utilities would be increased in comparison to the Proposed Project" (p. 6-102). As such, the "Van Buren Offset Alternative" does not meet CEQA's statutory requirements as to what constitutes a valid alternative. As specified in the Guidelines: "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project" (emphasis added) (14 CCR 15126.6[a]).

With regards to the "Van Buren Offset Route," the DEIR states that "[t]he Van Buren Alternative was originally sited within the Union Pacific Railroad corridor," however, "upon investigation and communication with Union Pacific (UPRR 2007, 2007), this alternative was eliminated due to infeasibility of placing a high voltage transmission line within a railroad ROW. This infeasibility is based upon the inability to obtain access to railroad ROW, the potential for induction effects if the Project's electrical lines were located nearby the railroad" (p. 6-11). With regards to the "current Van Buren Offset Route," the DEIR notes that the alignment "cross[es] the Union Pacific railroad tracks" (p. 6-11). If, as the Lead Agency asserts, locating a HVTL "nearby the railroad" makes a route infeasible, then it would appear that the "current Van Buren Offset Route" would itself be deemed infeasible based on the overcrossing of the "Union Pacific railroad tracks" (e.g., "The route would also require three crossings of the railroad ROW," p. 6-11). It, therefore, appears that the Lead Agency has created a "strawman" alternative which it will subsequently reject based on an inherent defect that the Lead Agency has itself created.

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10.0 POTENTIAL CONFLICT OF INTEREST

In the following comments, the City is neither alleging the existence of a conflict of interest nor improper collusion among any parties associated with the Proposed Project. The City seeks only to raise the issue of the specter of a potential conflict of interest so that the Lead Agency has the opportunity to dispel any such concerns, while concurrently addressing the issue of independency and objectivity with regards to the planning, design, entitlement, and construction of the Proposed Project.

As indicated in the DEIR: "Power Engineers, Inc. (Power Engineers) was retained to complete the RTRP Feasibility Study. This Siting Study is a component of the Feasibility Study for the RTRP" (Appendix D, p. 1). Power Engineers is also identified as the party responsible for the preparation of the DEIR (Cover and Title Page). The same independent contractor performed the preliminary routing analysis, the routing analysis, the DEIR's alternatives analysis, and the environmental analysis on the routes that Power Engineers itself identified. Absent from the DEIR is any evidence of third-party review, including any detailed review by either the City of Riverside and RPU. In addition, undisclosed is whether Power Engineers has performed or is

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currently performing any consulting or other work for or in conjunction with SCE, such as work being performed on project-related activities.

On January 20, 2006, RPU entered into a design-build agreement with Power Engineers to design, entitle, and construct the proposed RTRP. As specified in Exhibit A (Scope of Services) in the supplemental "Agreement for Professional Consulting Services" (November 15, 2006): "In addition to environmental permitting and right of way acquisition for both the 230 kV and 69 kV lines, Power [Engineers] is responsible for the detailed engineering of the selected 69 kV lines and 69 kV stations requiring upgrades, providing procurement support, providing contractor selection support and providing construction management services for the 69 kV work" (Scope of Services, p. 2).

As indicated in a June 26, 2006 "Board Memorandum" (Subject: Approval of Power Engineers Agreement for Work Related to the Riverside Transmission Reliability Project) to the Board of Public Utilities, as signed by Stephen H. Badgett (Public Utilities Deputy Director), David H. Wright (Public Utilities General Manager), Gregory P. Priamus (City Attorney), and Jerry D. Rogers (Public Utilities Assistant Director/Finance): "The Phase 2 Engineering Services Agreement (ESA), which will cover PE's [Power Engineers] work through completion of the project, is being negotiated at this time and is expected to be brought to the Board for approval within two months."

Without inferring any misdeeds or impropriety, because a single private entity is tasked to design the Proposed Project (including the preparation of associated engineering studies), prepare and process the CEQA documentation (including responding to stakeholder comments critical of that document), and provide construction and/or construction management services once the Proposed Project is approved, one might suspect that a single profit-motivated entity would be generally disinclined to criticize its own design (engineering) work, admit to any errors or shortcomings in analyses or judgment, perform services (including technical studies) which have not been contracted for by RPU, or take any actions that might impact costs or poorly reflect the company. If the EIR is not certified and the Proposed Project is not entitled, the single contract entity loses the ability to perform later and potentially more profitable phases of work. The company may have already incurred costs which may only be recoverable if those later phases were to proceed.

The Guidelines stipulate that "[t]he lead agency may choose one of the following arrangements or a combination of them for preparing a draft EIR. (1) Prepare the draft EIR directly with its own staff. (3) Contracting with another entity, public or private, to prepare the draft EIR. (3) Accepting a draft prepared by the applicant, a consultant retained by the applicant, or any other person. (4) Executing a third party contract or memorandum of understanding with the applicant to govern the preparation of the draft EIR by an independent contractor. (5) Using a previously prepared EIR. (6) Before using a draft prepared by another person, the lead agency shall subject the draft to the agency's own review and analysis."

The Lead Agency's execution of a design-build contract, in which the selected contractor also serves as the CEQA consultant and prepares the EIR, constitutes a potential violation of CEQA because the firm preparing the EIR is no longer an "independent contractor" (14 CCR 15084[d][3]) but a firm with a vested interest in the project's approval.

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11.0 FREEDOM OF INFORMATION ACT REQUEST

Numerous documents are referenced in the DEIR which appear germane to an understanding of the Proposed Project and its potential environmental impacts but which are neither included therein nor readily accessible to the general public. Included herein is a Freedom of Information Act (FOIA) request for the production and delivery of those documents to the City by the Lead Agency. Since disclosure of the requested information is in the public interest and because it is likely to contribute significantly to public understanding of the Proposed Project's operations or activities examined in the DEIR, the City requests a waiver of any fees associated therewith.

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Because the information presented in the following documents may be germane to understanding the precise nature of the Proposed Project and the potential direct, indirect, and cumulative environmental impacts that may result therefrom, the City is unable to fully comment on the adequacy of the DEIR and the Lead Agency's environmental analysis pending receipt and review of the documents identified in this FOIA. To the extent that they are germane to the Proposed Project and the Lead Agency's CEQA documentation, the City reserves the right to submit additional comments to the Lead Agency following its review of the requested material.

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Those documents included in this FOIA, including their potential relevancy to the Proposed Project, are briefly described below.

- **General Session Minutes and System Impact Study.** As indicated in the FIS-RERC3&4, dated December 2008: "Since the RPU 69 kV system is not a part of the California Independent System Operator (California ISO) grid and its normal operation is not controlled by the California ISO, the California ISO is not directly responsible for ensuring electric system reliability for the proposed generator interconnection and does not provide any approval for interconnection of the project" (FIS-RERC3&4, p. 16-2). As further indicated therein: "RPU is a participating transmission owner and under operation control of the California ISO for the existing SCE 230/69 kV interconnection at Vista 230/69 substation. But RPU is responsible for planning, reliability and operation of their 69 kV network" (FIS-RERC3&4, p. 16-5). From those excerpts, because it is not within their jurisdiction, it appears that (at least with regards to the RERC) the California ISO neither examines nor controls the operation of the RPU's 69 kV subtransmission system. Similarly, it appears evident that RPU lacks jurisdiction over the planning, construction, or operation of SCE's 230 kV transmission system.

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The DEIR, however, states: (1) "During the June 14, 2006 California Independent System Operators Board of Governor's meeting, SCE was directed to build the RTRP (including 230 kV transmission line interconnection and other elements) as soon as possible and preferably no later than June 30, 2009" (p. ES-1); and (2) "On June 14, 2006, the CAISO approved and directed SCE to construct and provide the City [of Riverside] a new 230 kV interconnection with the CAISO electrical system" (p. 1-7) (see also p. 1-18). Information from that meeting, including, but not limited to, the precise nature of any approvals and directives, any and all technical studies, supporting documentation, testimony, and minutes, as prepared by SCE, its consultants, and/or the CAISO are critical to an understanding of the Proposed Project.

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The documents subject to this request include, but may not be limited to, "General Session Minutes" (California Independent System Operator Corporation, June 14, 2006) and documentation upon which the CAISO action was derived. Since no clear citations

to that information are presented in the DEIR, the City is, however, unable to provide a more comprehensive listing of the documents encompassed by this request. Based on the Lead Agency's own declarations and the active involvement of both RPU and SCE in the RTRP, those parties have clear and distinct knowledge as to the exact extent of the information that was presented to the CAISO on or about June 14, 2006. It is noted that representatives of "Southern California Edison" (p. 9-1) were active contributors to the information and analysis presented in the DEIR.

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Although not disclosed in the DEIR, as specified in the CAISO's June 13-14, 2006 presentation material and June 7, 2006 memorandum from Dariush Shimohammadi (Director of Regional Transmission - South) and Armando Perez (VP, Planning & Infrastructure Development) to the [CA]ISO Operating Committee (Re: Approval of City of Riverside 230kV Transmission Interconnect Project), with regards to the project: (1) SCE intends to construct, own, operate, and maintain 230 kV lines and 230 kV substation; (2) RPU intends to construct, own, operate, and maintain Jurupa Substation 66 kV switchyard (with 2-230/66 kV MVA transformers); and (3) SCE and RPU have entered into an Interim Interconnection Agreement to expedite pre-construction activities while an Interconnection Agreement is developed that contains terms for RPU to interconnect to the SCE electrical system.

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Three design options were examined by the CAISO. "Option 1" improvements, totaling an estimated \$52.5 million (of which \$48.2 million were CAISO-controlled facilities), included "[l]oop[ing] the existing Mira Loma-Vista #1 230 kV line by building 8.25 miles of new 230 kV double circuit transmission line from the existing Mira Loma-Vista #1 T/L ROW into a new 230 kV SCE interconnect facility with RPU's new Jurupa Substation in Riverside." "Option 2" included "[b]uild[ing] a 230 kV SCE interconnect facility located at Riverside's new Jurupa Substation with two new 230 kV lines from the Mira Loma and Vista substations to the new Jurupa Substation." "Option 3" included "[b]uild[ing] a new 230 kV interconnection facility adjacent to the existing Mira Loma-Vista 230 kV right-of-way with new 8.25 miles of double circuit 230 kV transmission to a new Riverside 230/66 kV Jurupa Substation." SCE studies purportedly concluded that "Option 2" was impractical based on physical limitations at the Vista 230 kV bus.

Since the Proposed Project is identified as including 11 miles of new 230 kV transmission line, "Option 1" appears materially different from the project described in the DEIR. Those differences need to be identified and the rationale for the rejection of the "new 8.25 miles of 230 kV double-circuit transmission line," which was purportedly "approved" by the CAISO, needs to be explained.

The City requests copies of all documentation presented by SCE and RPU with regards to those three options. In addition, the City requests copies of the "Interim Interconnection Agreement," the "Interconnection Agreement," and all supporting documentation upon which the CAISO actions were derived.

Included among the "project objectives" are the following statements: (1) "Provide sufficient capacity, in a timely manner, to meet existing electric system demand and anticipated future load growth"; and (2) "Meet Proposed Project need in a cost-effective manner" (p. 2-5). Insufficient information is provided in the DEIR to allow stakeholders to independently ascertain "sufficient capacity," "anticipated future load growth," and

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"project need." The information sought in this FOIA is required, in part, to allow stakeholders to understand the fundamental basis for the Proposed Project.

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- **System Impact Study and Facilities Study.** As indicated in NOP2: "In November 2004, the Riverside Board of Public Utilities authorized RPU to enter [into] an agreement with SCE for completion of a System Impact Study and a Facilities Study. The results of these studies indicate the need for construction of a new double circuit 230 kV transmission line into Riverside" (NOP2, p. 1). The documents that are the subject of this FOIA request include, but may not be limited to, RPU's "System Impact Study" (RPU, June 2006) (pp. 8-1) and SCE's "System Impact Study and Facilities Study" (SCE, October 2005) (p. 1-7).

As indicated in the CEC's FIS-RERC3&4: "The System Impact and Facilities Studies analyze the grid with and without the proposed project under conditions specified in the planning standards and reliability criteria. The standards and criteria define the assumptions used in the study and analyze the impact of the project for the first year of operation and thus are based on a forecast of loads, generation and transmission. Forecasts are developed by the interconnected utility. . .The studies are focused normally on thermal overloads, voltage deviations, system stability (excessive oscillations in generators and transmission systems, voltage collapse, loss of loads or cascading outages), and short circuit duties. If the studies show that the interconnection of the project causes the grid to be out of compliance with reliability standards then the study will identify mitigation alternatives or ways in which the grid could be brought into compliance with reliability standards. If the interconnecting utility determines that the only feasible mitigation includes transmission modifications or additions which require CEQA review as part of the 'whole of the action,' the Energy Commission must analyze these modifications or additions according to CEQA requirements" (FIS-RERC3&4, pp. 16-5 and 16-6).

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Absent a review of RPU's "System Impact Study" and SCE's "System Impact Study and Facilities Study," prepared in accordance with the CAISO Tariff and applying the CAISO's Grid Planning Criteria (which includes the WECC Reliability Criteria and the NERC Planning Standards), it is not possible to ascertain whether there may exist other improvements to existing transmission and distribution systems (beyond those disclosed in the DEIR) and any associated mitigation plans or mitigation alternatives for SCE's service territory that may be required to accommodate changes to the power flows resulting from the implementation of the Proposed Project. Absent the disclosure of those additional off-site improvements, if any, the EIR is unable to examine the "whole of the action" (14 CCR 15003[h] and 15378) which has the potential to produce a physical change in the environment. The information commissioned by the RPU and performed by SCE is or may be directly germane to an understanding of Proposed Project, the full extend of any system-wide improvements that may be associated therewith, and the project's need. That information may serve to expand the range of alternatives warranting consideration by the Lead Agency. The City, therefore, requests copies of both RPU's "request" and SCE's "interconnection studies."

- **Siting Study and Alternatives Analysis.** As indicated NOP2: "In August 2006, a Siting Study was completed that presents the results of an inventory of baseline environmental conditions, environmental sensitivity analyses, and alternative route locations for the 230 kV transmission line. A separate study prepared in June 2006, referred to as the

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Alternatives Analysis, identified the proposed route locations for the new 69 kV subtransmission lines within Riverside. The report involved studying a variety of environmental and engineering factors to select the proposed 69 kV routes" (NOP2, p. 2). Presented in Appendix D (Siting Study) of the DEIR is a document entitled "Riverside Transmission Reliability Project Siting Study" (Power Engineers, August 31, 2006). It is assumed that the Appendix D study is the one cited in NOP2; however, neither the June 2006 "Alternatives Analysis" nor the June 2006 "69 kV Siting Study" were included therein.

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Because the information presented in the "Alternatives Analysis" and "69 kV Siting Study" is or may be directly germane to an understanding of Proposed Project and its potential alternatives, the City requests copies of those documents.

- **CPUC Application and Proponents Environmental Assessment.** With regards to IOUs, existing constitutional authority exists for CPUC jurisdiction over transmission siting and approval. The CPUC has discretionary authority regarding electric infrastructure owned and/or operated by IOUs. Traditionally, for siting transmission lines which are to be constructed by investor-owned utilities, the IOU prepares a plan of service and submits that plan to the CAISO for approval. After the CAISO approves the project based on economic and reliability analysis, the IOU then prepares an application and a "Proponent's Environmental Assessment" (PEA) and submits those documents to the CPUC. As specified, the PEA includes all information and studies required under the Commission's "Information and Criteria List," adopted pursuant to Chapter 1200 of the Statutes of 1977 (Sections 65940 through 65942, CGC). Once the application is filed with and deemed complete by the CPUC, an environmental document is prepared.

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Since the DEIR states that the CAISO has taken formal action with regards to the Proposed Project (e.g., "During the June 14, 2006 California Independent System Operators [CAISO] Board of Governors meeting, SCE was directed to build the RTRP [including 230 kV transmission line interconnection and other elements] as soon as possible and preferably no later than June 30, 2009," p. ES-1), because they have direct relevancy to understanding the proposed RTRP and its potential environmental impacts, and because they may help clarify CEQA lead agency obligations, the City requests copies of any SCE-filed application(s) and any CPUC-filed or RPU-filed environmental documents (e.g., PEA) germane to the proposed project or any component(s) thereof.

- **Certificate of Public Convenience and Necessity.** In accordance with Section III(A) in GO 131-D: "No electric public utility shall begin construction in this state of any new electric generating plant having in aggregate a net capacity available at the busbar in excess of 50 megawatts (MW), or of the modification, alteration, or addition to an existing electric generating plant that results in a 50 MW or more net increase in the electric generating plant that results in a 50 MW or more net increase in the electric generating capacity available at the busbar of the existing plant, or of major electric transmission line facilities which are designed for immediate or eventual operation at 200 kV or more without this Commission's having first found that said facilities are necessary to promote the safety, health, comfort, and convenience of the public, and that they are required by the public convenience and necessity."

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As specified in Section 1003 of the PUC: "Every electrical and every gas corporation submitting an application to the [C]ommission for a certificate authorizing the new

construction of any electric plant, line, or extension, or gas plant, line, or extension, not subject to the provisions of Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code, shall include all of the following information in the application in addition to any other required information: (a) Preliminary engineering and design information on the project. The design information provided for thermal electric plants shall include preliminary data regarding the operating characteristics of the proposed plant, including, but not limited to, the annual capacity factor, availability factor, and the heat rate for each year of the useful life of the plant, line, or extension. (b) A project implementation plan showing how the project would be contracted for and constructed. This plan shall show how all major tasks would be integrated and shall include a timetable identifying the design, construction, completion, and operation dates for each major component of the plant, line, or extension. c) An appropriate cost estimate, including preliminary estimates of the costs of financing, construction, and operation, including fuel, maintenance, and dismantling or inactivation after the useful life of the plant, line, or extension. (d) A cost analysis comparing the project with any feasible alternative sources of power. The corporation shall demonstrate the financial impact of the plant, line, or extension construction on the corporation's ratepayers, stockholders, and on the cost of the corporation's borrowed capital. The cost analyses shall be performed for the projected useful life of the plant, line, or extension, including dismantling or inactivation after the useful life of the plant, line, or extension. (e) A design and construction management and cost control plan which indicates the contractual and working responsibilities and interrelationships between the corporation's management and other major parties involved in the project. This plan shall also include a construction progress information system and specific cost controls" (see also Section 1003.5 of the PUC).

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The City request copies of any application for a CPCN, as submitted by or on behalf of SCE to the CPUC for the RTRP (whether by that name or others and associated, in whole or in part, with any of the proposed facilities identified in the DEIR) and copies of any actions or contemplated actions by the Commission in response to that application.

- **Interconnection Studies.** As indicated in NOP2: "In 2004, pursuant to SCE's FERC-approved Transmission Owner (TO) Tariff, RPU made a request for SCE to provide additional transmission capacity to meet projected load growth and to provide for system reliability. SCE performed a series of interconnection studies that determined it could not expand Vista Substation due to site and environmental constraints but could expand the regional electrical system to provide RPU a second source of transmission capacity to import bulk electric power" (NOP2, p. 1).

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Because the information commissioned by the RPU and performed by SCE is or may be directly germane to an understanding of Proposed Project, the full extend of any system-wide improvements that may be associated therewith, and may serve to expand the range of alternatives warranting consideration by the Lead Agency, the City requests copies of both RPU's "request" and SCE-produced "interconnection studies."

- **RPU System Load.** The Lead Agency asserts that the "the Proposed Project does not involve combustion of fossil fuels or involve other chemical processes that produce gaseous emissions" (p. 4-10). However, the Lead Agency states that: (1) "RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth" and "[t]he Proposed Project would provide RPU with long-term

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system capacity for load growth" (emphasis added) (p. 1-3); (2) "A new interconnection to SCE's transmission system is urgently needed to provide capacity for existing as well as new electrical load" and "[w]ithout this addition, load shedding and area electrical blackouts will eventually be required" (emphasis added) (pp. ES-4 and 1-14); (3) "The Proposed Project is intended to accommodate, rather than encourage, area growth" and "[b]oth PRU's and SCE's systems are proposed for expansion under the Proposed Project in order to meet projected load growth" (emphasis added) (pp. 3-278 and 3-288); and (4) "Within the City of Riverside Public Utilities' service area, demand is already exceeding capacity to provide reliable electric power from external generation sources. The Proposed Project will allow RPU to meet current demand for energy service within the city [of Riverside] limits, as well as projected demand related to population and economic growth" (emphasis added) (p. 5-1).

As further indicated in the DEIR: "It is estimated that the local RPU system load will grow approximately 15 MW per year, on average, through the year 2016 (RPU Power Resource Division Forecast 2009)" (p. 1-15). Electric power demands within the City or Riverside are associated with and delivered from RPU's 69 kV system and are locally consumed at that voltage (e.g., "The voltage of the electrical power would be transformed to 69 kV for integration into the RPU electric system serving the City [of Riverside]," pp. 1-3 and 1-4). The rationale for the new double circuit 230 kV transmission interconnection and new RPU 230/69 kV electric substation (Wilderness Substation) are to bring large quantities of remotely-generated power to the City of Riverside (in lieu of local generation) and not because power is consumed at that higher voltage (e.g., "This transformation or 'stepping down' of power from 230 kV to 69 kV would take place at a second new substation, named Wilderness Substation," p. 1-4).

Because the purported need for the project is based on projections of load growth, documentation concerning the assumptions relating to growth projections constitutes an important component to an understanding of the Proposed Project. Additionally, the "RPU Power Resource Division Forecast 2009" may include information concerning both peak and non-peak demands, the availability of the existing system to address those demands, and how those local demands could be met (e.g., local generation). The City, therefore, requests a copy of the "Forecast 2009" document, including any supporting documentation associated therewith.

- **CEQA Lead Agency Determination.** With regards to CEQA lead agency determination for the Proposed Project or any portion thereof, the City requests copies of all correspondence (e.g., letters and emails) and other relevant information generated by the City of Riverside, RPU, SCE, the CPUC, and the Governor's Office of Planning and Research (State Clearinghouse) pursuant to Section 21165 of CEQA and Sections 15051-15053 of the Guidelines.
- **Union Pacific Railroad Correspondence.** As indicated in the DEIR: "The Van Buren Alternative was originally sited within the Union Pacific Railroad corridor, specifically located between Van Buren Blvd. and the railway. Upon further investigation and communication with Union Pacific (UPRR 2006, 2007), this alternative was eliminated due to infeasibility of placing a high voltage transmission line within a railroad ROW" (p. 6-11). The Lead Agency cites two separate documents from the Union Pacific Railroad (UPRR) (see pp. 8-19 and 8-20). Because they appear germane to an understanding of project alternatives, the City requests copies of those referenced documents.

- **Feasibility Study and Additional Environmental Analysis.** The DEIR notes that "RPU and SCE engineers previously examined alternative interconnection points, transmission line routes, and substation sites prior to the current interconnection studies and the subsequent Initial Study/Notice of Preparation prepared for the RTRP in November, 2009" (p. 6-2). As further noted in the DEIR: "The reasonable routing and siting alternatives, including the Proposed Project routes and substation sites, documented in this chapter were identified through an environmental analysis process that sought to avoid or substantially reduce any potentially significant effects of the Proposed Project, while satisfying the Proposed Project's objectives" (p. 6-2). In addition, the DEIR notes that "Power Engineers, Inc. was retained to complete the RTRP Feasibility Study. This Siting Study is a component of the Feasibility Study for the RTRP" (Appendix D, p. 1).

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Based on those excerpts, it appears that there exists both a separate "environmental analysis process" (separate and distinct from the DEIR and Siting Study) and "Feasibility Study." Because those documents could shed additional light on the Proposed Project's environmental impacts (including mitigation measures and alternatives), the City requests copies of the "Feasibility Study" and any additional environmental studies, documents, and analyses not included in the DEIR, including any supporting documentation associated therewith.

- **Santa Ana West River Corridor.** With regards to feasibility, the DEIR states: "in 2006, an initial westward route was investigated and rejected because of feasibility concerns. The so-called 'Santa Ana River West Corridor' route was eliminated because of environmental conflicts with the river corridor open space and wildlife habitat management and current and proposed urban development along the I-15 corridor. However, further investigation and route refinement resulted in a number of changes that addressed initial concerns and reduced many identified impacts. A new corridor, roughly following the old one, was reexamined and proposed as the current I-15 Route (Proposed Project)" (p. 6-12).

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Critical information concerning the Proposed Project does not appear to be disclosed in the DEIR. Although the "Santa Ana River West Corridor" was rejected by RPU "in 2006," the "Riverside Transmission Reliability Project Siting Study" (included in Appendix D of the DEIR), dated August 31, 2006, identifies and illustrates that alignment. However, the January 19, 2007 "Initial Study" contains no reference to or illustration of the "Santa Ana West Corridor."

The City requests all information known to the City of Riverside, RPU, and SCE and their consultants regarding: (1) the identification, plotting, and analyses of the "initial westward route"; (2) the precise nature of "environmental conflicts" and "initial concerns" associated with "current and proposed urban development" in proximity to the "initial westward route"; and (3) the precise identification and description of the "changes that addressed initial concerns." Specifically, since the "new corridor roughly follow[s] the old one," the City seeks all documentation relating to both the reasons associated with the initial rejection of the "Santa Ana River West Corridor" and the what precisely predicated not only the reintroduction of that route but its elevation from "eliminated" to "Proposed Project" status.

- **Preliminary Geology and Geotechnical Evaluation.** As indicated in the DEIR, a potential 230 kV alignment along the Santa Ana River, extending from the "Proposed 230 kV/69 KV Substation through Rubidoux and Belltown into San Bernardino County (see Figure 6.2-3, p. 6-13) was rejected based on the information presented in SCE's "Preliminary Geology and Geotechnical Evaluation (SCE 2010)" (p. 6-12). The Lead Agency purports that the study concludes that "the Western (I-15 Route) and Van Buren (Offset) alternatives both are clearly more favorable than the Eastern Alignment Alternative" (p. 6-12).

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Among the list of references cited in the DEIR, the subject document appears to be SCE's "Preliminary Geology and Geotechnical Evaluation, Riverside Transmission Reliability Project: Double Circuit 230 kV T/L. Eastern, Western and Van Buren Suggested Routes, Mira Loma-Vista #1 230 kV to Wildlife Substation. Riverside County, California, Revision 1" (SCE, June 10, 2010) (p. 8-19). Because the report's findings appear to constitute the Lead Agency's sole basis for rejecting a potential alternative transmission route, the substance of that report is important for stakeholder consideration. The City, therefore, request a copy of the above-referenced geology and geotechnical evaluation.

- **SCE's Easement Policy and Secondary Land Use Policy.** SCE policies and Commission regulations limit or otherwise restrict the subsequent use of real property within established 230 kV transmission line ROWs. In order for the City to fully understand the land-use and other implications of those limitations and restrictions, as well as the additional permitting requirements that may be associated therewith, Jurupa Valley requests copies of SCE's "Easement Policy" and "Secondary Land Use Policy," in combination with such other documents known to the City of Riverside, RPU, and SCE which relate, either directly or indirectly, to the subsequent use of those ROWs.

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12.0 RESPONSE TO COMMENTS

Section 21092.5 of CEQA mandates that "the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division." The Guidelines require that "[t]he lead agency shall prepare a final EIR before approving the project" (14 CCR 15089).

Because the preparation of an EIR is futile if that EIR is not adequately considered by the public agency responsible for approving a project (*Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* [1982]), it is important that the project's decision makers fully consider any comments which are received concerning the environmental consequences of that project, in combination with the Lead Agency's written responses to those comments. As noted by the courts: "Where comments from responsible experts or sister agencies disclose new or conflicting data or opinions that cause concern that the agency may not have fully evaluated the project and its alternatives, these comments may not simply be ignored. There must be good faith, reasoned analysis in response" (*People v. County of Kern* [1974]).

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The City appreciates the opportunity to submit these comments to the Lead Agency and hopes that they will result in both a productive dialogue between our agencies and an interagency commitment to work cooperative toward resolution of those issues that confront our two jurisdictions.



Statement of Qualifications

Planning and Environmental Consultants

CURRICULUM VITAE

PETER LEWANDOWSKI, PRINCIPAL

Education

Graduate Program, Architecture, CalPoly
Pomona

MURP, Urban Planning, CalPoly Pomona
BA, Social Ecology, UC Irvine

Certificate Program, Construct. Management,
UC Irvine

Experience

Mr. Lewandowski is a widely recognized expert in environmental permitting. With nearly 30 years of experience as an planning professional, including serving as Director of Planning and Environmental Services for a Fortune 500 firm (LG&E Power/Ultrasonics Engineers & Constructors), Mr. Lewandowski possesses a detailed understanding of urban and regional planning, engineering, and environmental compliance and demonstrated and successful experience in preparing and processing general and specific plans, major residential, commercial, and industrial development projects, transportation facilities, energy facilities, water facilities, and capital improvement projects.

Mr. Lewandowski is often called upon by major law firms to prepare CEQA/NEPA documents and to conduct third-party reviews of documents prepared by other consultants. In addition to work with individual and corporate attorneys, clients have included Latham & Watkins; Rutan & Tucker; Brown Winfield Canzoneri; Sheppard, Mullin, Richter & Hampton; Oliver, Vose, Sandifer, Murphy & Lee; and Buchalter Nemer Fields & Younger.

Relevant project experience includes:

- Project Manager responsible for the preparation and processing of joint NEPA/CEQA documents for the federal 500-megawatt Lake Elsinore Advanced Pumped Storage Project and TE/VS 500-kV Interconnect Project.

- Project Manager for numerous residential development projects, including: (1) Tick Canyon/Park Place Project (Los Angeles County); (2) Compton Senior Housing Project (Compton); (3) Puente Romano Mixed-Use Project (Whittier); and (4) Sandstone Canyon (Diamond Bar)
- Project Manager for major commercial projects, including IKEA (Covina), Target (Diamond Bar), Lowe's (Huntington Beach), Anaheim Festival Center (Anaheim), and Citrus Plaza Regional Mall (San Bernardino County).
- Project Manager for major water and wastewater facilities, including (1) El Toro Reservoir (El Toro Water District); (2) Abalone Cove Combination Sewer System (Rancho Palos Verdes); and (3) Machado Groundwater Wells (Elsinore Valley Municipal Water District).
- Project Manager responsible for major infrastructure projects, such as the Wildomar Community Facilities District (Riverside County), including over 10-miles of new water and wastewater facilities in Riverside County.
- Project Manager for federally funded and permitted projects including: (1) Ramona Avenue Grade Crossing (Montclair); (2) Hobsonway Beautification Project (Blythe); (3) Atwood Avenue Street Improvement Project (Moreno Valley); (4) Ontario Metrolink Station (Ontario); and (5) Mercy House Homeless Services Continuum of Care Program (Ontario).
- Project Manager for major specific and master plan projects, including: (1) Downtown Covina Specific Plan (Covina); (2) Lytle Creek North Master Plan (San Bernardino County); (3) South Pointe Master Plan (Diamond Bar); and (4) Walnut Hills Master Plan (Walnut).

Comment Letter P: Peter M. Thorson, Richards, Watson & Gershon, representing the City of Jurupa Valley**Response to Comment P-1**

Per the requirements of CEQA, the RTRP DEIR complies with CEQA requirements including, but not limited to, consideration of reasonable and feasible alternatives (Chapter 6) and disclosure and analysis of environmental impacts (Chapter 3). The following responses to comments respond to the specific comments provided by the commenter.

Response to Comment P-2

The Lead Agency will continue with the environmental process for the Proposed Project, as the DEIR as released is fully adequate under CEQA. No recirculation is required, as discussed in Master Response #4.

Response to Comment P-3

Per CEQA Guidelines Section 15088, written responses to comments on environmental issues have been prepared and will be provided to the commenter in accordance with CEQA's requirements. Again, and contrary to the commenter's generalized statements, the City's EIR is fully adequate under CEQA as set forth in more detail below. Finally, Mr. Lewandowski's role as the City's environmental consultant does not mean that his statements and questions constitute "expert" opinion. Similarly, merely attaching Mr. Lewandowski's résumé does not automatically qualify him as an "expert." To the contrary, CEQA is clear that comments that amount to "[a]rgument, speculation, unsubstantiated opinion or narrative, evidence that is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence" (CEQA Guidelines Section 15384).

Response to Comment P-4

Baseline conditions were established at the date of publication of the Notice of Preparation (NOP); however, a good faith effort was made to incorporate new data and ongoing changes in the affected environment from the time the NOP was issued in November of 2009. As set forth in Master Response #8, the City of Jurupa Valley did not exist at the time that the baseline was established. Regardless, impacts within the City of Jurupa Valley (including localized impacts) are identical to potential impacts within Riverside County in the same locations. Land use categories, habitats, roads, residence locations, schools, etc. are the same. The creation of the City of Jurupa Valley was characterized as a transfer of municipal authorities from the County of Riverside to the new city (see Jurupa Valley Incorporation, Negative Declaration dated November 2009). This same document affirms that no land use changes would occur, no changes to the physical environment would occur (other than those already planned under the County of Riverside General Plan), and that the City of Jurupa Valley would adopt zoning ordinances, policies and goals stated in the County of Riverside General Plan and the Jurupa Area Land Use Plan. See Chapter 3 of the DEIR for impact analysis prepared per CEQA Guidelines Section 15126.

Moreover, the City of Jurupa Valley was acknowledged and described in the DEIR on pages ES-1, ES-2, 3-2, 3-95, 3-116, 3-117, 3-124, 3-156, 3-185, 3-228, 3-233, 3-234, 3-276, 3-299, and 3-313. Nonetheless, the FEIR's text and figures have been further updated to represent current

jurisdictional lines that resulted from the commenter's incorporation on July 1, 2011. Just as the 2009 Negative Declaration confirmed, the mere transfer of land use jurisdiction from the County to the City of Jurupa Valley does not create environmental impacts, nor does the commenter explain what impacts to the physical environment it believes would occur due to the transfer. Thus, the EIR's analysis of the Project's potential impacts is fully adequate under CEQA.

Response to Comment P-5

Comment P-5 mischaracterizes the DEIR. Figure 2.3-2 shows the general Proposed Project and displays no jurisdictional boundaries whatsoever. Figure 2.3-3 shows jurisdictional boundaries correctly. Figure 6.2-1 indicated the City of Jurupa Valley correctly. Figures 6.2-2 and 6.2-3 did not expressly show the jurisdictional boundary between the City of Jurupa Valley and the City of Riverside, but the analysis of impacts is not dependent upon those jurisdictional boundaries and the commenter does not identify what impacts to the physical environment it believes were inadequately reviewed. Nonetheless, Figures 6.2-2 and 6.2-3 have been updated to reflect current jurisdictional boundaries. Figure 6.2-4 provides information on the 69 kV portion of the Proposed Project within the City of Riverside. The Proposed Project's physical location is accurately presented in the DEIR, and the commenter provides no explanation as to why it believes the depiction of jurisdictional boundaries would change the impacts to the physical environment.

Response to Comment P-6

CEQA states in §21069 that a "Responsible Agency means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project." CEQA Guidelines §15381 further clarifies that responsible agencies are "all public agencies other than the lead agency which have discretionary approval power of the project" (emphasis added). The components of the Proposed Project that would cross through the City of Jurupa Valley include a portion of the 230 kV transmission line, which is an electrical facility under the CPUC's General Order (GO) Number 131-D, that would be owned and operated by SCE. Since SCE is an investor-owned utility, final responsibility for approving this component of the Proposed Project would come under the jurisdiction of the CPUC in issuing a Certificate for Public Convenience and Necessity (CPCN). Additionally, and as stated on page 3-239 of the DEIR, the CPUC's GO 131-D, Section XIV B states that: "Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's [CPUC's] jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters" (emphasis added). Accordingly, the CPUC's General Order preempts any local agency discretionary permitting of the 230 kV portion of the Project. Because the City of Jurupa Valley cannot issue any discretionary approvals for the portions of the Project within its boundaries, the City of Jurupa Valley is not a responsible agency pursuant to CEQA's definitions.

As the commenter correctly notes, however, the EIR does confirm that the 230 kV portion of the Project would be subject to any ministerial permitting requirements applicable under local codes (including that of the City of Jurupa Valley). However, a ministerial permit is one that involves no discretion and (provided the requirements of the code are met) must be issued regardless of environmental impacts (see Pub. Res. Code, § 21080(b)(1); CEQA Guidelines, § 15369).

Accordingly, the commenter is incorrect that it must “rely upon the EIR” for purposes of issuing those ministerial permits.

Please also see Master Response #8, regarding the City of Jurupa Valley, and Master Response #11, regarding CPUC GO 131-D. Contrary to the commenter’s statement that the City of Riverside has treated Jurupa Valley and its residents as “non-entities,” the City of Riverside undertook extensive consulting efforts to capture the concerns and comments of the residents of Jurupa Valley, and even extended the CEQA public comment period on the Draft EIR to provide the newly incorporated City of Jurupa Valley additional time to comment. The EIR fully captures all potential Project impacts and the City of Riverside fully complied with all of CEQA’s consultation requirements.

Response to Comment P-7

As described under Master Response #5, CEQA Guidelines Section 15051 states:

“Where two or more public agencies will be involved with a project, the determination of which agency will be the Lead Agency shall be governed by the following criteria:

(a) If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project would be located within the jurisdiction of another public agency.

(b) If the project is to be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.

(1) The Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project.

(2) Where a city prezones an area, the city will be the appropriate Lead Agency for any subsequent annexation of the area and should prepare the appropriate environmental document at the time of the pre zoning. The Local Agency Formation Commission shall act as a Responsible Agency.

(c) Where more than one public agency equally meet the criteria in subdivision (b), the agency which will act first on the project in question shall be the Lead Agency.

(d) Where the provisions of subdivision (a), (b), and (c) leave two or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate an agency as the Lead Agency. An agreement may also provide for cooperative.”

(Emphasis added.)

Under these criteria, the City of Riverside is the appropriate Lead Agency under CEQA for the RTRP. SCE will be required to obtain a CPCN from the CPUC following a decision by the CEQA lead agency, the City of Riverside. The City of Riverside, as the lead agency, is responsible for a decision for the entire Project, which includes both the 69 kV components and the 230 kV components. The commenter correctly notes and quotes from the DEIR that SCE would be exempt from local discretionary permits following a CEQA decision. This lack of

discretionary permits for the 230 kV components only does not reduce the responsibility for the City of Riverside as the CEQA lead agency making a decision on the Proposed Project as a whole.

Response to Comment P-8

For the RTRP, environmental review and route siting of both the 230 kV transmission and 69 kV subtransmission lines were conducted iteratively in a concerted effort to identify and avoid impacts to the environment. A reasonable range of non-transmission alternatives were also investigated in Section 6.4.2 of the DEIR. Some amount of preliminary engineering is required for this process to both identify alternatives and determine their feasibility. These activities are not actions that foreclose alternatives or mitigation measures but actually support the spirit and intent of CEQA by providing a more accurate account of potential impacts to the environment. Chapter 6 of the DEIR reviews this process. No “*post hoc* rationalization” may be concluded from a careful review of this chapter. As comment P-5a notes, detailed design, easement acquisition, material procurement and construction management would only be undertaken “upon successful completion of PHASE 1” (environmental work [emphasis added]) and only following the Project coming back before the City for a potential subsequent approval. Refer to Master Response #9 for more information. See also Master Response #9.

Response to Comment P-9

The commenter incorrectly states that the DEIR failed to analyze any 69 kV subtransmission line alternative alignments. See Figures 6.4-1 and 6.5-2 of the DEIR for graphical presentation of 69 kV alternatives considered and evaluated. Section 6.4.4 of the DEIR discussed the 69 kV alternatives evaluated. Elimination of 69 kV alternatives is described on page 6-55 of the DEIR. Routes were eliminated based on the number of homes, schools, and day care facilities adjacent to the routes when compared to the selected routes, as well as an attempt to maximally utilize existing overhead subtransmission structures and to avoid potential aviation hazards associated with airports within the Project area. The commenter’s statement regarding “selective claims of problems with undergrounding lines” is vague. Accordingly, no further response can be provided. Please see Master Response #2 regarding vague or conclusory comments.

Response to Comment P-10

An analysis of Environmental Justice is not required under CEQA. Under CEQA, a lead agency has an obligation to analyze impacts on the physical environment, not social or economic impacts, unless they contribute to or are caused by physical impacts on the environment (CEQA Guidelines Section 15064(e)). Accordingly, an Environmental Justice analysis is not required. However, in the interest of the Lead Agency to provide full disclosure of any potential environmental impacts, an Environmental Justice analysis was provided in the Final EIR (see Master Response #7). The analysis covers the Proposed Project, the Van Buren Offset Alternative, the Eastern Route, and the No Project Alternative. The analysis concluded that the Proposed Project and Alternatives would not result in disproportionate impacts to minority or low-income populations. In addition, see Master Response #6 regarding EMF.

Response to Comment P-11

The CPUC addresses public concerns regarding Electric and Magnetic Fields (EMF) and establishes policy for California’s regulated utilities. EMF is not a CEQA topic. Refer to

Appendix C of the DEIR for discussion of EMF associated with RTRP, and refer to Master Response #6 for information related to EMF. Please also see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment P-12

The commenter incorrectly states that the DEIR should have analyzed the income of residents along the proposed routes in relation to a disproportionate burden of impacts between the City of Riverside and the City of Jurupa Valley. This type of analysis is not required by CEQA to be included within an EIR (please also see Master Response #7 for more information on economic and social impacts of the Proposed Project). Section 3.2.12 of the DEIR does include a discussion of population and housing impacts from the RTRP within the Proposed Project area, including the City of Jurupa Valley.

As discussed in Master Response #14, Local Benefits of the Proposed Project, RTRP would improve the reliability of the regional transmission system, which includes all cities within the Proposed Project area and adjacent unincorporated Riverside and San Bernardino counties. The Proposed Project would provide a more reliable electrical system during major outages, such as the loss of a major generating facility or of another high-voltage transmission line, and would strengthen electrical reliability within Riverside by providing a second source of power to the City. This more reliable electrical system within the City of Riverside, in turn, would provide more reliable energy to critical infrastructure and public facilities, such as schools (University of California, Riverside), hospitals (Riverside Community Hospital and Kaiser Foundation Hospital), fire/police departments, government facilities (County of Riverside Administration Building – Emergency Operations Center, which serves as the primary emergency operations center for the entire county of Riverside), water facilities (Mills Filtration Plant, under the Western Municipal Water District, which serves the cities of Norco, Jurupa Valley, Eastvale, and Riverside⁴), and wastewater treatment facilities (under contract to treat Jurupa Community Services District sewage). These facilities currently benefit other nearby communities and cities outside of the City of Riverside, including the City of Jurupa Valley, which relies on the City of Riverside to provide electricity for the treatment of sewage. The City of Riverside also provides the Metropolitan Water District facilities in Riverside with electricity.

The City of Riverside is the county seat of Riverside County. As a “contract city,” the City of Jurupa Valley contracts for services with County of Riverside departments (among them road maintenance, law enforcement, planning, engineering, animal control, and traffic control), all of which are headquartered in the City of Riverside. Thus, from an operational perspective, the RTRP is of direct benefit to the City of Jurupa Valley.

Although it includes a power transmission component, the RTRP is limited in geographic extent and serves as a local project. The proposed 230 kV transmission line is 9.7 miles long, but the straight-line distance between its ends is only around 6 miles. It does not merely pass through cities in the project area to deliver power to some distant recipients. In fact, the line’s terminus at the proposed Wildlife Substation would be approximately 800 feet from the border of the City of Jurupa Valley. The City of Riverside is surrounded by a group of interdependent cities and unincorporated communities. Residents move among area cities daily and are dependent on

⁴ <http://www.mwdh2o.com/mwdh2o/pages/memberag/agencies/western.htm>

neighboring communities for goods, services, employment, entertainment, cultural events, and other needs.

Please refer to Master Response #6 for information related to “no-cost” and “low-cost” measures to reduce EMF. The CPUC requires a Field Management Plan be submitted as part of the application for a CPCN. The Field Management Plan will include both “no-cost” and “low-cost” measures and the CPUC would ensure that they are implemented into the final design of the 230 kV transmission line components. Note that EMF issues are generally not considered CEQA-related and the measures identified in a Field Management Plan for implementation as part of a project are not considered mitigation for any potentially significant impacts.

Please also see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment P-13

Chapter 2 of the DEIR presents a description of the Proposed Project. The comment is incorrect. The November 2009 Notice of Preparation (NOP) for the DEIR does not state that the Proposed Project would include upgrades to eight substations. The two documents (DEIR, November 2009 NOP) are not inconsistent as related to substation upgrades to Harvey Lynn, Mountain View, Freeman, and RERC.

However, to clarify, the Lead Agency did prepare an NOP dated January 19, 2007 in accordance with CEQA for RTRP. Data collection, preliminary engineering, issues identification, land use investigations, route revision, and agency consultation continued beyond this date in an iterative process. The 2007 NOP included the Initial Study prepared for the Proposed Project, which did identify upgrades at eight substations as part of the project description. However, the refined project description contained in the 2009 NOP and all analysis performed for the DEIR is consistent as to four substations requiring upgrades as part of the Proposed Project.

A series of informal open houses were hosted by SCE and RPU to present revised routes and obtain public comments. Since that time, SCE and RPU continued a process of alternate route refinement, data collection, and agency consultation. In the fall of 2009, the Lead Agency determined that preparation of a new Initial Study afforded no efficacy as a decision-making document, and that the RTRP concept was sufficiently refined to move forward with preparing a Draft EIR directly. The Lead Agency published the NOP in November 2009 announcing their intent to prepare a DEIR.

The commenter incorrectly states that the Proposed Project is in flux. A high level of design for the entire Project was completed for the impact analysis included within the DEIR, including analysis of potential FAA requirements (included as Attachment B to this FEIR) and a preliminary geotechnical report (included as Attachment C to this FEIR). The DEIR correctly states that final engineering for the RTRP would be conducted following the completion of environmental review under CEQA for the entire Proposed Project and following the CPUC review for a CPCN related to the 230 kV components only. Final engineering for a transmission line requires access to the entire ROW, most of which is private property that would not be obtained for the Proposed Project until after a decision has been made by the Lead Agency. Preliminary engineering design has been included with this FEIR as Attachment D. Therefore, the DEIR has correctly accounted for minor variations in structure placement in relation to

environmental impacts and mitigation to reduce those impacts. Consequently, the impact analysis within the DEIR is not “deferred analysis,” as alleged by the commenter; rather, worst-case scenarios were assumed in order to accurately capture any potential impacts that may occur as a result of implantation of the Proposed Project. Further, the DEIR includes a list of necessary permits that would be obtained following CEQA review, which would require final design. The DEIR also includes as mitigation environmental monitoring during construction. Preliminary engineering for both the 230 kV transmission line and the 69 kV subtransmission line was developed sufficient to conservatively identify significant environmental impacts and disclose environmental effects while allowing the design the ability to absorb refinements that further reduce impacts.

Response to Comment P-14

CEQA requires that the visual impacts be disclosed relative to the Proposed Project alternatives, and socioeconomic impacts are not within the scope of the CEQA analysis. See Master Response #7. Contrary to the commenter’s assertion, visual impacts to the I-15 corridor were evaluated relative to both natural and developed areas and are discussed in the DEIR on page 3-55 and shown in Figure 3.2.1-17. Also see Master Response #7 regarding social and economic impacts. As described on page 3-9 of the DEIR, in developed areas, Landscape Character Types (LCTs) do not correlate with broader physiographic patterns as well as more natural, undeveloped landscapes because the modification of landscape features (landform, water, vegetation, etc.) often introduces elements that significantly deviate from naturally occurring patterns. CEQA criteria require analysis of a proposed project’s potential visual impact to scenic vistas, scenic resources, existing visual character of the site, and light and glare. Implementation of the Proposed Project in the developed I-15 corridor would not result in degradation of the existing visual character or quality of the corridor, which is not a highly visually sensitive road for travelers, and therefore would not result in significant impacts.

The commenter fails to consider the actual inventory and analysis methodology employed by the Lead Agency’s visual analysis specialist. Pages 3-4 through 3-10 and 3-18 through 3-22 of the DEIR discuss how visual resources were inventoried and analyzed. Nowhere is it stated or even implied that photo simulations are the basis for aesthetic effects analysis. Photography shown in the DEIR is used to:

- 1) provide examples of the types and categories of LCTs present in the analysis area;
- 2) aid in the development of visual simulations used to illustrate for the public the reasonable expected visual changes based on preliminary engineering; and
- 3) allow for the evaluation of accuracy and verification of impacts at representative locations.

The commenter asserts that the aesthetics impact analysis is flawed and then presents as the sole substantiating evidence that two of the photographs presented in the DEIR date from 2007.

Regarding the dates of photographs used for the visual simulations in the DEIR: of the 14 photographs used for the presented visual simulations, nine were taken in 2010 (including all photographs representing the City of Jurupa Valley), two were taken in 2008 (showing open space trails and parks), and three were taken in 2007. Numerous field trips have occurred between the time initial photographs were taken in 2007 up to the present date; photographs and simulations were updated, as appropriate, to clearly and accurately represent the Proposed Project. The commenter references two photographs: Viewpoint 10, photograph dated June 7,

2007, and Viewpoint 11, photograph dated June 13, 2007. Viewpoint 10 presents the proposed 69 kV subtransmission line from Jurupa Avenue looking east in an area of mixed industrial development at the intersection of Wilderness Avenue in the City of Riverside. Since the original photograph was taken, a single-story, commercial development has been constructed in a formerly vacant lot in what would be the background of the photograph. No other changes have occurred. Viewpoint 11 presents the proposed 69 kV subtransmission line from Tyler Street looking southeast from a point just northwest of the intersection of Magnolia Avenue in the City of Riverside. The area is a fully built-out commercial/retail shopping corridor and has been for many years. Since the original photograph was taken, some trees and shrubs have been replaced in existing landscaping, but no other changes are apparent. A third photograph (Viewpoint 1), not mentioned by the commenter, shows the undeveloped parcel upon which the proposed substations would be constructed; it has also not changed. Thus, the viewsheds shown in the photographs have not substantially changed (altered transmission infrastructure, new buildings or architectural structures, substantially different vegetation patterns, etc. resulting in changes in landscape character, scenic quality or visual integrity, or visual sensitivity) from the conditions that existed at the time the photographs were taken, nor does the commenter claim that they have or provide any specific substantial evidence suggesting how things have changed. Instead, the commenter says “it is not clear” whether the photographs accurately reflect the conditions on the Project site. To be clear and as detailed above, the photographs accurately represent baseline conditions in 2009, and those conditions have not substantially changed between 2007 and 2009. Therefore, the existing conditions shown in the visual simulations are still valid to show changes in the visual characteristics of each viewpoint. The commenter’s claim that the “Aesthetic Impact Analysis is Flawed” is unsubstantiated and without any basis.

Response to Comment P-15

The “City” referred to in the document is the City of Riverside, including City staff responsible for analyzing and reporting on environmental impacts. The excerpted quote in the comment is from a section fully disclosing significant and unavoidable impacts to Farmland. As stated in the DEIR, imposition of agricultural easements and purchase of mitigation credits to mitigate loss of farmland are mitigations without true efficacy in protecting the environment. That approach could be seen as a way to obfuscate disclosure of significant impacts. In the analysis (substantiated by the court decisions cited in the DEIR), this approach is rejected as an infeasible mitigation measure. The statement is consistent with previous City findings (City of Riverside General Plan 2025 Final Program EIR, Volume 2, pp.5.2-25 to 5.2-28). For a full explanation, see discussion in Section 3.2.2 of the DEIR under CEQA impact (a).

This approach is also consistent with the Riverside County General Plan Final Programmatic EIR, Volume 1, Section 4.2.4. It should be noted that upon its incorporation, the City of Jurupa Valley adopted the Riverside County General Plan.

Response to Comment P-16

Contrary to the comment, Table 3.2.3-10 in the DEIR shows an overall construction start date of August 2012 and a completion date of May 2015. A Certificate of Public Convenience and Necessity (CPCN) is not required for RPU’s 69 kV subtransmission line. Table 3.2.3-10 shows a start date of June 2014 for construction of the 230 kV portion of the Proposed Project. The delay of start of the 230 kV portion of the Proposed Project is the result of a mitigative staggered schedule and reflects coordination between RPU and SCE to reduce air quality impacts. The

Proposed Project description is consistent with this approach. It should also be noted that when considering air quality impacts from emissions, it is not the specific year within which construction occurs, but rather the length and intensity of overall construction (since a condensed and more intense construction schedule would cause greater daily emissions). Accordingly, even if the Project were approved and construction commenced on a date different from that predicted in the EIR, that would likely have no effect on the significance conclusions of the air quality analysis because the length and intensity of that construction (and hence the attendant impacts) would be the same as that set forth in the EIR.

Response to Comment P-17

The DEIR clearly states the surveys are valid for one calendar year for Phase II and III work. This means that regardless of when surveys were conducted for CEQA evaluation, additional surveys for burrowing owls would need to be conducted no more than one year prior to construction.

Contrary to the comment, biological resources surveys for the Proposed Project have been conducted throughout the period from 2006 to 2011. Specifically, Phase I and Phase II burrowing owl surveys were conducted in 2006 and 2007 (see survey reports in the Biological Resources Technical Appendix in the DEIR). Periodic meetings were held with the RCA, the California Department of Fish and Game (CDFG), and the U.S. Fish and Wildlife Service (USFWS). Data collection and approach to analysis were found to be adequate by these agencies at the time the data was presented. Given the CDFG's role as a trustee agency, and both the CDFG's and USFWS's experience with species, their concurrence represents substantial evidence supporting the City's conclusions that the existing surveys are adequate.

During a March 2010 meeting, RCA, USFWS, and CDFG were presented information from RPU that Proposed Project area conditions had not substantially changed from those occurring during the 2006 through 2008 surveys, and that these surveys were satisfactory for analysis requirements of the Proposed Project. The Proposed Project area comprises primarily urban land use with discrete areas of open space supporting native and non-native habitat. The conditions present during the surveys conducted for the Proposed Project and alternatives evaluated in the biological resource assessment and the Multi-Species Habitat Conservation Plan (MSHCP) consistency analysis are consistent with those present at the time the Proposed Project was reviewed with RCA in 2010 and exist as of June, 2011. There have been minor, less than significant changes to types or acreage of habitat present within the survey area that would affect the amount of habitat present and therefore the types or number of potentially occurring sensitive species.

Furthermore, the additional presence/absence surveys for burrowing owl cited in the comment were developed in coordination with the RCA for MSHCP compliance and reflect the fact that actual construction of the Proposed Project will occur sometime after analysis for the DEIR and certification. These surveys are not deferral, but rather ensure species protection.

Please see the introduction to Section 3.2.4 (Biological Resources) and the methodology description in this same section of the DEIR for a full explanation. As discussed in the DEIR, burrowing owls will utilize heavily disturbed areas as long as soil has the correct structure and mammal burrows are present. Habitat utilized by burrowing owls includes, but is not limited to,

native and non-native grasslands, fallow fields, washes, arroyos, areas of low-density cover, vacant lots, and road embankments; during surveys, individuals were observed at multiple locations within the study corridor. The commenter misrepresents the DEIR by stating that, “The DEIR...fails to quantify the area of permanent impact or provide any other description of it. This plainly fails as information disclosure.” However, Table 3.2.4-4, “Proposed Project Footprint Habitat Impacts,” on page 3-126 of the DEIR lists all temporary and permanent habitat impacts by habitat type.

Additionally, and as detailed in the DEIR, focused breeding season and pre-construction surveys will be performed to allow for avoidance of occupied habitat; however, burrowing owls are highly mobile creatures that often find suitable habitat in disturbed soils: if owls attempt to nest in construction areas, they may be relocated and burrows blocked until construction is complete (on the order of a few days, depending on activity). Once constructed, the only project areas potentially excluded from burrowing owl use would be some structure footprints and some access roads. (The total area of suitable habitat affected by structures and roads would be equal to approximately 10.4 acres, or approximately 1.3%, of these habitats within the project analysis corridor. It should be noted that only a small proportion of suitable habitat is actually utilized by burrowing owls.) Mitigation Measure BIO-03 would ensure burrowing owl protection is consistent with the MSHCP.

Response to Comment P-18

See Master Response #12 regarding land use plan consistency, Master Response #10a regarding undergrounding, and Master Response #15 regarding FAA issues. Analysis presented in the DEIR is fully supported by substantial evidence.

Response to Comment P-19

Subsequent to the publishing of the DEIR, RPU consulted with the ALUC and determined that within Zones A, B1, B2, and C, the 69 kV component of the Proposed Project would be undergrounded using a directional bore method in the area identified as being inconsistent with the Riverside County Airport Land Use Compatibility Plan, and where it would potentially be a hazard to aircraft. The project description and environmental analysis have been modified to account for this Proposed Project modification (see FEIR Chapter 2, Section 2.3.2, and FEIR Chapter 3, Sections 3.2.7, Hazards and Hazardous Materials, and 3.2.9, Land Use and Planning). This change in the project description, and the resulting elimination of the 69 kV component as a potential hazard and an area of potential plan conflict, reduces the impacts from “significant” to “not significant.” The reduction of impact, therefore, does not meet the CEQA Guidelines requiring recirculation of the DEIR. Please see Master Response #15 regarding FAA issues. As described therein, ALUC review (69 kV subtransmission lines) and FAA review (230 kV transmission line) were not conducted prior to the publication of the DEIR because the structure locations were preliminary. These locations could have changed as a result of the public review process.

Response to Comment P-20

The socioeconomic assessment used the input-output economic model *Impact Analysis for Planning* (IMPLAN) to estimate the Proposed Project alternatives’ ripple impacts on employment. The model produces multipliers that allowed calculation of the secondary (or

“ripple”) impacts of the Project. The final sentence in the identified paragraph in Section 3.2.12, Environmental Impacts, criterion a), has been corrected to read, “The temporary population increase of 744 persons is a standard statistical estimate based on ~~standard statistics~~ secondary (or ripple) effect and does not caused by represent workers and their dependents directly associated with the construction or operation of the Proposed Project. This population increase was estimated by assuming workers for jobs created in firms directly supplying the Project, as well as workers taking employment as a result of ripple effects.” Revisions can be seen in Volume II of this FEIR.

Response to Comment P-21

CEQA confirms that “[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible...” (CEQA Guidelines § 15064(b)). The quoted statement in the comment is a clear disclosure of potential impacts based on the Project’s description, the location of parks, and other factual information (DEIR p. 3-309). That impact, however, was determined to be less than significant. The subsequent paragraph on DEIR p. 3-309 explains how mitigation and coordination with facilities managers would minimize the number of recreationists affected by construction. During operations, the Proposed Project would be a passive feature that would not impair recreation.

The DEIR explains that mitigation would result in coordinating course hole and/or driving range closures with the manager/owner of the golf course, would schedule construction activities to avoid heavy use periods (e.g., holidays or tournaments), and would post notice of the closure at the golf course prior to the closure (DEIR page 3-309). Coordination would minimize the number of recreationists affected; advanced noticing would minimize the number of persons surprised by short-term construction activities. The implementation of these mitigation measures would reduce impacts to a less than significant level. The DEIR further explains that any impacts to golf course operations would be short-term and temporary.

Response to Comment P-22

The mitigation measures would be implemented to work together to move vehicles and bicyclists through areas of construction while maintaining an acceptable LOS for traffic flow. Because the Project is a linear feature, construction impacts to transportation and traffic would be short-term in any one location over the entire construction period. In response to comments, two additional mitigation measures (MM TRANS-04 and MM TRANS-05) would be implemented to ensure impacts are kept below a level of significance related to bus transit routes and bicycle facilities, respectively. These mitigation measures would keep at least one lane of traffic open with reversible flow (utilizing flagmen) during times of transit line operation and allow continued bicycle access or adequate diversion at all times. Collectively, the mitigation measures that would be applied are expected to provide an acceptable LOS in traffic operations through construction zones. As discussed in the DEIR, with the implementation of the mitigation measures, the resulting traffic impacts to each type of transportation resource would be less than significant for all CEQA criteria related to transportation and traffic.

As stated in the DEIR, in collaboration with responsible transportation agencies, RPU will prepare traffic management plans (EPE TRANS-03) to reduce site-specific impacts on local

streets. This collaboration can only be conducted once a project is approved and final design and specific, detailed construction scheduling can be prepared. This allows RPU to have more specific information available to provide to agencies with whom it consults on Traffic Management Plans. The agencies, in turn, can provide precise feedback to RPU to develop plans with specific guidance.

LOS calculations are based on the time delay experienced at the study roadways and intersections. Therefore, the commenter's request for the DEIR to "explain what this Project's contribution to this downgrade would be" is inherent in the analysis and determinations of LOS during Project construction. The specific LOS analysis conducted for the construction of the Wilderness and Wildlife substations indicated that the minor increase in delay would not change the LOS of the Wilderness/Jurupa, Wilderness/Van Buren, and Jurupa Avenue/Van Buren Boulevard intersections. A table indicating these results is located in the Traffic Technical Report and has been added to Section 3.2.15, as shown in Volume II of this FEIR.

Analysis was completed consistent with CEQA criteria of transportation and traffic identified in Appendix G of the CEQA Guidelines. To address the comment, additional details on analysis methodology from the Traffic Technical Report have been added to the FEIR in Section 3.2.15.

Response to Comment P-23

The DEIR reviews resource impacts associated undergrounding the 230 kV transmission line. Economic feasibility was one factor affecting the overall analysis of this alternative. Although detailed design and a cost estimate for this alternative were not completed, as stated in the DEIR, costs typically run 10 to 20 times higher than comparable overhead lines (Chapter 6 of the DEIR). As discussed in Section 6.4.3 of the DEIR, undergrounding of the 230 kV transmission line in the current environmental setting would only impart benefit to aesthetic resources and would be impactful to several other resources considered under CEQA. The commenter states that undergrounding parts of the transmission line should be considered. Section 6.4.3, Alternative Technologies, subheading Underground 230 kV Transmission Line, includes an analysis of the potential environmental impacts resulting from undergrounding portions of the 230 kV transmission line. The commenter cites to the "Martin Project," without providing any details, as the evidence that industry trend is to underground transmission lines. However, the commenter fails to note that each project must be evaluated based on its specific characteristics (voltages, length, etc.), location (urban area, rural area, built environment), and environmental characteristics (rocky soil, water crossings, etc.) in reaching a conclusion about whether undergrounding is feasible. The Lead Agency has no information on the justification for technologies selected by PG&E for the Jefferson to Martin project. Accordingly, even if the "Martin Project" did involve undergrounding, it has no bearing on whether undergrounding is feasible for this Project. An overhead line in areas of dense urban development, such as with the "Martin Project," is typically not feasible due to conflicts with buildings or other structures and the need for a wide ROW to accommodate the overhead line. These conditions do not exist for the Proposed Project. See Master Response #10a.

Moreover, the commenter cites to no other examples of underground projects, no regulatory guidance, no judicial precedent, nor any other evidence to support the conclusion that undergrounding transmission lines is the "industry trend." Accordingly, the commenter's assertion that "industry trends have been towards undergrounding" is speculative and is not

supported by substantial evidence; please see Master Response #2. Also see Master Response #10a.

Response to Comment P-24

The commenter incorrectly states that the DEIR does not analyze more than one alternative route for the 230 kV line or 69 kV line. As discussed in Chapter 6 of the DEIR, the Van Buren Offset Alternative was considered a potentially feasible alternative and was compared to the Proposed Project (Section 6.5 of the DEIR). In addition to this alternative route, many other routing alternatives for both the 230 kV and 69 kV lines were considered and were either not feasible, did not meet most of the Project objectives, or would not reduce significant impacts in comparison to the Proposed Project (Table 6.4-2, DEIR page 6-56). The commenter incorrectly states that the Eastern Route was rejected from consideration based solely on the need for additional federal permits. This statement in the DEIR regarding a take permit under the federal Endangered Species Act was considered in the feasibility of the Eastern Route alternative because it was expected to greatly impact the stated Project's purpose and need for the in-service date. The Eastern Route would also result in adverse impacts to land use, aesthetics, protected species, riparian habitat, wetlands, and the Santa Ana River floodway, as well as present constructability and operational conflicts and public safety hazards. The commenter further incorrectly states that the DEIR did not consider a "range of reasonable alternatives" for the 69 kV lines. The DEIR considered a wide range of alternatives, including routing alternatives for the 69 kV subtransmission lines, as discussed in Chapter 6 and Appendix D of the DEIR. A considerable effort was undertaken to analyze a wide range of alternatives for comparison to the Proposed Project and, therefore, the DEIR is not flawed as the commenter suggests.

Response to Comment P-25

The commenter incorrectly suggests that the DEIR failed to recognize the City of Jurupa Valley and that the DEIR should be recirculated due to inaccuracies and omissions. As discussed in Master Response #4, regarding recirculation, and Responses to Comments P-4, P-5 and P-6, the DEIR does recognize the newly incorporated City of Jurupa Valley and recirculation of the DEIR is not necessary based on substantial evidence supporting the City of Riverside's determination under CEQA (CEQA Guidelines Section 15088.5(a)).

Response to Comment P-26

In addition to the express preemption stated in GO 131-D, the California courts have also recognized the CPUC's exclusive authority over private utility projects. Most recently, in *City of Los Angeles v. Tesoro Refining & Marketing Co.* (2010) 188 Cal.App.4th 840, the Court of Appeal examined the California Constitution, the Public Utilities Code, and prior case law and made clear that a city may not regulate matters over which the Legislature grants regulatory power to the CPUC, except for municipal affairs pursuant to a city charter. The Court also confirmed the well-settled rule that an order of the CPUC controls over a local ordinance where the two conflict. (*Id.*, at 848-849; see also *Rainbow Disposal Co. v. Escondido Mobilehome Rent Review Bd.* [1998] 64 Cal.App.4th 1159, 1168-1169). Accordingly, the City has no legal authority to alter this State law in response to the commenter's perception that there has been an "infringement upon [its] local sovereignty and self-determination." In addition, see Master Response #14 regarding local benefits of the Proposed Project. Regarding consultation, see Master Response #8 for details on consultation conducted with Jurupa Valley.

Response to Comment P-27

As described in Chapter 7 of the DEIR, during DEIR development, a series of nine informational Public Open Houses were held in both the City of Riverside and unincorporated sections of Riverside County. Locations where Riverside County public meetings were held were subsequently incorporated into the City of Jurupa Valley (July 2011) approximately one month prior to the release of the DEIR for public review. Therefore, involving the City of Jurupa Valley staff within the Technical Advisory Committee (TAC) or official briefings with the City of Jurupa Valley was not possible prior to the release of the DEIR. See Section 7.2.2 and Table 7.2-3 of the DEIR. Also see Response to Comment P-4 and Master Response #8.

Chapter 7 of the DEIR describes public and agency coordination associated with the Proposed Project. Early in Project development, a TAC was formed to establish a group representing a range of opinions from the local area in a forum small enough to allow for thorough education of the participants, detailed discussion of issues, and informal dialogue. Representation included county and municipal agencies that had administrative jurisdiction in the Proposed Project area. The purpose of the TAC was to allow members to share their knowledge of the Proposed Project area and of potential issues during environmental studies and evaluation of alternative routes. TAC members were encouraged to share their thoughts on Project studies throughout the planning process. New members were subsequently added to the TAC based on an identified need for representation or as recommended by existing members.

Response to Comment P-28

The City of Jurupa Valley did not receive the 2007 or 2009 NOPs for the Proposed Project because the city was not in existence until July 2011. The City of Riverside did not intentionally exclude the City of Jurupa Valley from scoping activities associated with DEIR development, as the commenter suggests, as the City of Jurupa Valley had not yet become incorporated at the time of the scoping process. The Lead Agency has no obligation under CEQA to re-open scoping activities or engage in additional alternatives analysis for the Proposed Project after the incorporation of the City of Jurupa Valley, because the residents within the Project area (including the then-unincorporated City of Jurupa Valley) were notified and were provided numerous opportunities to participate and comment prior to the release of the DEIR. The scoping process was conducted in compliance with CEQA Guidelines Section 15083. The City of Jurupa Valley was notified of the release of the DEIR so its comments could be considered and analyzed for the FEIR. Further, as discussed in Master Response #8, coordination with and requests from the City of Jurupa Valley following the release of the DEIR for public review were fulfilled by the City of Riverside, including the extension of the public comment period by 60 days.

Response to Comment P-29

CEQA Guidelines Section 15105(a) requires that the public review period for a draft EIR submitted to the State Clearinghouse (as was RTRP) should be 45 days and not “longer than 60 days except under unusual circumstances.” In order to allow the City of Jurupa Valley with ample time to review the DEIR, the Lead Agency extended the public review period to 120 days. Within this time, the City of Jurupa Valley was able to develop and submit a comment letter consisting of more than 100 pages, indicating that sufficient time was provided for the City of Jurupa Valley to conduct a comprehensive review of the DEIR. The City is responding to all

comments that were received within the comment period, including those from the City of Jurupa Valley and any of its residents. Additionally, the commenter seems unaware that the CPUC's Intervenor Compensation Program (addressed under California Public Utility Code Sections 1801-1812) does not allow for compensation of any state, federal, or local government agency (Public Utility Code Section 1802(b)(2)). Accordingly, contrary to the commenter's statement, any potential monetary cost to the commenter from participating in the CEQA process would be the same even if the CPUC served as lead agency.

Response to Comment P-30

The comment regarding proximity of the Proposed Project to residential areas is vague and does not raise any specific environmental concern. Please see Master Responses #1, #2, and #12 found in Section 2.2.1 herein.

Response to Comment P-31

Thank you for your comment; it has become part of the project record. See Master Response #6 regarding electric and magnetic fields and Master Response #7 regarding economic and social impacts. Jurupa Valley's allegation that residents and properties affected by the Proposed Project and/or one or more of the alternative alignments will be "subjected to increased health and safety risks, altered views, diminished property valuation, forfeiture of development opportunities, and reduction in the quality of their lives" is conclusory and not supported by evidence in the comment or by the DEIR's analysis. As described by resource (and in detail) throughout the DEIR, analysis corridors were specific to the impacts associated with each resource and extended well beyond the defined Project ROW, as appropriate, in order to accurately capture all potential impacts. Please see Master Response #2.

Response to Comment P-32

Section 7.2.1 of Chapter 7 of the DEIR describes mailing list development and maintenance as well as other mechanisms of communication information to the public. Contrary to the commenter's assertion, parties well-outside the ROW were noticed:

"Publications were sent out to individuals, organizations, and agencies on the project mailing list. These entities were identified based on those jurisdictions or agencies potentially affected by or with permitting authority related to the Proposed Project, and individuals who attended public meetings or provided comments on the Proposed Project. Additionally, county assessor data was obtained and property owners within one mile of either side of the 230 kV alternatives and 0.25 mile of either side of the 69 kV alternatives were included in the project mailing list for each newsletter. As alternatives were eliminated or refined, the assessor data was updated to ensure potentially affected property owners received newsletters and meeting announcements. In addition, although the Eastern route and Bain Street route had been eliminated from further consideration, assessor data for property owners along these routes was included in the mailing list for Newsletters #6 (January 2009) and #7 (September 2009) to notify adjacent residents of the current status of those routes."

To clarify, Project-related publications were mailed to the addresses in the Project database at the time of such mailings. It is not known whether the occupants of some of the addresses were

property owners or tenants, but the City ultimately conducted far more notice and outreach than is required by CEQA.

Response to Comment P-33

As discussed in Response to Comment P-28, the City of Jurupa Valley was incorporated one month prior to the public release of the DEIR and, because of the reasons stated in Response to Comment P-28, the recirculation of the DEIR is not necessary. The Lead Agency did update the DEIR with references to the incorporated City of Jurupa Valley prior to the printing of the DEIR for public review on August 1, 2011. Additional references and updates to mapping have been included in this Final EIR.

The Lead Agency does not agree with the commenter's statement that the lack of some references to the City of Jurupa Valley creates substantive factual and material errors in the DEIR. Nor was the affected public denied meaningful opportunities to participate in the CEQA process (see Chapter 7 of the DEIR for a summary of outreach efforts employed by RPU). The Proposed Project impacts as described in the DEIR are correct in regards to the Riverside County lands newly incorporated into the City of Jurupa Valley as discussed below.

Impacts to the City of Jurupa Valley (including localized impacts) are identical to impacts to Riverside County in the same locations. Land use categories, habitats, roads, residence locations, schools, etc. are the same. The creation of the City of Jurupa Valley was characterized as a transfer of municipal authorities from the County of Riverside to the new city (see Jurupa Valley Incorporation, Negative Declaration dated November 2009). This same document affirms that no land use changes would occur, no changes to the physical environment would occur (other than those already planned under the County of Riverside General Plan), and that the City of Jurupa Valley would adopt zoning ordinances, policies, and goals stated in the County of Riverside General Plan and the Jurupa Area Land Use Plan. The City of Jurupa Valley had no General Plan or planning commission of its own at the time of publication of the DEIR. To avoid confusion, analysis in the DEIR includes Riverside County General Plan designations and consistency reviews for impact analysis purposes. Regional settings used for analysis (including the City of Jurupa Valley) may be found in Section 3.1.1. See specific resource sections in Chapter 3 of the DEIR for impact analysis prepared per CEQA Guidelines Section 15126. For some resource sections, municipal authority of the City of Jurupa Valley has been further clarified in introductions. These clarifications do not affect disclosure of impacts or significance of impacts. Furthermore, although the commenter repeatedly alleges that impacts could not be analyzed without identifying the jurisdictional authority of the newly incorporate City of Jurupa Valley, the commenter does not provide even a single example of an impact that would arguably be different than that already presented in the EIR. Accordingly, no further response is required (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [Where a general comment is made, a general response is sufficient]).

Finally, no condition exists that would require recirculation of the DEIR. Per Section 15088.5 of the CEQA Guidelines, no new information has been added to the EIR that would be considered significant: "New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect

(including a feasible project alternative) that the project's proponents have declined to implement." See Master Response #4 regarding recirculation of the DEIR.

Additionally, see Response to Comment P-5. Graphics were updated to show boundaries of the City of Jurupa Valley.

The Lead Agency under CEQA is clearly identified in the DEIR, as discussed in Master Response #5. Additionally, regarding Jurupa Valley's statement that its comments should be construed as having broad application and relevancy, the City has responded in good faith to all issues raised by the comment letter.

Response to Comment P-35

The baseline used for analysis was not erroneous in regards to the City of Jurupa Valley's incorporation as described in Response to Comment P-34. The impact analysis that affects the area incorporated by the City of Jurupa Valley was correctly documented within the DEIR and in efforts to reflect the incorporation of the City of Jurupa Valley in the DEIR and further within this Final EIR. The commenter correctly asserts that data collection was updated to increase accuracy of baseline conditions; however, incorporation of the City of Jurupa Valley does not constitute a substantial physical change in baseline environmental conditions (as the creation of the City of Jurupa Valley was characterized as a transfer of municipal authorities from the County of Riverside to the new city), nor does it have substantive ramification on the environmental analysis as described in Responses to Comment P-4 and P-34. Therefore, a different baseline is not warranted.

Response to Comment P-36

Please see Master Response #4 regarding recirculation of the DEIR, and Master Response #8 regarding the involvement of City of Jurupa Valley. Again, the commenter repeats its statements that impacts were not adequately addressed, but again fails to provide even a single example of any impact that it believes was not adequately analyzed or any explanation of how the Draft EIR's analysis or significance conclusions would be different if the City of the Jurupa Valley's jurisdictional boundaries were more extensively discussed. Accordingly, there is no substantial evidence supporting the commenter's statements and no further response is required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [Where a general comment is made, a general response is sufficient].)

Response to Comment P-37

The City of Riverside is the Lead Agency. The Public Utilities Department is a department of the City and not a separate entity. Per the City of Riverside's CEQA Resolution No. 21106 only the City Council can certify an EIR after the Planning Commission has reviewed the same. The identity of the Lead Agency is clearly stated in the DEIR, as discussed in Master Response #5.

Response to Comment P-38

The commenter has removed a partial statement from context and then concluded that it is confusing. The full paragraph on page 3-277 of the DEIR reads:

“As described in Chapter 2, SCE would be the owner/operator of the 230 kV transmission line and associated Proposed Project components, while RPU would be the owner/operator of the 69 kV subtransmission line Proposed Project components. SCE would be responsible for acquiring its own ROWs; RPU would construct its components in existing public ROWs or within property already owned by the City, such as existing substation locations.”

SCE would own and operate the 230 kV transmission line and associated components (e.g., 230 kV substation); RPU would own and operate the 69 kV subtransmission line and associated components (e.g., 69 kV substations) within RPU’s system. This is explained in more detail in Chapters 1 and 2 of the DEIR. See Response to Comment P-39. The City of Riverside is the Lead Agency under CEQA, as described in Master Response #5.

Response to Comment P-39

Per CEQA Guidelines Section 15124(d)(1), Section 2.8 of the DEIR describes major federal, State, and local permits, approvals, and consultations identified for the construction and operation of the Proposed Project. As discussed in the DEIR, the list presented (Table 2.9-1) was based on reasonably foreseeable project parameters and may be augmented based on final engineering and agency coordination (note emphasis added). CEQA directs that an EIR contain a list of permits and other approvals as well as related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies “to the extent that the information is known to the lead agency” (Section 15124(d)(1) of the CEQA Guidelines). The Lead Agency is also directed to “integrate CEQA review with these related environmental review and consultation requirements” (Section 15124(d)(1)(c)) of the CEQA Guidelines). Comment P-26b provides a partial quote from the DEIR and is indirect and vague; it is unclear if the commenter is attempting to imply that because the table does not include the CEQA process itself (i.e., EIR’s certification), the Lead Agency does not have discretionary authority over its own project. Typically, tables such as Table 2.9-1 would not include approval of the DEIR itself, as this process would be described in more detail elsewhere in the DEIR. Section 1.1.1 (Decision Making Process) of the DEIR discusses both the Lead Agency’s (the City) role in the decision-making process for RTRP, including identification of the Riverside City Council as the decision-making body that would either approve or disapprove this discretionary project. The DEIR fully complies with CEQA. The Proposed Project description is complete, and the Lead Agency has discretionary authority over the Proposed Project as discussed in Master Response #5. Ultimately, the City of Riverside has discretionary authority over the Project, because the RTRP is the City’s own project and the City will be the agency that must issue a discretionary approval as to the Project as a whole. Additionally, the commenter’s statement that the City of Riverside has no discretionary authority over the Proposed Project is incorrect because, in addition to approving the Proposed Project, the City of Riverside would also issue a construction contract for the Proposed Project.

Response to Comment P-40

The DEIR is not contradictory. The DEIR does not state that the Project would be exempt from City of Riverside grading permit requirements. The logical sequence in the comment is unclear. The commenter excerpted statements (one referring to County and City discretionary jurisdiction over transmission project components and one referring to City Title 19 zoning code exemption for subtransmission project components) from their context (and separated by 11 pages) strung

them together and then linked everything to grading permit requirements. The commenter conflated these items to then conclude that the Proposed Project would “appear to be exempt from the City of Riverside’s ‘grading permit’ requirements.” Further, the commenter seems unable to determine “whether the ‘Riverside City’ grading permit constitutes a discretionary or ministerial action.” However, the commenter (in the previous paragraph) refers to “a ministerial ‘grading permit’” from Table 2.9-1 on page 2-85 of the DEIR.

Response to Comment P-41

The quoted statements from the DEIR are factually correct. Section 15015(a) of the CEQA Guidelines states, “If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project would be located within the jurisdiction of another public agency.” In addition, Section 15367 of the CEQA Guidelines states, “ ‘Lead Agency’ means the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared.” See Master Response #5 for further explanation. Although the 230 kV transmission line is exempt from certain consistency evaluations and reviews, the City of Riverside will still issue discretionary approvals for the Project and approve the implementation of the Proposed Project.

Response to Comment P-42

Section 1.1.1 of the DEIR clearly outlines the decision-making process for the EIR. As discussed in previous comments and in the DEIR on page 1-14, the City of Riverside Department of Public Utilities is a department of the City, under the management and control of the City Manager, but tasked by the City Council with duties required for the function and operation of utilities for the City and its inhabitants (See Article XII of the Riverside City Charter). See Responses to Comments P-25 and P-29 and Master Response #5 regarding the Lead Agency.

Response to Comment P-43

The commenter claims that the document is internally inconsistent with regards to the identification of the proponent of the Proposed Project and, therefore, the Proposed Project cannot be understood. The DEIR is not inconsistent and clearly explains which entity is responsible for the construction, operation, and maintenance of each component of the RTRP. Please see Chapter 1 of the DEIR for an explanation of Proposed Project construction and operation responsibilities. See also Response to Comment P-41.

Response to Comment P-44

Section 15055(a) of the CEQA Guidelines states: “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response” (emphasis added). Please see Master Response #1 regarding non-environmental issues. The commenter fails to identify any specific impact or area of analysis that it believes is inadequate as a result of the EIR’s preparation by a private consulting firm. Moreover, as the commenter acknowledges, when an outside consulting firm is hired to prepare an EIR, CEQA requires that the contract be directly executed by the Lead Agency (CEQA Guidelines Section 15084(d)). The commenter’s statements that bias may result from such a contractual arrangement flies directly in the face of the plain language of the statute, which requires that a contract exist directly between the Lead Agency and the consulting firm.

Moreover, the design-build approach is a process specifically authorized by our State Legislature under existing law. (See e.g., Cal. Gov. Code, § 65864(c) [Allowing counties and cities to enter into development agreements that provide for design and construction of public facilities, including utility facilities]; Cal. Gov. Code, § 5956 *et seq.* [Allowing design-build for revenue-generating infrastructure projects, with the caveat that operations may have to be included in the package]; Cal. Pub. Cont. Code, § 20175.2 [Authorizing cities, with city council approval, to enter into design-build contracts for non-transportation projects costing at least \$1,000,000]; Pub. Cont. Code, § 20209.5 *et seq.* [authorizing transit operators to enter into design-build contracts for transit projects].) Please also note that POWER Engineers, Inc. (POWER) does not have a design-build contract with the City of Riverside or SCE. POWER has been hired as the design engineer for the 69 kV subtransmission line components, but not for the 230 kV transmission line components. POWER has been hired to provide environmental services for both the 69 kV and the 230 kV components of the Proposed Project and is not a design-build contractor. CEQA Guidelines Section 15084(e) requires that the Lead Agency is responsible for the adequacy and objectivity of the draft EIR following its own review and analysis, and the Lead Agency must ensure that the draft EIR reflects its own independent judgment. Pursuant to CEQA, the Lead Agency is required to make such findings prior to any approval of the Project.

Response to Comment P-45

The comment derives from a false premise that RPU and the Lead Agency “*constitute separate and distinct entities.*” The City of Riverside Public Utilities Department (RPU) is a department of the City of Riverside. “*To the extent*” relevant to the comment, RPU is “the City” as Lead Agency, CEQA manager, and developer of the RTRP. As stated on page 1-14 of the DEIR, “Created under Article XII of the Riverside City Charter, RPU is a municipal utility owned and operated by the City for its customers.” This is a completely clear and accurate statement. The City’s active participation is abundantly stated in the DEIR and reiterated throughout both the Executive Summary and the DEIR chapters. Among stated roles are included:

- Determination of “project” status of RTRP under CEQA
- Environmental review
- Consideration of arrange of alternatives
- Defining scope of analysis
- Decision making
- Publisher of the NOP
- Preparer of the Initial Study, DEIR, and FEIR

Additionally, the commenter asserts that RPU is an “applicant” under CEQA (this is stated or implied in comments P-44, P-56, P-57, P-60, P-73, P-133 and P-181, as well). Nowhere in the DEIR is the word “applicant” used in reference to RPU, nor does RPU take on the implied roles of an applicant. Based on the CEQA definition of “applicant” (see Section 15351 of the CEQA Guidelines), the City of Riverside Public Utilities Department could not be an applicant for the Proposed Project.

Finally, the commenter cites “six representatives of RPU” and “no representatives of the City” among the list of preparers. As supported by the preceding discussion, Response to Comment P-37 and Master Response #5, RPU staff members are City staff. Per Section 15129 of the CEQA Guidelines, Chapter 9 (List of Preparers) of the DEIR identifies “the persons, firm, or agency

preparing the draft EIR.” Members of the City’s core team responsible for RTRP CEQA project management and document authorship are listed first.

The commenter’s conclusion that “there exists no evidence that the City of Riverside played any role” in the DEIR’s preparation is not supported by the DEIR. Please see Response to Comment P-37 and Master Response #5 regarding Lead Agency.

Response to Comment P-46

Consistent with Section 15084(e) of the CEQA Guidelines, the DEIR was prepared with full review and analysis by the Lead Agency and does reflect the independent judgment of the Lead Agency. The contractor hired to prepare the DEIR (POWER Engineers, Inc.) did so as part of an integrated team with the Lead Agency and SCE. The project record includes meetings of the project team throughout the process that included regular participation by the City of Riverside Planning Department and the City Attorney’s Office. See Response to Comment P-45.

Response to Comment P-47

The commenter is incorrect in stating that there is a distinction between “the City of Riverside” and “the City of Riverside Department of Public Utilities.” Section 1.1.1 of the DEIR clearly outlines the decision-making process for the EIR. See Responses to Comments P-37 and P-45 and Master Response #5 regarding Lead Agency. The certification process for the EIR involves consideration of the document by the City of Riverside Planning Commission, who then issues a recommendation to the City of Riverside City Council on whether or not to certify the EIR. The Planning Commission issued a recommendation to certify the EIR on April 5, 2012; the City Council will consider certification of the EIR on November 27, 2012.

Response to Comment P-48

The City has never claimed planning or permitting authority over the “Western United States electric transmission system.” To the contrary, the City merely has lead agency status under State law with regard to the environmental review for the Project under CEQA. The EIR makes this clear. Please also see Response to Comment P-7.

Response to Comment P-49

See Master Response #11 regarding CPUC GO 131-D and Master Response #5 regarding Lead Agency. Although SCE would be bringing additional transmission into the City of Riverside, the Proposed Project’s objectives, as stated in Chapter 2, Section 2.2, of the DEIR, include the provision of capacity to meet existing demand and anticipated growth within RPU’s system, provision of additional bulk delivery into RPU’s system, and upgrade of RPU’s subtransmission system; the City of Riverside is the appropriate Lead Agency under CEQA, as the purpose of the RTRP is to add capacity and reliability to RPU’s system. SCE’s delivery of bulk power will facilitate the Proposed Project, and the expansion of its regional electric system would be performed to provide a second source of transmission capacity to RPU. The City’s role as Lead Agency would not divest the CPUC of its authority over RTRP. As far as is required, the CPUC would have full authority and apply its own regulations to the Proposed Project. Application of CPUC regulations with the City of Riverside as Lead Agency is just as arduous as they would be for a project for which the CPUC is the Lead Agency. In addition, the CPUC’s Intervenor Compensation Program (addressed under California Public Utility Code Sections 1801-1812)

does not allow for compensation of any state, federal or local government agency (Public Utility Code Section 1802. (2)). Accordingly, contrary to the commenter's statement, any potential monetary cost to the commenter from participating in the CEQA process would be the same even if the CPUC served as lead agency.

Response to Comment P-50

See Responses to Comments P-6 and P-51 and Master Response #5 regarding Lead Agency.

Response to Comment P-51

As discussed in Section 1.2 of Chapter 1 and Section 6.1.1 of Chapter 6 of the DEIR, all Proposed Project components were required to meet project objectives and identify a range of alternatives. Voltage and construction schedule differences among Proposed Project components do not create a valid basis for asserting there are two separate and distinct projects. As required by CEQA Guidelines Section 15003, "[t]he lead agency must consider the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental effect. (*Citizens Assoc. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d. 692)." In considering both the 230 kV and 69 kV components of the Proposed Project, the Lead Agency is evaluating the whole of the action in order to properly analyze its potential environmental effects. The Wildlife and Wilderness Substations and their respective owner/operators are accurately described in the DEIR (see Chapter 2). RTRP was the project identified by the Lead Agency.

Mitigation measures have been identified in the DEIR that would reduce or avoid potentially significant adverse impacts. These mitigation measures were presented for consideration by the public and agency commenters. SCE and RPU would be responsible to implement the mitigation measures as they apply to the 230 kV and 69 kV components of the Proposed Project, respectively. The SCE 230 kV components of the Proposed Project (including portions of the 230 kV transmission line that would cross through the City of Jurupa Valley) are considered an electrical facility under the CPUC's General Order (GO) Number 131-D, that would be owned and operated by SCE. Since SCE is an investor-owned utility, final responsibility for approval and oversight of this component of the Proposed Project would come under the jurisdiction of the CPUC in issuing a CPCN. Additionally, the CPUC serves as the Responsible Agency under CEQA. CEQA states in §21069 that a "Responsible Agency means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project." In its development of the FEIR for RTRP, the Lead Agency has refined and finalized enforceable mitigation to reduce or avoid potentially significant impacts with input from the Responsible Agency and commenting public agencies. Adoption and implementation of mitigation measures as documented in the certified FEIR would be a condition of approval by the CPUC of SCE's CPCN application. Under CEQA, Lead and Responsible Agencies coordinate their mitigation monitoring and reporting. Ultimately, it is the responsibility of the City of Riverside, as the Lead Agency under CEQA, to ensure that both utilities implement the identified mitigation measures.

Response to Comment P-52

The 69 kV portion of the Proposed Project does not require a Certificate for Public Convenience and Necessity (CPCN). A CPCN is not required for certification of the FEIR and approval of the entire Proposed Project. The CPUC does not regulate the City of Riverside's independent

electrical system. Commencing construction of the 69 kV component of the Proposed Project prior to the CPUC's issuance of the CPCN for the 230 kV component of the Proposed Project does not constitute fragmentation, as CEQA certification of the FEIR for the Proposed Project as a whole as well as obtaining required approval and permits for the 69 kV portion of the project (as outlined in Table 2.9-1 in Chapter 2) would be obtained prior to start of any construction. Any additional certifications or permits applicable only to the 230 kV transmission line would be obtained prior to commencement of construction of the 230 kV portion of the Proposed Project. The commenter is dividing integral processes and conflating separate processes in order to claim fragmentation.

Response to Comment P-53

Contrary to the assertion in this comment, no members of the public were denied access to the environmental or entitlement process for the RTRP. Section 7.2.1 of the DEIR describes the process of notification of affected members of the public for the Proposed Project, including development and maintenance of mailing lists. As discussed, public mailing lists were developed based upon individuals who attended public meetings or provided comments on the Proposed Project and county assessor data obtained for property owners within one mile of either side of the 230 kV alternatives and 0.25 mile of either side of the 69 kV alternatives. These lists would have included SCE ratepayers within the Proposed Project area meeting the above-stated conditions.

Section 15064(d) of the CEQA Guidelines states, "In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project." Further, Section 15064(d) of the CEQA Guidelines states, "Economic and social changes resulting from a project shall not be treated as significant effects on the environment." However, the CEQA Guidelines go on to qualify this statement by adding,

"Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant."

With regards to SCE ratepayers in general, these conditions are not met by the Proposed Project. Inclusion of "the majority of SCE's ratepayers" in the current CEQA process, notification, and dissemination of the DEIR would be well beyond the scope of the Proposed Project. The commenter's inference that the Proposed Project area would appropriately be extended to include SCE's entire 50,000 square-mile service territory and 14 million ratepayers would place the analysis area well beyond a scale reasonably expected to experience a "substantial, or potentially substantial, adverse change in the environment" (State CEQA Statute § 21068. Significant Effect on the Environment).

“The current CEQA process, notification, and dissemination of the DEIR” is not “inadequate.”

Response to Comment P-54

See Master Response #5 regarding proper Lead Agency status of the City under CEQA. As required by CEQA Guidelines Section 15097, the Lead Agency will impose all feasible mitigation for potentially significant impacts and ensure that the mitigation measures identified in the EIR are implemented by adopting a program for monitoring or reporting on the measures it has imposed to mitigate or avoid significant environmental effects. The Lead Agency’s Mitigation Monitoring and Reporting Program for the RTRP is included as Chapter 3 in this FEIR. The CPUC will still have the authority to consider costs and benefits consistent with its statutory mandate for purposes of the CPCN; however, this is not a CEQA issue. Please see Master Response #11 regarding General Order 131-D.

Response to Comment P-55

The CPUC is identified as a Responsible Agency under CEQA for the Proposed Project. CEQA states in §21069 that a “Responsible Agency means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.” The components of the Proposed Project that would cross through the City of Jurupa Valley include a portion of the 230 kV transmission line, which is considered an electrical facility under the CPUC’s General Order (GO) Number 131-D, that would be owned and operated by SCE. Since SCE is an investor-owned utility, final responsibility for approving this component of the Proposed Project would come under the jurisdiction of the CPUC in issuing a CPCN. Additionally, and as stated on page 3-239 of the DEIR, the CPUC’s GO 131-D, Section XIV B states that: “Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission’s [CPUC’s] jurisdiction.” The City of Riverside is identified as the Lead Agency. See Master Responses #5, Lead Agency, and #11, General Order 131-D. The commenter’s feelings about who “should” serve as lead agency does not override State law regarding who is required to serve as lead agency under CEQA.

Response to Comment P-56

As discussed in Response to Comment P-44, RPU does not have a design-build agreement with POWER Engineers. The City of Riverside, as Lead Agency, and the CPUC, as Responsible Agency (as also acknowledged in Comment Letter O from the CPUC), are both fully authorized by CEQA to serve these roles. See Master Response #5, Lead Agency. Also see Master Response #11, regarding General Order 131-D. For discussion regarding enforcement of mitigation measures, please refer to Response to Comment P-51.

Regarding the referenced San Joaquin Cross Valley Loop Transmission Project, it would be inappropriate to make any comparisons regarding specific mitigations, impacts, environmental protection, or any other aspect of that project or its environmental review. Under CEQA, each project must be evaluated based on its own objectives and physical environment in order to appropriately evaluate impacts and identify reasonable alternatives. As stated previously, the CPUC is deprived of no jurisdiction over the RTRP or any responsibilities under CEQA.

Response to Comment P-57

In response to comments on the DEIR, the 230 kV transmission line route has been modified to avoid the Vernola Marketplace parking lot, as described in Chapter 2, Section 2.3.1, of this FEIR (see Volume II). As a result, the commenter's referenced impacts to the Vernola Marketplace would no longer occur. See Response to Comment P-114.

Riverside County is also not designated as a Responsible Agency for the Proposed Project; the commenter's allegation that the Lead Agency has declared Jurupa Valley and/or Riverside County as subordinate to the City of Riverside since jurisdictional authority has not been afforded to Jurupa Valley/Riverside County with regards to the Proposed Project is patently false and is not supported by substantial evidence. The City of Riverside has not declared "exclusive authority and control over land-use decisions, design and development, and environmental mitigation within Jurupa Valley's corporate boundaries, including eminent domain authority over public and private lands located therein." As the Lead Agency under CEQA, the City of Riverside's implementation of the Proposed Project is subject to the CEQA Statute and permitting authorities, and the Lead Agency is not afforded jurisdictional control over municipal authorities.

Please see Master Response #5, regarding Lead Agency, and Master Response #11, regarding General Order 131-D. As explained in these master responses, both the City of Riverside, as Lead Agency, and the CPUC, as Responsible Agency, are fully authorized by CEQA to serve these roles. As discussed in the DEIR, projects under CPUC jurisdiction are exempt from local land use and zoning regulations and discretionary permits.

Furthermore and contrary to the commenter's assertions, the City of Riverside has faithfully fulfilled its CEQA obligations, including disclosure and mitigation of significant environmental effects, through preparation of the EIR.

Response to Comment P-58

Please see Master Response #5, regarding Lead Agency. The City serving as Lead Agency does not deny the CPUC any jurisdiction over the RTRP or any responsibilities under CEQA.

Response to Comment P-59

Section 1.1.1 of the DEIR clearly outlines the decision-making process for the EIR. As discussed in previous comments and in the DEIR on page 1-14, the City of Riverside Department of Public Utilities is a department of the City, under the management and control of the City Manager, but tasked by the City Council with duties required for the function and operation of utilities for the City and its inhabitants (see Article XII of the Riverside City Charter). See Responses to Comments P-37 and P-45 and Master Response #5 regarding Lead Agency.

Response to Comment P-60

Comment P-60 concerns a purported "Improper Delegation of Responsibilities." As Lead Agency, the City managed development of all aspects of the RTRP DEIR. SCE's contributing role to this process is correctly stated by the commenter. The commenter provides a partial quote from the DEIR ("The DEIR states that SCE (not RPU) 'reviewed a range of alternatives' (p. 1-3)") as evidence of improper delegation. The full quote from page 1-3 of the DEIR reads:

“RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth and to provide a second interconnection for system reliability. SCE determined that in order to meet RPU’s request, SCE should expand its regional electrical system to provide RPU a second source of transmission capacity to import bulk electric power. This expansion would be accomplished by the:

- creation of a new SCE 230 kilovolt (kV) transmission interconnection,
- construction of a new SCE substation,
- construction of a new RPU substation, and
- expansion of the RPU 69 kV system.

SCE then reviewed a range of alternatives that would provide that second source of transmission” (emphasis added).

Taking this quote out of its context creates a false impression that RPU delegated to SCE the responsibility for CEQA alternatives development when, in reality, RPU approached SCE to use its expertise to identify a range of possible modifications to its system in order to create a second source of transmission for the City of Riverside. It can certainly be assumed that SCE is an expert on its own transmission system and that SCE would be recognized in California as an expert on transmission system design, engineering feasibility, and operation.

CEQA allows for many avenues of input in the development of an EIR and the identification of alternatives and mitigations. Section 15084(c) of the CEQA Guidelines states: “Any person, including the applicant, may submit information or comments to the Lead Agency to assist in the preparation of the draft EIR. The submittal may be presented in any format, including the form of a draft EIR. The Lead Agency must consider all information and comments received. The information or comments may be included in the draft EIR in whole or in part.”

Continuing, the commenter quotes in part from page 3-3 of the DEIR (“SCE and RPU would be responsible to implement the mitigation measures...” [emphasis added]) and then argues that the Lead Agency cannot delegate to SCE “enforcement of mitigation measures promulgated for the purposes of avoidance or minimization of a significant environmental effect” (emphasis added). Implementation and enforcement are not synonymous. Further, the complete quote from the DEIR states:

“Mitigation measures have been identified that would reduce or avoid potentially significant adverse impacts. These mitigation measures are presented for consideration by decision makers of the Proposed Project approval. SCE and RPU would be responsible to implement the mitigation measures as they apply to the 230 kV and 69 kV components of the Proposed Project, respectively. The EPEs and mitigation measures that are included within each resource section apply to each component of the Proposed Project unless they identify a specific component. In this case, either RPU or SCE would be responsible depending on that specific component, either 69 kV or 230 kV. It is the responsibility of the City of Riverside, as the Lead Agency under CEQA, to ensure that both utilities implement the identified EPEs and mitigation measures as identified in reducing impacts within this DEIR.”

Nowhere does the DEIR assign SCE an enforcement role either explicitly or implicitly.

SCE's contributions are fully allowable under CEQA and do not represent an improper delegation of the Lead Agency's authority. See Master Response #5 regarding the City's role as Lead Agency.

Response to Comment P-61

Please see Master Response #9 regarding *Post Hoc* rationalization. Also see Response to Comment P-9.

Response to Comment P-62

Please see Master Response #10a on undergrounding.

Response to Comment P-63

Please see Chapter 2, Section 2.1 of this FEIR, Chapter 7 of the DEIR in Volume II, and Master Response #8 for descriptions of the public involvement process for the RTRP and the preparation of the EIR.

Response to Comment P-64

The commenter excerpts from the DEIR to create a false impression of the Proposed Project's development as it relates to CAISO. The full narrative on page 1-3 of the DEIR states:

“RPU’s mission statement includes a commitment to provide the highest quality electric service to its customers. The Board of Public Utilities sets policy for RPU to fulfill this mission and has been concerned since the early 1990s about the capacity of the system to supply RPU customers, as well as the reliability of the existing single point of service with the regional transmission system. Beginning in 2006, the City’s electric demand exceeded the capacity of the interconnection with the regional system.

In 2004, pursuant to SCE’s Federal Energy Regulatory Commission (FERC)-approved Transmission Owner (TO) Tariff, RPU made a request for SCE to develop a means to provide additional transmission capacity to meet projected load growth and to provide a second interconnection for system reliability. SCE determined that in order to meet RPU’s request, SCE should expand its regional electrical system to provide RPU a second source of transmission capacity to import bulk electric power. This expansion would be accomplished by the:

- creation of a new SCE 230 kilovolt (kV) transmission interconnection,
- construction of a new SCE substation,
- construction of a new RPU substation, and
- expansion of the RPU 69 kV system.

SCE then reviewed a range of alternatives that would provide that second source of transmission. The alternative that was considered to best meet RPU’s request is presented herein as the Proposed Project (Chapter 2); other identified alternatives are presented as

project alternatives (Chapter 6). The Proposed Project would provide RPU with long-term system capacity for load growth, and needed system reliability and flexibility.

The majority of the regional transmission system in California is operated by the CAISO, including SCE's bulk power transmission system. Electric energy delivered through the CAISO transmission system to RPU's local system is delivered by RPU to customers that are within the City. In 2006, SCE presented the problem and its solutions to the CAISO. Upon review, the CAISO concluded that the proposed interconnection and other elements identified above were needed. At the June 14, 2006 CAISO Board of Governors meeting, CAISO directed SCE to build the interconnection and other elements as determined as soon as possible and preferably no later than June 30, 2009."

In summary:

- The City of Riverside (the City's Department of Public Utilities under its responsibilities authorized by the City Council) identified specific capacity and reliability issues.
- The City (RPU) approached SCE to develop a solution. SCE reviewed a range of alternatives related to its transmission system and worked with RPU to develop a project that would address the problem by making changes to both the City's sub-transmission system and SCE's transmission system.
- As an independent system operator, SCE approached the CAISO with the City of Riverside's problem and the joint solution.
- The CAISO concurred and directed SCE to pursue the joint solution.

The DEIR does not imply that the City of Riverside is "powerless to exercise independent judgment" as stated by the commenter; the City Council has the authority to deny certification of the EIR. Contrary to the commenter's implication, the CAISO's past conclusion regarding the need for the Project does not impose a legal obligation on the City to actually approve the Project. Also see Master Response #9 regarding *Post Hoc* rationalization. Furthermore, the RPU's likely need to construct another similar transmission project in the absence of the Proposed Project does not preclude RPU's pursuit of a "different strategy," as alleged in the comment; if the RTRP were not approved, the existing deficient condition in RPU's system would remain, necessitating the proposal of a similar project in order to correct the deficient conditions.

Finally, the City of Riverside's Capital Improvement Program document is a planning document outlining the City's need for improvements to its electric system. It does not, as the commenter alleges, constitute a commitment to the Proposed Project.

Response to Comment P-65

The City of Riverside Sub-transmission Project (STP) has been under construction since 2011 and is now partially operational. The STP is expected to be completed by 2013. It was approved with a Mitigated Negative Declaration. It was identified as a cumulative project in the RTRP DEIR. See the methodology for cumulative analysis in Section 4.1.1 of the DEIR. Further, STP

and RTRP are separate, independent projects that have separate and distinct objectives. Either one of the projects could proceed forward without the other, and each one is needed regardless of whether the other is approved. Accordingly, these are not dependent and interconnected parts of a single project, but instead are totally separate projects meriting separate CEQA review.

Response to Comment P-66

Separate and distinct from the Proposed Project, STP did not involve the below-ground installation of 230 kV transmission lines; it involved undergrounding of 69 kV subtransmission and 12 kV distribution lines. Therefore, it would not be appropriate to compare undergrounding associated with the STP with undergrounding of the 230 kV component of the RTRP. Please see Master Response #10a regarding undergrounding, which describes the various constraints related to undergrounding of different voltages.

Response to Comment P-67

The commenter is incorrect. Expansion at Vista Substation to increase capacity (“Option 1,” referenced in the comment) is both referenced and discussed in the DEIR on pages 6-12 (under the subheading “Substation Siting”), 6-20, and 6-50 (under the subheading “Expand Vista Substation”). The Lead Agency examined the possibility of expansion at a total of four existing substations to support new banks of 230 kV/69 kV transformers to increase City of Riverside capacity.

Response to Comment P-68

Comment P-68, quoting from the January 20, 2006 minutes from the Regular Meeting of the Board of Public Utilities, states:

As indicated above, in 2006, two options were presented to the Board of Utilities for addressing the City of Riverside’s projected electrical energy needs. “Option 1” presented a “solution for approximately 13 years” and “Option 2” provided “capacity adequate for 27 years” but could be “expanded at any time.” “Option 2” appears to represent the proposed RTRP. No reference to or discussion of “Option 1” is, however, presented in the DEIR.

As indicated in *Antioch v. City Council of the City of Pittsburg* (1986) “Construction of the roadway and utilities cannot be considered in isolation from the development it presages ... In sum, our decision in this case arises out of the realization that the sole reason to construct the road and sewer project is to provide a catalyst for further development in the immediate area. Because construction of the project could not easily be undone, and because achievement of its purpose would almost certainly have significant environmental impacts, construction should not be permitted to commence until such impacts are evaluated in the manner prescribed by CEQA. As Justice Rouse explained in our opinion *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) [Citation], the fact that a particular development which now appears reasonably foreseeable may, in fact, never occur does not release it from the EIR process [Citation]. Similarly, the fact that future development may take several forms does not excuse environmental review.” Because “Option 2” has a finite lifespan and “can be expanded at any time.” it appears that there exists or may exist later activities

which are reasonably foreseeable but which have not been identified or addressed by the Lead Agency in the DEIR” [emphasis added].

In the January 20, 2006 minutes from the Regular Meeting of the Board of Public Utilities, Deputy Director Badgett stated that creation of a second energy delivery point within the City would provide “Capacity adequate for 27 years and can be expanded at that time” (emphasis added).

By changing the word “that” to “any” in the quote from Deputy Director Badgett, the commenter attempts to establish the false claim that there are additional unaddressed expansion activities associated with the Proposed Project that are reasonably foreseeable over the next 27 years and which the Lead Agency has failed to identify or analyze in the DEIR. Rather, Deputy Director Badgett was asserting that the Proposed Project (at that time referred to as “Option 2”) would address the City’s capacity issues for the foreseeable future (27 years) and at that time would still support expansion within the footprint of the City-owned proposed 20-acre substation site.

As discussed in Section 5.1.2 of the DEIR, the Proposed Project would accommodate already planned growth based on the City of Riverside’s General Plan 2025. Predicting activities and, presumably, associated direct and indirect significant impacts beyond the limits of any City planning documents or informed forecasts of load or demand would be speculative. City capacity needs 27 years into the future are beyond reasonable prediction and planning. Such changes and associated direct or indirect impacts to the physical environment would not be reasonably foreseeable but rather speculative and unlikely to occur.

Section 15064(d)(3) of the CEQA Guidelines states:

“An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.”

Response to Comment P-69

Please see Master Response #15 regarding RCALUC and FAA issues. (See *Sundstrom v. County of Mendocino*; mitigation can be properly deferred as long as a specific performance standard was in place. The court held that the mitigation was adequate.)

Response to Comment P-70

The commenter does not state under what guideline or statute article there is a requirement that *all* Notices of Preparation filed be included in the DEIR. Section 15082(a) of the CEQA Guidelines states that “[i]mmediately after deciding that an environmental impact report is required for a project, the lead agency shall send to the Office of Planning and Research and each responsible and trustee agency a notice of preparation stating that an environmental impact report will be prepared.” The Lead Agency prepared the NOP dated January 19, 2007 in accordance with CEQA to solicit input from responsible and trustee agencies on the Proposed Project in its current state at the beginning of 2007, with the NOP providing sufficient information describing the project and the potential environmental effects to enable the responsible agencies (associated with alternatives identified at the time) to make a meaningful response. Additional data collection and resulting route refinements required that an NOP dated November 18, 2009 be published subsequent to the January 2007 NOP primarily to solicit input

on routing alternatives and mitigation measures from responsible agencies and organizations on the most current routing alternatives identified. Because of the time between the 2007 and 2009 NOPs and revised alternative locations, issues identified with the routes not applicable to the January 2007 NOP alternatives would need to be considered by the Lead Agency and responsible agencies, and the routes identified in the January 2007 NOP would no longer be relevant. Therefore, the primary purpose of the NOP—that is, to provide sufficient information describing the project and the potential environmental effects to enable the responsible agencies to make a meaningful response—was obsolete in regards to the project routes and potential environmental impacts identified under the January 2007 NOP. Furthermore, identifying issues in the DEIR that pertain to obsolete alternatives (e.g., NOP alternatives) does not serve CEQA’s intent of identifying, disclosing, and mitigating impacts of the alternatives in the EIR. Including comments from organizations and agencies related to obsolete Project Alternatives is not required by CEQA, and does not help to identify and disclose impacts or mitigation measures relative to current alternatives.

CEQA does not include any provisions requiring that any and all correspondences received in response to the dissemination of the January 2007 NOP and the November 2009 NOP be included in the DEIR in their entirety. As stated in the Public Resources Code section 21061:

“.....provided that information or data which is relevant to such a statement [the EIR] and is a matter of public record or is generally available to the public need not be repeated in its entirety in such statement, but may be specifically cited as the source for conclusions stated therein; and provided further that such information or data shall be briefly described, that its relationship to the environmental impact report shall be indicated, and that the source thereof shall be reasonably available for inspection at a public place or public building” [see CEQA Statute Section 21061].

CEQA Guidelines Sections 15120 through 15131 discuss the required contents of a DEIR. Section 15123 (b)(2) states that the EIR shall contain a *summary* that shall identify “[a]reas of controversy known to the lead agency including issues raised by agencies and the public.” A summary of comments received is included in the DEIR in Section 7.4, Summary of Issues and Concerns.

Response to Comment P-71

As stated in Section 7.3.1 of the DEIR, county assessor data was obtained and property owners within one mile of either side of the 230 kV alternatives and 0.25 mile of either side of the 69 kV alternatives were included in the project mailing list for each newsletter developed to inform the interested parties about the environmental process, the project status, and opportunities to participate. Publications were sent out to individuals, organizations, and agencies on the project mailing list. As required by CEQA, and detailed in Section 15082(a) of the CEQA Guidelines, “the lead agency shall send to the *Office of Planning and Research* and each responsible and trustee agency a notice of preparation stating that an environmental impact report will be prepared. This notice shall also be sent to every federal agency involved in approving or funding the project” (emphasis added). Ratepayers, individuals, and businesses located within or near the Proposed Project were not sent either of the NOPs or any “environmental notices” other than as required by CEQA and stated in Section 7.3 of the DEIR, and there is no requirement that the

Lead Agency do so other than as set forth in CEQA. Maps depicting the location of all properties and parties that received copies of the NOP and NOC will not be provided.

Response to Comment P-72

Please see Master Response #2 regarding vague or conclusory comments and Master Response #10a regarding undergrounding. Moreover, just because an EIR does not incorporate certain documents by reference, it doesn't mean that the EIR's text is the limit of the administrative record, as the commenter seems to be implying. To the contrary, the administrative record includes the documents relied upon and cited in the EIR, all evidence that is considered by the final decision-making body, and all other evidence that was relied upon in reaching a decision on the Project (see generally Public Resources Code 21167.6).

Response to Comment P-73

The commenter is attempting to link project impacts and economic infeasibility of undergrounding under CEQA to all SCE ratepayers. Extending the Proposed Project area of effects analysis to include all 14 million SCE ratepayers and the impacts of specific mitigation alternatives on them is outside the scope of the Proposed Project. Pages 6-26 through 6-40 in Section 6.4.3 (Alternative Technologies) of the DEIR discuss technical aspects of 230 kV transmission line undergrounding and their environmental impacts specific to the Proposed Project area. Undergrounding as an alternative or mitigation was eliminated from further consideration for a variety of technical and environmental considerations detailed in the DEIR, and not solely on economic grounds. The commenter's assertion that mitigative undergrounding was rejected "based solely on undisclosed 'economic considerations' " has no factual basis. See Response to Comment P-53 regarding inclusion of SCE's entire service territory in the Proposed Project area. See Master Response #10a, for discussion of undergrounding and underground alternatives.

While the commenter states it is "reasonable to assume" that reference to other needed system improvements, as stated in the City of Riverside City Council Memorandum dated May 19, 2009, refers specifically to the RTRP, such an assumption is without basis in fact. It is just as reasonable to assume that the reference to needed system improvements refers in general to exactly that—needed system improvements—and not specifically to the project as proposed in the EIR.

Response to Comment P-74

Please see Response to Comment P-71. Also please see Master Responses #7, #8, and #14.

Response to Comment P-75

Chapter 2 of the DEIR presents a description of the Proposed Project. The November 2009 Notice of Preparation for the DEIR does not state that the Proposed Project would include upgrades to eight substations, and is the only pertinent NOP. The two documents (DEIR, November 2009 NOP) are not inconsistent as related to substation upgrades to Harvey Lynn, Mountain View, Freeman, and RERC.

Response to Comment P-76

The commenter asserts that the Lead Agency does not appear to define the underlying purpose of the Proposed Project as the delivery of electricity to residents and businesses within its service area as a means of limiting the type and number of alternatives examined in the DEIR, and quotes *one* Project Objective from Section 2.2 of the DEIR (“Provide an additional point of *delivery* for bulk power into the RPU electrical system, thereby reducing dependence on Vista Substation and increasing overall reliability” [emphasis added]). The commenter ignores that the previously stated Project Objective in that section of the DEIR is to “provide sufficient capacity, in a timely manner, to *meet existing electric system demand and anticipated future load growth*” (emphasis added). Given the two Projects Objectives as stated above, the purpose of the Proposed Project is to provide an additional point of bulk power delivery into the RPU system to meet existing and future demand created by residents and businesses in the RPU service area.

The commenter also erroneously asserts that the CPUC’s website, which states that a “bulk-power system generally consists of the high-voltage electricity network connecting generators to areas of power consumption,” constitutes “statutory language.” Please see Master Response #2 and Response to Comment P-78 below.

Response to Comment P-77

Please see Master Response #5 and Response to Comment P-78. The delivery of bulk power is not “the underlying purpose of the project,” as the commenter alleges.

Response to Comment P-78

The commenter reasons that “self-imposed objectives” limit the identification of other (non-overhead transmission line) alternatives, without suggesting what entity or agency should develop the Project Objectives. CEQA Guidelines 15124(b) state that the EIR shall include a “statement of the objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.” Per CEQA Guidelines 15063(b)(1)(A), the Lead Agency is charged with developing the EIR and, therefore, identifying Project Objectives. Here, the Project Objectives include the term “delivery of bulk power,” which the CPUC informally states on their website as the system that “*generally* consists of the high-voltage electricity network connecting generators to areas of power consumption” (emphasis added). This informal statement is clearly the generally accepted idea of the “bulk power” system, but offers no operational definition that validates the commenters’ erroneous assumptions as to what constitutes the Bulk Electric System.

On November 18, 2010, the Federal Energy Regulatory Commission (FERC) issued Order 743 and directed the North American Electric Reliability Corporation (NERC) to revise the definition of *Bulk Electric System* so that the definition encompasses all elements and facilities necessary for the reliable operation and planning of the interconnected bulk power system (see Project 2010-17: Definition of Bulk Electric System, NERC). According to the NERC’s current draft definition, Bulk Electric Systems (BES) include 100 kV “transmission elements” as well as “[g]enerating resource(s) with gross individual nameplate rating greater than 20 MVA or gross

plant/facility aggregate nameplate rating greater than 75 MVA including the generator terminals through the high-side of the set-up transformer(s) connected at a voltage of 100 kV or above” (emphasis added) and “[d]ispersed power producing resources with aggregate capacity of greater than 75 MVA (gross aggregate nameplate rating) utilizing a system designed primarily for aggregating capacity, connected at a voltage of 100 kV or above.” The consideration of alternatives as identified in Sections 6.3 and 6.4 of the DEIR included delivery of bulk power that included those as defined above. SCE, as a high-voltage, bulk power utility, per its regulated tariff requirements, is obligated to deliver power to RPU in order for RPU to maintain system reliability and adequate transmission capacity.

The elimination of 69 kV alternatives is described both in the Siting Study included as Appendix D to the DEIR, and on page 6-55 of the DEIR. Routes were eliminated based on the number of homes, schools, and day care facilities adjacent to the routes when compared to the selected routes, as well as an attempt to maximally utilize existing overhead subtransmission structures.

Response to Comment P-79

The commenter’s assertion that the Proposed Project has been “in the planning stage since at least the 1960s (p. 1-7) or 1970s (p. 1-7) or 2004 (p. 1-3 and 1-7)” is a misrepresentation of what is stated on those pages. As stated on page 1-7, earlier efforts to establish a 230 kV interconnection differed from the Proposed Project in purpose and need, substation service, and load forecast assumptions. Therefore, the Proposed Project’s purpose, need, and objectives differ from previous general efforts to establish a transmission interconnection with the City of Riverside.

Beginning in 2006, RPU’s electrical demand has exceeded the available 557 MW of capacity from Vista Substation, requiring local generation during peak load conditions. A new interconnection to SCE’s transmission system is urgently needed to provide capacity for existing as well as new electrical load and an additional point of interconnection for reliability purposes. Without this addition, load shedding and area electrical blackouts will eventually be required. Regardless of the time taken for approval and construction of the Project, the additional capacity is urgently needed in order to protect the electrical system from outages.

Contrary to the commenter’s assertion, the Proposed Project has complied with CEQA throughout the planning process, and the commenter fails to identify why the Lead Agency has not complied with CEQA regarding “self-generated failings.” The commenter asserts that “there appears to be no apparent connectivity between unbridled development and the realization that infrastructure delivery systems need to be in place prior to allowing demand to outstrip supply,” while ignoring that one of the Project’s Objectives is to “provide sufficient capacity, in a timely manner, to meet existing electric system demand and anticipated future load growth.”

Response to Comment P-80

The commenter contends that the Bain Street and Eastern Route alternatives were rejected exclusively because of 1) timing considerations, and 2) necessary specified permits, a conclusion that is baseless because it ignores the stated environmental impacts of the Eastern Route alternative detailed in the section cited by the commenter:

“...constructing a transmission line within the Santa Ana River East Corridor is considered not feasible and would create adverse impacts to land use, aesthetics, protected species, riparian habitat, wetlands, and the Santa Ana River floodway. Suitable habitat for special-status species would be impacted by a transmission line in this corridor. The line would extend across special management areas known as Criteria Cells, which are important areas to conserve for special-status species.”

Furthermore, the Bain Street alternative would violate the California Department of Education’s setback requirements at Mira Loma Middle School, which resulted in the elimination of this alternative (DEIR page 6-45), in addition to other significant environmental effects, such as to the scenic quality of the Santa Ana River corridor, a Riverside County regional trail, and the longest crossing of the Hidden Valley Wildlife area of all alternatives, as compared to the Proposed Project.

As detailed in Chapter 6 of the DEIR, there were multiple environmental issues that contributed to the elimination of the Bain Street, Eastern Route, and other alternatives, and contrary to the commenter’s assertion, no alternative was eliminated “solely or predominantly on singular issues.” Also please see Master Response #10b.

The commenter cites page 3-239 as supporting evidence that the Lead Agency rejected “certain alternatives” based on scheduling ramifications or having to work with non-exempt governmental entities from whom requisite permits and approvals may be required. The cited section is that of the Regulatory Setting of the Proposed Project, and bears no relation to Alternatives considered and eliminated.

Response to Comment P-81

Please see Response to Comment BBBB-6 regarding Proposed Project mapping and Master Response #10a regarding undergrounding. See Master Responses #7 and #8 regarding Economic and Social Impacts and Involvement of the City of Jurupa Valley. Information regarding the general economic characteristics of the Proposed Project may be found throughout the DEIR. These include Project costs and workers employed during construction (Chapter 2 of the DEIR); purpose and need for the Project to support the City and region (Section 1.5 of the DEIR); housing (Section 3.2.12 of the DEIR); and growth (Section 5.1 of the DEIR). As stated in Chapter 2 of the DEIR (page 2-1), the proposed Project would cost hundreds of millions of dollars.

In addition, the commenter lifts several statements regarding economic considerations of alternatives out of their context and then falsely presents them as though the City used them as the sole basis for rejection. For example, a new generation alternative (see full discussion in Section 6.4.2 of the DEIR) was carefully considered by the City. New generation (i.e., construction of a new base load fossil-fuel power plant within the City of Riverside) compared to the Proposed Project (one 9.7-mile, six-conductor transmission line and associated substation and subtransmission components) would produced far greater air quality impacts, require nearly exhausting PM credits available in the region, present problematic reliability issues (90% reliability for power plants, versus nearly 100% reliability for transmission lines), use millions of gallons of water daily for cooling, and cost much more, among other issues.

Response to Comment P-82

Please see Master Response #10a regarding undergrounding. As the commenter acknowledges, "...it can be argued that 'although such an alternative might provide some overall increase in reliability, an underground alternative would not meet the Proposed Project's fundamental goal of increased long-term reliability of the transmission and distribution system in the area to the same extent as the Proposed Project' (emphasis added) (p.6-40)"; accordingly, the DEIR does not state that the Proposed Project would "out-perform" an undergrounding alternative, but that it would not meet the Project objective to increase long-term reliability for RPU's electric system.

Response to Comment P-83

The commenter's assertion that the terms "study area" and "project area" are arbitrary is without foundation. The use and application of the terms "project area," "service area," and "study area" in the DEIR did not impose any "limiting constraints" on the development of alternatives or the environmental analysis of alternatives considered or carried forward in the DEIR. These terms, in fact, have specific meanings. As stated in the DEIR (Section 6.2), a "study area" was defined early in the siting process to identify potential 230 kV routing alternatives, given the purpose, need and objectives of the Proposed Project (e.g., provide an additional point of delivery for bulk power into the RPU electrical system; build a new double-circuit 230 kV transmission line between the Mira Loma-Vista #1 transmission line and the new 230 kV substation). This study area was based on a broad range of possible interconnection points to the existing Mira Loma #1-Vista 500 kV Transmission Line and alternative Wilderness Substation sites, including those potentially traversing the City of Riverside. This "study area" included portions of the RPU "service area," as well as jurisdictional areas outside of the RPU service area because, as stated in the DEIR (page 6-3), areas outside of this delineated boundary would necessarily substantially increase the length of the transmission alignments and associated environmental impacts such as air quality emissions, impacts to residences and public facilities associated with line crossings, and visual impacts caused by the extended transmission line. Therefore, consideration of alignments outside of the "study area" were not brought forward for further analysis. After routing alternatives were developed, eliminated, and/or carried forward, as described on pages 6-11 and 6-12 of the DEIR, the "project area" was established based on the location of the routes identified and carried forward. The project area was based on the environmental study corridors (or "study area" as defined for each resource as described in Chapter 3 of the DEIR), if applicable, and used to describe the environmental context encompassing the Proposed Project. Also see Master Response #14 regarding Local Benefits.

Response to Comment P-84

The commenter's assertions regarding the areas permanently disturbed as a result of the construction and operation of the Proposed Project are speculative and without foundation. In addition, the commenter's speculative disturbance criteria is inconsistently applied within the comment itself. Permanent disturbance is based on *environmental impacts* as required by CEQA (see Master Response #1), and disturbance assumptions are identified in Section 2.5.2 of the DEIR. No "uneconomic parcel remnants" will be created as a result of the Proposed Project, and development would not generally be precluded on parcels crossed. The Commenter presents no objective assumptions and cites no evidence to the contrary but simply contends that the entire 100-foot ROW along an arbitrary 36% of the route would be subject to 100% permanent ground disturbance. As with all linear utility projects, a wide variety of land uses could occur within

project rights-of-way, except at facility locations and as restricted for safety or access reasons. In fact, even within the area identified by the commenter a variety of land uses occur and would continue to occur, if the Proposed Project were approved. If the RTRP were to create some sort of exclusion zone within rights-of-way (as implied by the commenter), this would be unheard of. Land use impacts related to rights-of-way are discussed on pages 3-252 and 3-253 of the DEIR. Please also see Response to Comment BBBB-3 and Master Response #7 regarding social and economic impacts.

Response to Comment P-85

The commenter asserts that the Lead Agency did not examine the Proposed Project “from the perspective of ‘mandatory findings of significant impacts’ as presented in Appendix G of the Guidelines.” Contrary to the commenter’s erroneous opinion, each resource evaluated in Chapter 3 of the DEIR, including land use, included significance criteria based on Appendix G of the CEQA Guidelines. Also contrary to the commenter’s erroneous opinion and not supported by the facts, the land use resource analysis was not based “solely to an assessment of general plan and zoning code consistency,” but also on whether or not the Proposed Project would physically divide an established community; directly or indirectly disrupt an established or recently approved land use; or conflict with any applicable habitat conservation plan or natural community conservation plan (page 3-251), as required by CEQA Guidelines Appendix G. Also see Master Response #7 regarding social and economic impacts. Mandatory findings of significance are discussed in Section 3.3 of the DEIR. Chapter 4 of the DEIR evaluated cumulative impacts for all resources including land use. Cumulatively considerable impacts to air quality may be found in Section 3.2.3, criterion c), of the DEIR and to water resources in Section 4.2.8 of the DEIR.

Response to Comment P-86

The commenter erroneously asserts that the November 2009 NOP Proposed Project description and the Proposed Project description in the DEIR differ, and because the SCE System Impact Study is not included in the DEIR, the full extent of system upgrades may not be “fully disclosed.” Chapter 2 of the DEIR presents a description of the Proposed Project. The November 2009 NOP for the DEIR does not state that the Proposed Project would include upgrades to eight substations. The two documents are not inconsistent as related to substation upgrades to Harvey Lynn, Mountain View, Freeman, and RERC. Finally, all aspects of the Project were fully described and analyzed in the EIR—including electrical system improvements. Accordingly, the inclusion of a “System Impact Study” in the DEIR is not required by CEQA.

However, to clarify, the Lead Agency did prepare an NOP dated January 19, 2007 in accordance with CEQA for RTRP. Data collection, preliminary engineering, issues identification, land use investigations, route revision, and agency consultation continued beyond this date in an iterative process. The 2007 NOP included the Initial Study prepared for the Proposed Project, which did identify upgrades at eight substations as part of the project description. However, the refined project description contained in the 2009 NOP and all analysis performed for the DEIR is consistent as to four substations requiring upgrades as part of the Proposed Project.

Response to Comment P-87

The original construction drawings obtained from SCE for the 230 kV transmission line structure used in the simulation specified the line as 220 kV, the SCE standard system voltage, and there is no difference between a 220 kV and 230 kV line from a construction, implementation, or environmental standpoint. The operating voltage of the lines ranges between 220 kV to 240 kV. The RTRP is designed and described as a 230 kV project. For purposes of the FEIR, any references to 220 kV components have been revised to 230 kV, as shown in Volume II of this FEIR.

Response to Comment P-88

Text in Section 3.2.1, Regulatory Setting, has been revised to include the City of Jurupa Valley. Revisions can be seen in Volume II of this FEIR. Though the text has now been revised, the impacts previously identified in the DEIR remain exactly the same, since the jurisdictional boundary is irrelevant for purposes of determining actual physical impacts on the aesthetic environment.

Response to Comment P-89

The socio-economic impacts attributable to visual impacts are not quantifiable because it is very difficult to establish a cause and effect relationship between the degree of visual change and quantifiable socioeconomic effect and would amount to speculation as to this Project. CEQA requires that the visual impacts be disclosed relative to the Proposed Project alternatives. Visual impacts relative to the I-15 corridor are discussed in the DEIR on page 3-55 and shown in Figure 3.2.1-17. Also see Master Response #7 regarding social and economic impacts. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not in economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effects because such impacts are not, in and of themselves, considered significant effects on the environment and because it is not reasonably foreseeable that economic impacts (if any) will result in impacts to the physical environment.

See Response to Comment BBBB-7 regarding the assessment of developed and natural landscapes.

Response to Comment P-90

The visual impact assessment uses, as a basis, an established, standardized, and widely used methodology that attempts to systematically evaluate visual resources using specific, industry accepted criteria developed by the BLM for use across broad open landscapes (VRM system). Terminology, key elements, and format are comparable to the California Energy Commission methodology used for energy generation projects. Surveys of the attitudes of individuals potentially affected by any particular project is rarely, if ever, used for the assessment of visual impacts, and is not required by CEQA. The collective attitudes and values of individual observers are typically reflected in local general planning documents where the local constituency’s values are codified, and are disclosed in the DEIR. Contrary to what is implied by the commenter, opinion-based surveys were not conducted for the RERC. The claim that the well-established and accepted BLM VRM system is somehow flawed has no factual basis. Other than addressing the requirements of CEQA to assess significant impacts as detailed in CEQA,

the assessment of visual and aesthetic impacts is not required to follow any specific methodology.

Table 9 in the Aesthetics and Visual Resources Technical Report shows the various combinations of viewer attitude toward change, viewing duration, and use levels that combine to result in (far right column) Visual Sensitivity Level, and I-15 is not shown on this table. Table 11, however, shows the sensitivity levels of viewpoints (including I-15) based on the above-stated sensitivity factors. I-15, because of low user attitudes, short viewing duration, and high use levels, results in a moderate sensitivity, not “moderate or high” as stated by the commenter. As stated in the DEIR on page 3-16, Section 3.7, sensitivity is “used in the visual analysis as a component” (along with distance, contrast, and landscape character) to determine impact levels.

The DEIR acknowledges that use volumes would be high for the I-15 corridor (see page 3-55). Industry standards for evaluating visual sensitivity and potential impacts routinely consider use levels or use volumes as one important, but not the only, component that determines impact. As stated in the DEIR, viewer attitude toward landscape change and duration of view are (among other factors such as viewing orientation, contrast, and distance) also factors that affect viewer sensitivity, and therefore, visual impact. In fact, views that are seen daily by a large number of observers that have low regard for change in the landscape (e.g., daily commuters) and have a relatively brief and/or intermittent viewing duration are expected to have lower levels of visual sensitivity, and viewers may not even notice change in the landscape.

The Final Initial Study of the RERC #3 and #4 cited by the commenter was a separate study for an unrelated project that utilized a similar methodology to assess impacts, and the commenter is therefore incorrect in assuming it pertains to the Proposed Project. However, the study performed for the Proposed Project considered all of the factors cited in the RERC #3 and #4 study, including visual quality (scenic quality and visual integrity), viewer concern/numbers/duration (sensitivity), and visibility. Similarly, all of these factors together were considered during the sensitivity analysis and impact assessment, as were the factors going into use levels (number of vehicles for roads or volume of recreation use). Isolating one factor (number of viewers) and correctly asserting a high level of use does not, in and of itself, equate to a high sensitivity, high (Class A) visual quality, or high impact level.

Response to Comment P-91

A sensitivity analysis was performed for expected observer groups in the Proposed Project area (see page 3-9 of the DEIR), including but not limited to residences. The DEIR states that residential receptors typically reflect a high sensitivity rating, but does not state that residences are the only high-sensitivity receptor. As detailed on page 22, Section 4.3 of the Aesthetics and Visual Resources Technical Report, all potentially sensitive viewers and potentially critical viewpoints that may have visibility of the 230 kV and 69 kV components of the Proposed Project were identified and inventoried, and Table 10 on page 23, Section 4.3 of the Aesthetics and Visual Resources Technical Report presents other high sensitivity viewpoints or corridors.

The DEIR acknowledges that use volumes would be high for the I-15 corridor (see page 3-55). Industry standards for evaluating visual sensitivity and potential impacts routinely consider use levels or use volumes as one important, but not the only, component that determines impact. As stated in the DEIR, viewer attitude toward landscape change and duration of view are (among

other factors such as viewing orientation, contrast, and distance) also factors that affect viewer sensitivity, and therefore, visual impact. In fact, views that are seen daily by a large number of observers that have low regard for change in the landscape (e.g., daily commuters) and have a relatively brief and/or intermittent viewing duration are expected to have lower levels of visual sensitivity, and viewers may not even notice change in the landscape. In large part, this is because travelers on the I-15 will be focused on watching traffic movement on the freeway, rather than scrutinizing the viewsheds off the freeway.

High visibility alone does not constitute a significant impact. The sensitivity of viewers using the area is expected to be low to moderate using industry accepted criteria and as detailed on page 3-9 of the DEIR and in Section 4.3 of the Aesthetics and Visual Resources Technical Report. Significant impacts are not expected because CEQA criteria are not present.

A sensitivity analysis was performed for expected observer groups in the Proposed Project area (see page 3-9 of the DEIR), including residences. The DEIR states that residential receptors typically reflect a high sensitivity rating, but does not state that residences are the only high-sensitivity receptor. As detailed on page 22, Section 4.3 of the Aesthetics and Visual Resources Technical Report, all potentially sensitive viewers and potentially critical viewpoints that may have visibility of the 230 kV and 69 kV components of the Project were identified and inventoried, and Table 10 on page 23 presents other high sensitivity viewpoints or corridors.

As previously stated, and detailed on page 16, Section 3.7 of the Aesthetics and Visual Resources Technical Report, sensitivity is “used in the visual analysis as a component” (along with distance, contrast, and landscape character) to determine impact levels. In the visual resources study area, I-15 has not been identified in any agency planning document, by the Federal Highway Administration, or by Caltrans as an eligible or designated scenic highway or scenic highway of local significance.

Response to Comment P-92

See Master Response #7 regarding social and economic impacts. The Proposed Project is not anticipated to shift commercial development away from frontage of a limited-access freeway. The Project would not block the view of any commercial development from the freeway and potential patrons would not access commercial development directly from the freeway, as implied. Market demand, zoning, property location, and the ability to finance a project are also factors that would figure prominently into a developer’s decision-making process whether to build a commercial project. The commenter’s “pass-by-trip” versus “new trip” argument is specious. Accordingly, the commenter is incorrect that the Project may result in indirect noise, air quality, or GHG impacts as a result of displaced development.

Response to Comment P-93

The commenter inappropriately conflates high use level and high sensitivity along I-15 in order to support a purposefully misleading argument to follow. Table 9 in the Aesthetics and Visual Resources Technical Report shows the various combinations of viewer attitude toward change, viewing duration, and use levels that combine to result in (far right column) Visual Sensitivity Level, and I-15 is not shown on this table. Table 11, however, shows the sensitivity levels of viewpoints (including I-15) based on the above-stated sensitivity factors. I-15, because of low user attitudes, short viewing duration, and high use levels, results in a moderate sensitivity (not

“moderate or high”). In large part, this is because travelers on the I-15 will be focused on watching traffic movement on the freeway, rather than scrutinizing the viewsheds off the freeway. Viewing duration is a key concept in the visual resource planning methodologies utilized by the U.S. Forest Service (USFS Scenery Management System [SMS]; *Agriculture Handbook Number 701 -Landscape Aesthetics, a Handbook for Scenery Management*) and the Bureau of Land Management (Visual Resource Management [VRM]; *Manual H-8410-1 - Visual Resource Inventory*). As stated on page 16, Section 3.7, sensitivity is “used in the visual analysis as a component” (along with distance, contrast, and landscape character) to determine impact levels.

Visual impacts relative to the I-15 corridor are discussed on page 3-55 of the DEIR and shown in Figure 3.2.1-17.

The DEIR considered the views and sensitivity of I-15 viewers as discussed on page 3-55 of the DEIR, and the commenter’s conclusion that the Proposed Project along freeway frontage would adversely affect commercial branding and site visual accessibility is unsupported. Significant aesthetic impacts of a project, according to CEQA, relate to impacts on “scenic vistas,” the “damage of scenic resources” “within a state scenic highway,” degradation of the “existing visual character or quality of a site and its surroundings,” and the creation of new sources of “substantial light or glare,” and not visual accessibility or branding of commercial areas. These are economic issues beyond the scope of CEQA; please see Master Response #7. Moreover, a decline in “visual accessibility” is not typically associated with transmission lines because most of the right-of-way is occupied only by the conductor wires, which do not substantially impede visibility. Furthermore, visual access is largely dependent on the characteristics of the viewer (viewing orientation, view exposure, viewing duration, etc.). The commenter does provide any supporting evidence that the presence of transmission line conductor wires and widely spaced structures adversely affect commercial area “branding.” The placement and opportunity for commercial signage would not be adversely affected because such signage will remain visible to communicate the presence, location, and nature of the commercial site. Commercial development would not be accessed directly from the freeway; in any case, rights-of-way for transmission lines are not exclusion zones.

Response to Comment P-94

The commenter continues to expound a falsehood that the 100-foot ROW is some sort of exclusion or clear zone. The DEIR never states this and there are abundant and readily observable examples of transmission lines demonstrating the contrary. The commenter then attempts to “make it sound even worse” by using a partial quote out of context to imply the ROW along I-15 may in fact be 280 feet wide. Quoting from page 2-42, the commenter states, “any commercial uses adjacent to the freeway will be located, at minimum, 100 feet from that [I-15] transportation corridor (e.g., ‘additional ROW of up to an estimated 280 feet may be required,’ p.2-42).” The actual sentence on page 2-42 the DEIR reads, “For longer spans (e.g., river crossings), additional ROW of up to an estimated 280 feet may be required to allow for conductor swing.” Thus, ROW greater than 100 feet would only be required to account for greater conductor sway for the longer span proposed at the Santa Ana River crossing.

Furthermore, the commenter’s allegation that “environmental and socioeconomic impacts resulting from those physical changes cannot be reasonably compensated for through the

‘payment of fair market value [which] would be offered for these easements’ is unsupported by credible evidence. As stated in the DEIR in Section 2.4.1, fair market value of easements to be purchased would be determined by a certified appraiser.

A 2003 Electric Power Research Institute (EPRI) study entitled “Transmission Lines and Property Values: State of the Science” states that differences in location and time of data collection, as well as research design, make direct comparisons of results from the various studies very difficult. Although quantitative generalizations from studies cannot be reliably made, the following conclusions from studies seem to be similar across the board (EPRI 2003):

- There is evidence that transmission lines have the potential to decrease nearby property values, but this decrease is usually small (6.3 percent or lower).
- Lots adjacent to the ROW often benefit; lots next to adjacent lots often have value reduction.
- Higher-end properties are more likely to experience a reduction in selling price than lower-end properties.
- The degree of opposition to an upgrade project may affect size and duration of the sales-price effects.
- Setback distance, ROW landscaping, shielding of visual and aural effects, and integration of the ROW into the neighborhood can significantly reduce or eliminate the impact of transmission structures on sales prices.
- Although appreciation of property does not appear to be affected, proximity to a transmission line can sometimes result in increased selling times for adjacent properties.
- Sales-price effects are more complex than they have been portrayed in many studies. Even grouping adjacent properties may obscure results.
- Effects of a transmission line on sale prices of properties diminish over time and all but disappear in five years.
- Opinion surveys of property values and transmission line may not necessarily overstate negative attitudes, but they understate or ignore positive attitudes.

The EPRI study points out that one of the difficulties in determining the potential impact of transmission line siting on property values is the wide range of methodologies used to measure impacts. It is extremely difficult, if not impossible, to predict the likely impacts on property values of the proposed Project. Ultimately, such economic predictions are not required by CEQA because they are purely economic issues and are not related to any environmental impacts to the physical environment (see Master Response #7).

The commenter presents no credible evidence to support the impacts identified in the comment. See Master Response #2 regarding vague and conclusory comments. Also see Master Response

#6 regarding electric and magnetic fields and Master Response #7 regarding economic and social impacts. The commenter's reference to "public perceptions" and "the public's negative feelings" is not substantial evidence of any actual environmental impact, per CEQA Guidelines Section 15384.

Response to Comment P-95

Visual depictions of the 230 kV transmission line are shown in Figures 3.2.1-13 (pg. 3-23), 3.2.1-14 (pg. 3-25), 3.2.1-15 (pg. 3-27), 3.2.1-16 (pg. 3-29), 3.2.1-17 (pg. 3-31), 3.2.1-21 (pg. 3-39), 3.2.1-22 (pg. 3-41), 3.2.1-23 (pg. 3-43), and 3.2.1-26 (pg. 3-49) of the DEIR. The photo simulations were modeled based on preliminary engineering design, and detailed Computer Aided Design (CAD) modeling for each structure based on terrain, structure span, expected conductor sag, and other detailed design criteria. As is obvious from visual inspection of the simulation figures shown in the DEIR, a variety of structure types and heights is presented. Information on the range of structure heights as well as averages are provided in the DEIR. Based on preliminary designs, the structures modeled in each simulation represent the actual anticipated heights of each structure, not average or typical heights. Throughout the DEIR, references to the structure heights for the Proposed Project provide a consistent range of 65 to 90 feet for the 69 kV subtransmission lines and 90 to 180 feet for the 230 kV transmission line. The commenter's claim of inaccuracies, underestimations, and misrepresentations with regards to structure heights is without merit because the heights of structures for the Proposed Project would differ from those of the Van Buren Offset Alternative.

Visual impacts relative to the I-15 corridor are discussed on page 3-55 and a visual simulation is shown in Figure 3.2.1-17 (pg. 3-31) in the DEIR.

Response to Comment P-96

The Lead Agency did consider potentially feasible alternatives to reduce significant impacts to a less-than-significant level, including an alternative to underground the 230 kV transmission line. The Lead Agency determined that an undergrounding alternative of the 230 kV line would create additional significant environmental impacts (several of which would be greater than those associated with the Proposed Project) and is infeasible; therefore, this alternative does not warrant further analysis.

Response to Comment P-97

The comment suggests that the DEIR may be deficient because of a lack of analysis of the difference in air quality resulting from the difference in operation of RPU internal generation with and without the Proposed Project. Currently, the decision to operate the internal generation is influenced by at least two factors: 1) the cost of electricity generated by the internal resources, compared to outside resources (sometimes referred to as "economic dispatch"); and 2) the need to lower the loading on the 230 – 69 kV transformers at Vista Substation due to RPU's internal electrical load. Both factors (economic dispatch and Vista transformer capacity) may be present at the same time. Therefore, it is impossible to quantitatively determine how often internal generation would be operated solely to address the Vista transformer capacity issue. Hence, it is impossible to gauge the change in air quality due to operation of internal generation assuming the completion of the Proposed Project. Please see Section 1.5 of the DEIR in Volume II for

more information on internal generation and the operation of RERC and Springs, which are limited in operational time due to air quality issues.

The comment further suggests that the DEIR may be deficient because of a lack of analysis of air emissions resulting from future development that would result from completion of the Proposed Project. It is impossible to accurately know what kind of development would take place in the future. Therefore, it is impossible to reasonably quantify air emissions from future development in the City of Riverside. Furthermore, as described in Section 5.1.4 of the DEIR, the Proposed Project is not expected to induce growth, but rather accommodate it. Contrary to the commenter's statement, CEQA Appendix F considerations are discussed in Section 5.4 of the DEIR. Please also see Response to Comment P-149 regarding load management.

Response to Comment P-98

In 2003 (well before the RTRP was conceived), RPU began operating under a framework of strict Renewable Portfolio Standard (RPS) goals that were more aggressive than those required by Senate Bill (SB) 1078 (2002). At the direction of the City Manager, RPU had set a goal of reaching a 20 percent level of renewable power in its portfolio by 2015 (see City of Riverside City Council "Renewable Portfolio Standard" memorandum dated July 8, 2003). This goal was achieved in 2010. Currently, RPU is on track to meet or exceed RPS requirements set forth in SB 2 (2011) (which supersedes SB 107 [2006] cited by the commenter). Meeting State and City RPS goals are not part of the project description or stated project objectives, and extensive discussion of the City's compliance with these goals would have been peripheral to the Proposed Project's critical purpose and need. Section 15124 of the CEQA Guidelines states that an EIR's project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact."

The Lead Agency does not seek to rationalize the Proposed Project "by stating that the project is predicated on 'the inability of RPU to maximize the potential for importing renewable energy generated in the Western U.S.' " The commenter has taken this and two other statements out of context and then attempted to join them together. The RTRP is primarily a reliability project, not a renewable project (see Chapter 1, Purpose and Need, of the DEIR). The quote above is from a discussion on New Generation alternatives in a bullet point titled "Other Concerns" (see page 6-24 of the DEIR). Nowhere does the DEIR state that meeting RPS goals is a project objective; increasing renewable sources is not mentioned in Chapter 1 (Purpose and Need). The Lead Agency does not "seek to allege that increased use of renewable energy sources is a project objective." If it did, it would have stated this clearly in the DEIR and supported this objective throughout discussion in the document. The commenter seeks to link a number of disparate statements in the DEIR for a new and unintended purpose and then proceeds to point out deficiencies.

The commenter continues by making a conclusory claim about the "DEIR's repeated assertions" regarding renewable energy as evidence of the Proposed Project's "vital" importance to the California Energy Commission's Renewable Energy Transmission Initiative. This is not a supportable statement. The DEIR does not mention renewable energy in Chapter 1 (Purpose and Need) or Chapter 2 (Project Description). Chapter 3 (Environmental Analysis) mentions renewable energy on page 3-80 in identifying the California Global Warming Solutions Act of 2006 (in the background section on State Regulatory Setting) and then again on pages 3-92 and

3-93 in commenting on Proposed Project consistency with the City's General Plan 2025 and the CEC's Strategic Transmission Investment Plan related to CEQA criteria b for GHG emissions (i.e., "Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?"). Chapter 4 (Cumulative Impacts) states the obvious fact that "the Proposed Project's operation would not require the combustion of fossil fuels and would allow the City to access renewable energy sources while reducing the need for internal generation during demand peaks" (DEIR page 4-11). Renewable energy is referred to once in Chapter 5 (Additional Topics) in response to a CEQA Appendix F item. In Chapter 6 (Project Alternatives), renewable energy is briefly referred to three times: once within a broader discussion of New Generation alternatives within the City; once within a discussion of Distributed Generation alternatives within the City; and once within a discussion of limitations of Energy Conservation as a Proposed Project alternative. None of this constitutes "repeated assertions."

Clearly, capacity-increasing solutions that would increase fossil fuel-based generation within the City would also increase GHG emissions, but solely increasing transmission capacity (which is what this Project proposes) would allow the City to enter into power purchase contracts with any number of potential future renewable energy suppliers. Nevertheless, the stated project objectives are focused on system improvements (Section 6.1.1, Objectives, of the DEIR, pages 6-1 and 6-2):

- Provide sufficient capacity, in a timely manner, to meet existing electric system demand and anticipated future load growth;
- Provide an additional point of delivery for bulk power into the RPU electrical system, thereby reducing dependence on Vista Substation and increasing overall reliability (see Figure 1.4-2 in Chapter 1);
- Split and upgrade the subtransmission electrical system as a function of prudent utility practice;
- Meet Proposed Project need while minimizing environmental impacts; and
- Meet Proposed Project need in a cost-effective manner.

The Proposed Project is an electrical system transmission and subtransmission project. As such, it would not create a permanent fossil fuel combustion source within the Project area. GHG emissions are analyzed in Section 3.2.3 of the DEIR. The Proposed Project would not create potentially significant impacts associated with GHG emissions. During temporary construction emissions, the Proposed Project would generate less than 20% of the CO₂e SCAQMD Interim GHG Significance Threshold; in operation, it would generate 0.07% of this threshold. It is unclear what "factual basis" is absent to allow understanding the "totality of GHG emissions directly and indirectly associated with the Proposed Project" or what comparisons would be required to identify an alternative (No Project or otherwise) that would reduce potentially significant impacts under this CEQA analysis. Because the commenter's statements are not supported by substantial evidence and are unclear as to their meaning, no further response can be provided (see Master Response #2).

Response to Comment P-99

See Responses to Comments P-17 and P-100.

Response to Comment P-100

See Master Response #2 regarding vague or conclusory comments. There was no “failure or unwillingness” to conduct biological resource surveys. The commenter asserts this with no supporting evidence. See Response to Comment P-17.

For the purpose of the DEIR, and pursuant to CEQA Guidelines Section 15124(a), the baseline conditions used to determine the impacts associated with the Proposed Project and Alternatives are the on-the-ground, physical environmental conditions that existed in the Proposed Project area in fall of 2009, at the time the Notice of Preparation was distributed. Thus, for purposes of the DEIR, the Proposed Project’s environmental setting and the baseline conditions used to determine Proposed Project impacts are the same, as is permitted by CEQA (see CEQA Guidelines, § 15125). Additional data were collected and surveys conducted beyond the fall of 2009, during development of the DEIR, to increase the accuracy of baseline conditions, confirm conditions, augment information, respond to scoping comments, update existing data with survey results, or update the environmental setting to reflect recent changes in land uses within the Proposed Project area. Coordination with RCA, CDFG, and USFWS is clearly documented in the DEIR and the project record. This coordination is considered on-going and continues to this time to ensure protection of biological resources. As stated in the DEIR, the one-year validity of surveys is a requirement of the RCA as part of MSHCP implementation, not (as asserted by the commenter) “[b]ecause biological resources and habitats are subject to rapid change,” however true this may be. Baseline for CEQA impact determination is as described in the DEIR and confirmed by local, State, and federal resource regulating agencies. As directed by the RCA and within the framework of the MSHCP, all necessary supplemental surveys would be conducted at appropriate times prior to construction. Biological Resource Mitigation Measure BIO-03 would ensure that survey work is current up to two weeks prior to any ground disturbing activities associated with Proposed Project construction. Thus, the Lead Agency has conducted valid baseline surveys in coordination with local, State, and federal resource regulating agencies, continued to coordinate for additional surveys with RCA, and included enforceable mitigation measures (BIO-03) to keep survey data current up to the time of construction.

Additionally, the commenter inserts an implication that the Lead Agency imposes requirements on RPU, as though RPU is an applicant under CEQA. The City of Riverside Department of Public Utilities (RPU) is a department of the City.

Response to Comment P-101

The commenter states that, “[t]he biological reconnaissance surveys do not appear to comply with the USFWS ‘Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants’ (USFWS, January 2000), the CDFG’s ‘Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities’ (CDFG, December 9, 1983, revised May 8, 2000), and the Riverside County Transportation and Land Management Agency’s (TLMA) ‘Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Survey Guidelines and Protocols’ (TLMA, July 18, 2007).” No further support for this assertion is given. See Master Response #2 regarding vague or conclusory comments, and Response to Comment P-73 regarding agency coordination on survey work. Additionally, the Project is within the MSHCP and thus supersedes other requirements that would be applicable without such a plan.

Response to Comment P-102

Surveys were conducted by biologists listed on Riverside County's list of qualified biological consultants, including Peter Bloom Biological, Harmsworth Associates, Ken Osborne, and TRC/Essex. See Chapter 3 of the DEIR and the Biological Resources Technical Report in Appendix B.

Response to Comment P-103

See Response to Comment P-102.

Response to Comment P-104

Detailed information used in this analysis may be found in the Biological Resources Technical Report in Appendix B of the DEIR. Maps in Appendix A to the Biological Resources Technical Report clearly identify habitats and locations for all sensitive plant and animal species observed in the Proposed Project area. The impact table in Appendix B to the Biological Resources Technical Report clearly identifies locations and impact types for habitat and sensitive species in the Proposed Project area organized by "link." Links were used to develop routes with the fewest potential impacts. A mapbook depicting species occurrences and habitat locations for the Proposed Project is included as Attachment E to this FEIR.

Contrary to the commenter's allegation, the impact analysis section for Biological Resources (Chapter 3, Section 3.2.4, beginning on page 3-128 of the DEIR) outlines all potential impacts by route. To the extent that the commenter references "alignments" but meant *alternatives*, please refer to Chapter 6 of the DEIR in Volume II.

Response to Comment P-105

The western yellow bat (*Lasiurus xanthinus*) is a mammal, not a bird, as claimed by the commenter; however, because the commenter refers to the discussion in the DEIR about bats (page 3-115), it is assumed that the comment is about bats. The Lead Agency's rationale is not fatally flawed with regards to indirect impacts to bat foraging. No known research has shown an effect of power line conductors on bat foraging ecology and the commenter fails to provide any evidence to the contrary. To be conservative, the Lead Agency discloses that a potential indirect impact to bat foraging habitat (for both western yellow bat and western mastiff bat) is possible in theory; however, both of these species (and bats in general) are capable of foraging in the presence of some level of clutter and obstacles (trees, shrubs, rocks and the like). With the amount of vegetated habitat supporting insect prey in the general area (Santa Ana River riparian corridor, agricultural fields, orchards, irrigated golf courses, urban landscaping, etc.), foraging habitat is not limited; any effect of the conductors would be negligible and not be reasonably expected to result in reduced reproduction or survivorship. See Table 3.2.4-4 (Proposed Project Footprint Habitat Impacts) in the DEIR for amounts of direct habitat losses associated with Proposed Project elements. For a discussion of current and planned land uses within the Proposed Project ROW, including open space land along the boundary of the Hidden Valley Wildlife Area and lands managed for wildlife and recreation under the Land and Water Conservation Fund, see the Land Use and Recreation sections of the DEIR.

Response to Comment P-106

See Master Response #2 regarding vague and conclusory comments. Figure 3.2.4-1 shows habitat cover types within the Project study corridors. (In response to other comments, these areas are shown in greater detail in Attachment E of the FEIR.) Table 3.2.4-1 summarizes cover types within a 2,000-foot study corridor along the proposed 230 kV transmission line route. Table 3.2.4-3 summarizes cover types within 1,000-foot study corridors along the proposed 69 kV routes. Table 3.2.4-4, Proposed Project Footprint Habitat Impacts, lists acres of temporary and permanent impacts by habitat type. Species and their habitat requirements are discussed on pages 3-109 through 3-118 of the DEIR. Line clearance and vegetation conflicts during operation are discussed on page 3-107 of the DEIR. Since the items listed in the comment are all shown, discussed and quantified in the DEIR, the commenter's conclusion regarding it being impossible to independently verify the Lead Agency's findings is unsupportable and without merit.

Response to Comment P-107

See Response to Comment P-100 regarding agency coordination and adequacy of biological resource surveys. The Lead Agency's assessment of biological resources and impacts is neither incomplete nor inadequate. CEQA significance thresholds for evaluating impacts are fully presented in Section 3.2.4, which were fully addressed in the Biological Resources Section. Please also refer to the 232-page Biological Resources Technical Report included in Appendix B, which includes detailed survey reports for burrowing owl, least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Delhi sands flower-loving fly, and habitat assessments and focused plant surveys.

Response to Comment P-108

Analysis of the Proposed Project in the DEIR was based on preliminary engineering and a layout of indicative roads. Preliminary engineering information is included as Attachment D to this FEIR. The EIR fully analyzed biological impacts and coordinated with CDFG and the USFWS to confirm the validity of all biological surveys for CEQA adequacy. See also Response to Comment P-17.

Response to Comment P-109

As indicated in the cited Burrowing Owl Survey Report, MSHCP survey areas were obtained from Riverside County prior to surveys. Surveys were conducted following protocols outlined in the Burrowing Owl Survey Instructions⁵ for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP Section 6.3.2). The fact that 6.6 miles of the Proposed Project area was surveyed for burrowing owl is reflective of the fact that most of the Proposed Project area does not provide suitable habitat for burrowing owls. Much of the Proposed Project and alternative centerlines would cross existing roadways and other paved areas, sidewalks, landscaped areas, and active agricultural fields. In contrast, habitat utilized by burrowing owls includes, but is not limited to, native and non-native grasslands, fallow fields, washes, arroyos, areas of low-density cover, vacant lots, and road embankments. See Figure 3.2.4-1 (Vegetation Communities and Cover Types) and Table 3.2.4-4 (Proposed Project Footprint Habitat Impacts) in the DEIR. Table 1 in the Biological Resources Technical Report (Appendix B to the DEIR)

⁵ http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf

presents presence, absence, and potential for occurrence of burrowing owls (and other species) by Project link for all Project alternatives.

Response to Comment P-110

The Lead Agency does not seek to avoid analysis of potential impacts to avian species and has included this analysis in the DEIR. The commenter has extracted a partial quote from page 3-132, recast it as a “rationale” for avoiding reasoned analysis, and then criticized its inadequacy. The quote included in the comment is: “It is possible that birds would strike the new transmission lines; however, it is not expected to result in a substantial increase from current conditions due to preexisting power lines within the same area” (DEIR page 3-132). This is interpreted as a claim by the Lead Agency that proximity to existing development constitutes a rationale for assuming that a new land use “would not create or have the potential to create new significant environmental effects.” This is not what is explained in the DEIR. The complete quote reads:

“Factors that influence collision risk can be divided into three categories: those related to avian species, those related to the environment, and those related to the configuration and location of transmission lines. Species-related factors include habitat use, body size, flight behavior, age, sex, and flocking behavior. A bird’s flight performance has been shown to be one of the most important factors determining the chances of collision with a transmission line. Environmental factors influencing collision risk include the effects of weather and time of day for transmission line visibility, surrounding land use practices that may attract birds, movement corridors, and human activities that may flush birds into transmission lines. Line-related factors include the configuration and location of the transmission line and transmission line placement with respect to other structures or topographic features. The spatial configuration of the transmission lines for RTRP would be relatively open, allowing movement above, beneath, and between the transmission lines.

Bird collisions also tend to occur with transmission lines when some migrant species travel at reduced altitudes and encounter tall structures (e.g., transmission lines and towers) in their path. It is difficult to predict the magnitude of collision-caused bird mortality without extensive information on bird species and movements in the Proposed Project vicinity. These data are not available for the proposed transmission line study area; however, it is generally expected that collision mortality would be greatest where the movements of susceptible species are the greatest (e.g. near open bodies of water, wetlands, ridge lines), such as the Santa Ana River. A portion of this area currently supports existing power lines that have no record of significant avian mortality. It is possible that birds would strike the new transmission lines; however, it is not expected to result in a substantial increase from current conditions due to preexisting power lines within the same area. Through the incorporation of MM BIO-02 and conformance to Avian Power Line Interaction Committee (APLIC 2006 or current at time of construction contracting) standards, Proposed Project activities are not likely to create significant increases in avian collision risk. This will include, but is not limited to, the following: conductors will be spaced to an acceptable distance for raptors such as red-tailed hawk and golden eagle; bus bars or other points of electrocution shall be covered with non-conductive caps; aerial spans of the Santa Ana River will be marked with UV reflectors

(bird diverters) every 100 feet alternating along the outer conductors; nest deterrents will be implemented per SCE requirements and approved by RPU. SCE will determine and implement APLIC guidelines. Designs for APLIC compliance will be reviewed and approved by the SCE, RPU and the Project Biologist.”

As explained, avian collision risk from power lines is notoriously difficult to accurately predict (particularly for proposed lines) and is the result of complex interaction of species along with behavioral, ecological, and physical variables affected by rare and unpredictable events (e.g., unusual weather patterns, novel food sources, habitat changes). Quantitative estimates of risk require some measure of avian mortality, data usually unavailable for lines that have not yet been built. In context, the DEIR’s full explanation is that the existing SCE lines, in close proximity to the proposed 230 kV Santa Ana River crossing location, provide valuable information on existing avian risk levels in what would be considered the area with the highest avian risk for the Proposed Project. The existing lines present a unique opportunity to see the net effect of all site-specific conditions on local avian mortality. The existing lines inform us about potential risk. The impacts of the proposed lines would be expected to be similar to the impacts of the existing lines. These existing impacts have not been significant, so it can be reasonably assumed that collision risk conditions in the area are low and the proposed lines would be similar.

The commenter also presents an incorrect analogy (i.e., “new housing or commercial development projects” would not “create new significant environmental effects” because “there already exists housing or shopping in the same general area”) to the Proposed Project’s conductor effects on avian species and then argues to the DEIR’s deficiency. The analogy is false on two important levels:

- 1) This is not the argument made in the document; and
- 2) The types of impacts discussed in this section of the DEIR are not comparable.

The DEIR states that, based on an analysis of field conditions and due to the presence of existing lines that have no history of killing significant numbers of birds, it is reasonably certain that the proposed river crossing does not present a significant avian collision risk. The Lead Agency is not attempting to “hide behind the absence of collectible data.” The existing SCE lines, operated within the framework of SCE’s avian protection program, actually provide a long-term dataset. Further, the commenter’s analogy fails to distinguish between differences associated with risk pathways resulting in direct and indirect impacts to biological resources. For typical development projects (such as “new housing or commercial development projects”), major impacts associated with construction activities and site development have the potential to result in species displacement, habitat removal or alteration, and direct species mortality. The Proposed Project has the potential to result in these categories of impacts to biological resources, as discussed in the DEIR on pages 3-129 through 3-132 and shown in Table 3.2.4-4, although these impacts would be less than significant with implementation of EPEs and mitigation measures. In addition, power line projects have some unique and more complex impacts (avian electrocutions and collisions) associated with stringing wires high up in the air. The commenter’s entire comment draws from a section of the DEIR titled “Avian Collision Risk.” The DEIR does not argue that site development and habitat loss associated with existing power lines somehow ameliorates similar project impacts.

Finally, the DEIR has not replaced “reasoned analysis” with “mere compliance with a design standard.” Analysis in the DEIR supports the conclusion that collision risk to avian species should be low; however, the Proposed Project would employ avian-safe design standards and additional mitigative avian protection devices in conformance with current Avian Power Line Interaction Committee (APLIC) guidance (APLIC 2006) per mitigation measure BIO-02. APLIC is a consortium of utilities, avian conservation organizations, and USFWS established in 1989 to identify and develop solutions for issues related to avian mortality from electric lines. It is the best mechanism for utilities to operate avian-safe systems and remain in compliance with both the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. SCE has been a significant participant in APLIC since the beginning and operates its system under an avian protection program that is held as a model for utilities across the country.

Response to Comment P-111

Please see Section 3.2.8 of the DEIR in Volume II for discussion of fire hazard impacts. SCE incorporates the clearance requirements of CPUC GO 95 in the design of the transmission line. These requirements are designed to ensure the safe and reliable operation of electrical facilities, and to avoid the risk of induction and/or flashover from vehicles that may travel beneath the lines. The commenter employs a deception to imply that because flashover is an issue with the railroad so therefore flashover is an unaddressed risk throughout the Proposed Project. Railroad concerns are not related to flashover, but rather are related to control, communication, and induction for parallel alignments. Please also see Master Response #6. Additionally, and contrary to the commenter’s demand that impacts “never” occur, CEQA requires the disclosure only of impacts that are reasonably foreseeable.

Response to Comment P-112

The design of transmission line structures (poles and towers) is governed by the CPUC General Order No. 95, Rules for Overhead Electric Line Construction, which stipulates minimum loadings to ensure the safety and protection of the public. The design code requires the structures to have adequate strength to support physical loads from everyday conditions as well as extreme weather loads or combinations of loads. Design of the structures also incorporates safety factors to provide an additional margin to protect against failures of the structures. In addition, studies would be performed prior to final Project design to prevent placement of structures on known geologic features that could increase the potential for tower damage.

The loading conditions used for transmission structure design include loading cases that are considered extreme loadings, which may represent earthquake or weather events that have a recurrence interval of 50 years, 100 years, or even longer. The structures are designed to resist these loads even though these long return intervals relate to a low probability that the loading condition will be experienced during the life of the transmission line. The concept for the use of extreme loading conditions is to design transmission lines for rare but probable loading conditions that could occur in the region they are located and within the expected life of the line. These conditions typically represent loadings from a weather event with a return interval such as 1-in-50-year or 1-in-100-year storms. For example, weather data can show that 100 mile per hour (mph) winds happen albeit infrequently, but there are no records of 250 mph winds and it is reasonable to design for the 100 mph wind case. Extreme loading conditions are embodied in relevant codes in California but are also in national and international codes and practices for the design of transmission lines (CPUC General Order No. 95, National Electrical Safety Code). The

Proposed Project is not unusual or different in terms of loadings that would be anticipated for all other lines currently in place in Southern California, as these are all required to meet the requirements of General Order No. 95.

The above is not to indicate that transmission structures never fail, but failures are extremely rare and thus any potential impacts of any future failing is not reasonably foreseeable. Transmission structure failures have occurred in instances where anomalous structure loadings from tornadoes or micro-bursts have resulted in wind pressures or other loads in excess of the stipulated design extreme loading. In the event of a structure failure, it is necessary to consider how transmission structures behave when they are subject to loads greater than identified as the extreme weather design load.

Structure failures can be broadly characterized into two categories:

- Category One: The structure remains intact but undergoes displacement or deflection. In these instances, the transmission line is still supported by the structure and may be operational. However, due to member overstress, localized buckling, or foundation movement, the structure is no longer plumb (i.e., not vertically straight or leaning) and conductors are displaced from their design position. This type of structure failure is typically remedied by replacing overstressed or buckled portions of the structure, and/or correcting foundation displacements by using either jacking techniques and the addition of compacted backfill or concrete or by use of high pressure grouting, thereby returning the structure to its originally designed position.
- Category Two: The structure overload is sufficient that the structure has unrecoverable deflections and damage or the structure does not remain intact. In these instances, the transmission line is no longer supported by the structure and cannot be operated. This type of structure failure typically results in a portion of the structure buckling or crumpling to the extent that the transmission line is dropped to the ground. This type of failure does not result in the structure falling or rotating about its base. The shafts of tubular steel poles consist of a single structural member which, when loaded beyond design loads, unlike wood poles, does not physically break and fall to the ground. Rather, the steel shaft yields and the structure is “bent over.” Lattice towers that fail have individual members that buckle or crumple, with this typically occurring in the area of the structure waist, which may be at one-third to one-half the structure height. In most instances when either a tubular steel pole or lattice tower is loaded in excess of its design loading and begins to fail, the tension in the transmission line conductors begins to assert a load on the structure that pulls it in a longitudinal direction. This means that tower failures generally occur in a direction along the transmission line, not perpendicular to the line.

The 230 kV transmission line and 69 kV subtransmission lines, as well as the existing and planned substations, are anticipated to be affected by strong ground shaking, as these areas are located in the seismically active region of Southern California. These impacts to Proposed Project facilities are not avoidable. Final design would incorporate results of the geotechnical investigation’s recommendations for structure modification and strengthening. However, and contrary to the commenter’s demand for a “guarantee,” CEQA requires the disclosure only of impacts that are reasonably foreseeable. The Proposed Project would not result in a reasonably

foreseeable significant increased risk to the environment resulting from unavoidable seismic activity or anomalous weather events such as tornados. There would be no potentially significant unavoidable impacts.

The failure events referenced by the commenter are all either very old events, events on older systems, or highly unique circumstances and actually speak to the high reliability of modern transmission lines. For the first three items, no significant impacts are recognized because of modern design and maintenance requirements. Seismic risk is discussed in the DEIR on pages 3-181 to 3-182. A discussion of aircraft hazards as well as means to reduce potentially significant impacts to below a level of significance may be found on pages 3-221 to 3-224 of Chapter 3 in Volume 2 of the FEIR. Please see Master Response #1, found in Section 2.2.1 herein. Section 15145 of the CEQA guidelines addresses speculative impacts.

Response to Comment P-113

See Response to Comment P-112. For discussion of fire hazard impacts, please see Section 3.2.8 of the DEIR in Volume II.

Response to Comment P-114

As stated in the DEIR, a 50-foot maintenance buffer around each tubular steel pole (TSP) and a 100-foot maintenance clearance buffer around each lattice steel tower (LST) would be provided. In most cases, these horizontal clearance distances provide adequate area to locate and operate equipment and stage material and personnel for routine and emergency construction, restoration, inspection, and ongoing maintenance activities. Topographical features, property dimensions, environmental restrictions, limitations, and other conditions may cause these horizontal clearances to be increased or decreased depending on the particular circumstance. All measurements are taken from the face of the tower foundation.

Land uses that are compatible with the utility ROW and operational criteria—including parking lot and loading travel lanes, recreation uses, open space uses, certain agricultural crop production—may be permitted; therefore, no parcels would be entirely precluded from development.

During the 120-day public comment period, a number of agency and public commenters expressed concerns about the proposed 230 kV transmission line route through the Vernola Marketplace parking area. Several commenters proposed suggestions and possible alternate alignments to reduce impacts within the shopping center. In specific response to these comments, SCE reevaluated the proposed 230 kV transmission line route across the Vernola Marketplace and evaluated the proposed alternatives specifically referenced in public comments. Through evaluating all comments in coordination with the Lead Agency, SCE determined that a minor routing refinement to the Proposed Project in the vicinity of the Vernola Marketplace was feasible from an engineering perspective, and would present significant opportunities to avoid and/or reduce impacts to the Vernola Marketplace property. SCE's routing refinement shifts the 230 kV transmission line out of the primary parking area for the Vernola Marketplace, to the west, closer to I-15, along (and behind) the western property boundary of the Vernola Marketplace. The result will be a transmission line that passes entirely along the backside of the shopping center and would necessitate acquisition of an aerial easement over existing Caltrans ROW. This new routing behind the Vernola Marketplace would also result in fewer structures

requiring ground disturbance and potential interference with roadways, and a reduction in aesthetic impacts. Specifically, rather than three tubular steel poles located in the primary parking area (with approximately 1,700 feet of ROW in the developed property), the routing refinement would result in two tubular steel poles placed behind the shopping center (with approximately 400 feet of ROW in the developed property). This routing refinement would also result in the utilization of tubular steel poles rather than lattice steel structures both north and south of the Vernola Marketplace. Furthermore, the crossing point of the 230 kV transmission line over Limonite Avenue would shift approximately 750 feet to the west, away from Vernola Marketplace entrances but closer to the northbound on- and off-ramps at the I-15/Limonite Avenue interchange. In addition, and consistent with SCE's operational criteria, parking along the far western portion of the Vernola Marketplace would not be impacted.

Response to Comment P-115

Please see Master Response #1, found in Section 2.2.1 herein. The commenter's summary does not express any environmental concern regarding the Project, so no further response is required.

Response to Comment P-116

SCE incorporates the clearance requirements of CPUC GO 95 in the design of the transmission line, which will ensure that no significant impact to existing utilities would occur. In preparation of the construction activities, a survey of existing overhead and underground utilities along the proposed transmission source line route would be conducted. SCE would notify all applicable utilities via underground service alert to locate and mark existing utilities and conduct exploratory excavations (potholing) as necessary to verify the location of existing utilities and prevent damage to existing utilities. SCE would maintain all clearances required to meet GO 95 standards. The claim that flashover between an overhead transmission line and an underground pipeline is an issue has no merit because of the distance between the overhead and underground lines and grounding effects. The comment seems less directed at the Proposed Project and more toward CPUC GO 95 standards employed on transmission projects state-wide.

Response to Comment P-117

See Master Response #12 regarding land use plan consistency. Land use plan objectives and policies are not "cherry picked" but were fully analyzed by the Lead Agency.

Response to Comment P-118

See Master Response #12 regarding land use plan consistency. Within this comment, the commenter presents an indictment of electric power transmission in general, citing to an Oak Ridge Lab study. An assessment of state-wide "T&D" losses across many hundreds of miles of transmission lines is well beyond the scope of the Proposed Project. An analysis of "T&D" losses along the Proposed Project's 9.7-mile transmission line would not assist the decision-makers in considering whether or not to approve the Proposed Project or an alternative, as "T&D" losses do not directly result in environmental impacts and therefore fall outside the purview of CEQA analysis. Please also see Response to Comment P-97.

Response to Comment P-119

The commenter cites the Public Facilities Element of the General Plan (Page PF-25). This reference is taken out of context, and the stated references are not referring to policies of the City

of Riverside, but to the construction specifically of two additional power plants in the City of Riverside, and the effect of those plants on the RPU system. Specific objectives and policies are detailed in this section of the plan, and there are no references to reliance on state or regionally operated transmission lines and new generation construction in any of these objectives or policies. See Master Response #12 regarding land use plan consistency.

Response to Comment P-120

See Master Response #12, which includes a consistency evaluation of City of Riverside General Plan 2025 policies. City of Riverside General Plan 2025 applies only within the City of Riverside.

Response to Comment P-121

See Master Response #12 regarding land use plan consistency.

Response to Comment P-122

See Master Response #12 regarding land use plan consistency.

Response to Comment P-123

The Lead Agency understands that, as the commenter states, the City of Jurupa Valley has not developed or adopted an alternative land use plan to supersede the Riverside County General Plan. Please see Master Response #12 regarding land use plan consistency.

Response to Comment P-124

The Lead Agency understands that, as the commenter states, the City of Jurupa Valley has not developed or adopted an alternative land use plan to supersede Riverside County's General Plan. The Lead Agency has reviewed all policies identified in the DEIR, and policies identified by various comments, and believes that the Proposed Project is consistent with the land use plan the City of Jurupa Valley has adopted. See Master Response #12 regarding land use plan consistency.

Response to Comment P-125

See Master Response #12 regarding land use plan consistency.

Response to Comment P-126

See Master Response #12 regarding land use plan consistency.

Response to Comment P-127

See Master Response #7 regarding economic and social impacts. Potential conflicts with future land uses will depend of the proposed land use; there are no significant impacts that are reasonably foreseeable based on the data and evidence available today. A 50-foot (tubular steel pole) to 100-foot (lattice steel tower) maintenance buffer around each structure would be necessary. Due to federal, State, and utility regulations and policies, structures are not permitted to be constructed in the ROW; however, structures may be constructed up to the ROW if adequate vertical clearances are met. Land uses that are compatible with the utility ROW and

operational criteria—including parking lot and loading travel lanes, recreation uses, open space uses, landscaping, and certain agricultural crop production—may be permitted; therefore, no parcels would be entirely precluded from development.

Response to Comment P-128

The DEIR acknowledges that the Proposed Project would cross a portion of the Eastvale planning area as defined in the Eastvale Area Plan and detailed in Section 3.1.2, page 3-17, and Section 3.2.9, page 3-240 of the DEIR. A policy consistency analysis, which includes EAP 7.1, is provided in Table 2-7 of this chapter. Consistency with applicable policies was confirmed.

Response to Comment P-129

See Master Response #12 regarding land use plan consistency. Contrary to the commenter's assertion, the Bain Street alternative was not rejected solely because of incompatibility with the County's master plan for future widening of Bain Street. In fact, the DEIR includes sufficient environmental impacts related to aesthetics, biological resources, cultural resources, land use (wholly separate from the planned widening of Bain Street), and water resources to recommend the Bain Street alternative for elimination.

Response to Comment P-130

The City of Jurupa Valley was incorporated in July 2011, and the 120-day hold period ended in November of 2011; therefore, it is not bound by Government Code Section 57376(a). Contrary to the commenter's assertion, the Lead Agency does not assume any property that is currently undeveloped or agricultural areas will remain so, and the Project would not adversely affect the development potential of I-15 frontage. Please see Response to Comment P-127 and Master Response #7 regarding social and economic impacts.

Response to Comment P-131

See Master Response #12, regarding land use plan consistency.

Response to Comment P-132

The Countywide Design Standards and Guidelines cited by the commenter are not applicable to the RTRP. Taken from the same document cited by the commenter, the "Countywide Design Standards and Guidelines for the County of Riverside (hereinafter 'Guidelines') are for the use of those property owners and design professionals submitting development applications to the County of Riverside Planning Department" (emphasis added). The following design guidelines and standards have been developed by the County of Riverside with assistance of representatives from several of the municipalities in the County. In addition, it is intended that this document will provide the baseline criteria, in which to measure and to evaluate justifications for potential density bonuses under the RCIP Incentives Program. Where certain standards apply specifically to one Supervisorial District, that notation appears in the document."

Response to Comment P-133

Pursuant to Article XII of the Constitution of the State of California, the CPUC is charged with the regulation of investor-owned public utilities (which include SCE). The CPUC's General Order (GO) Number 131-D, Section XIV B states that, "Local jurisdictions acting pursuant to

local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's [CPUC's] jurisdiction." Since the Proposed Project (230 kV transmission line component) is exempt from local land use and zoning regulations and discretionary permitting, a public use permit is not required. See Master Response #11 regarding CPUC GO 131-D.

Response to Comment P-134

Please see Master Response #7 regarding economic and social impacts and Master Response #12 regarding land use plan consistency. Land use, including plan consistency, was fully analyzed in the DEIR per Appendix G of the CEQA Guidelines. With regard to the commenter's statements regarding "requisite analysis" and "economic projections," please see Master Response #2.

Response to Comment P-135

Please refer to Master Response #7 regarding social and economic impacts.

Response to Comment P-136

See Master Response #7 regarding social and economic impacts. Contrary to the commenter's assertion, a consistent methodology was employed for land use analysis regardless of route, location, or alternative. See Section 3.2.9 of the DEIR for a discussion of specific plans in the Proposed Project area and Master Response #12 for further information regarding Land Use Policy Consistency.

Response to Comment P-137

Please see Response to Comment P-93 and Response to Comment P-127.

Response to Comment P-138

One existing school has been identified within one quarter-mile of the Proposed Project in Jurupa Valley: VanderMolen Elementary School. In addition, nine existing schools have been identified within one quarter-mile of the RTRP components in the City of Riverside, including: La Granada Elementary School, Arlanza Elementary School, Crest Haven School, Norte Vista High School, Wells Middle School, Hawthorne Elementary School, Myra Linn Elementary School, and Our Lady Queen of Angels Elementary School. Contrary to the commenter's statement, the January 2007 NOP did not contain any reference to the number of schools in the vicinity. Twenty-three schools were identified within the Project study area in the Initial Study prepared for the Proposed Project. The study area used for the Initial Study analyzed the greater area in relation to the Proposed Project, not the specific routes analyzed in detail in the DEIR. Therefore, although 23 schools were identified in the study area, 11 schools have been identified within one quarter-mile of the Proposed Project and Van Buren Offset Alternative routes. Schools are mapped in Figures 3.2.9-1 and 3.2.9-2, and names and addresses of schools are provided in Table 3.2.13-2. Accordingly, the City's analysis fully complied with CEQA's requirements.

The property line of the VanderMolen Elementary School site is located approximately 190 feet from the edge of the RTRP 230 kV transmission line ROW. The buildings associated with this school are 300 feet from the ROW. Twenty-five meters was used as the distance to a hypothetical sensitive receptor for impact assessment.

Contrary to the commenter's assertion, the Proposed Project would not require the physical alteration of a governmental facility (such as the VanderMolen Elementary School) simply because new 230 kV transmission line facilities would be installed. The Proposed Project would be installed in a manner that is consistent with government regulations regarding distances from schools, and no alteration of VanderMolen Elementary School would be required. Contrary to the commenter's assertion, the description of the location of VanderMolen Elementary School is consistent throughout the DEIR. For example, the DEIR describes VanderMolen Elementary School as being within 0.25 mile of the proposed I-15 route (pg. 3-185) and also more specifically identifies it as being 300 feet from the proposed I-15 route (pg. 3-264).

Response to Comment P-139

The commenter references the United States Environmental Protection Agency's "School Siting Guidelines," the Office of Environmental Health and Safety's "Distance Criteria for School Siting" (2008), and the California Department of Education's "School Site Selection and Approval Guide" (2000), all of which are guidelines for the siting of schools and not of transmission facilities.

The California Department of Education's (CDE) "School Site Selection and Approval Guide" (2000), in particular, was designed to help school districts (1) select school sites that provide both a safe and a supportive environment for the instructional program and the learning process; and (2) gain state approval for the selected sites. The guide also contains information about safety factors that should be considered when evaluating potential school sites and about the procedures school districts must follow to gain approval from the CDE for new sites and for additions of land areas to existing sites. One of the safety factors includes proximity to high-voltage power transmission lines, where it states that "school districts should be cautious about the health and safety aspects relating to overhead transmission lines and should take a conservative approach when reviewing sites situated near easements for power transmissions lines."

In consultation with the State Department of Health Services and electric power companies, the CDE established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

1. 100 feet from the edge of an easement for a 50 to 133 kV line
2. 150 feet from the edge of an easement for a 220 to 230 kV line
3. 350 feet from the edge of an easement for a 500 to 550 kV line

Accordingly, the commenter is incorrect that the DEIR looked at siting distance with no regulatory support. As is clear from reading the DEIR, a "screening distance" far greater than 500 feet was used during data collection. The Proposed Project (230 kV transmission line component) is not located within 150 feet of an existing and/or proposed school. The inconsistent criteria implied by the commenter are not substantiated by the DEIR; the claim is fabricated and has no basis in fact. Conflating a falsehood and then saying "thus" does not make it so.

Response to Comment P-140

Please see Master Response #1, found in Section 2.2.1 herein. In regard to alternatives analysis, see Response to Comment P-141 below.

Response to Comment P-141

The comment is false. As is clear from descriptions of methodology and analysis in both Chapter 3 and Chapter 6 of the DEIR, fifteen resource topics were fully analyzed under CEQA. The commenter extracted a quote from a paragraph in the alternatives chapter describing how initial inventory maps were developed for the six resource areas for which existing mappable data were obtained for initial GIS analysis. The commenter then fabricates a claim that the entire analysis is flawed. For numerous environmental resources (e.g., air quality, greenhouse gases, water quality, noise), environmental analysis is not based on mappable data but on other indices of significance (e.g., pollution concentrations, decibels of sound). Ultimately, all resource topics were fully considered in the analysis of alternatives. Accordingly, the commenter's statements are incorrect.

The alternatives evaluated in the DEIR were identified through the EIR scoping process and supplemental studies (e.g., siting and constructability). The range of alternatives considered in the screening analysis encompassed:

- Alternatives identified by SCE/RPU;
- Alternatives identified by the EIR team in response to issues identified as a result of independent examination of the Proposed Project;
- Alternatives suggested by interested and affected public agencies during the EIR scoping period; and
- Alternatives identified by members of the public during the EIR scoping period.

Following the identification of the alternative routes, a field reconnaissance of each route was conducted. The field reconnaissance was focused on determining the feasibility of constructing each alternative transmission line route. RPU, SCE, and POWER representatives participated in the field review.

Several adjustments, removals, and additions were made to the alternative routes during the field investigation. Many of the changes included small adjustments of the originally identified routes. These were made in the field to better suit existing land uses, result in better placement of transmission structures, and utilize existing access roads to the greatest extent.

Response to Comment P-142

A reasonable range of alternatives has been considered as part of the DEIR. These alternatives were developed to reduce significant environmental effects associated with the Proposed Project, and feasible mitigation measures were developed for all alternatives, including the Proposed Project, to reduce impacts to the extent feasible. Each of these alternatives, including the Proposed Project, will be equally considered by the decision-makers. The Lead Agency acknowledges that, pursuant to Public Resources Code Section 21002, it may not approve the

project as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen the significant environmental effects of the Proposed Project.

Different alternatives may be clearly superior for certain environmental resource/issue areas while for other areas there may be only slight differences, making the superiority of one alternative over another difficult to ascertain. A comparison of alternatives based simply on the unavoidable significant impacts may show that one alternative results in more of these impacts than another; however, this comparison does not always accurately portray the actual impacts with respect to magnitude (e.g., short-term vs. long-term) and other relevant factors. Also see Response to Comment P-141.

Response to Comment P-143

Please see Master Response #1, found in Section 2.2.1 herein. During the Siting Study, conducted in 2006, the City of Jurupa Valley was not incorporated. The Lead Agency, however, did provide many opportunities for the public living in incorporated cities within and adjacent to the project area, including residents of unincorporated Riverside County, to participate in public meetings. In addition to public meetings, the Lead Agency held Technical Advisory Committee (TAC) Meetings, involving agencies from the Project area including Riverside County (see Chapter 7 of the DEIR).

Response to Comment P-144

Please refer to Master Response #10c regarding the original alignment of the I-15 route. The commenter criticizes the DEIR's use of the word "successfully" with regard to route identification on page 6-7. The word was used in reference to feasible route identification and not project approval; therefore, the commenter's assertion that the use of the word demonstrates a "predilection toward" the proposed 230 kV alignment is unsupported.

Response to Comment P-145

If the No Project Alternative were to be implemented instead of the Proposed Project, the RTRP would not be built. As such, the environmental impacts associated with the Proposed Project, as described in Chapter 3, would not occur. RPU's and SCE's objectives, purpose, and need for the Proposed Project would remain unfulfilled under the No Project Alternative. Without the Proposed Project, the events or actions described below are reasonably expected to occur in the foreseeable future. Additionally, the commenter's statements are misleading because they are based on an assumption that the Proposed Project would be located on a single specific site with a designated land use and zoning. However, this is not a traditional development project, but a linear transmission project that would cross multiple land use and zoning designations.

Without the Proposed Project, overload of existing capacities would occur and the improved system reliability and operating flexibility associated with the Proposed Project would not occur. Therefore, without upgrades to the existing system, the system would experience system-wide power flow and reliability problems due to overloading of the existing system, such as curtailed generation, thermal overload, and blackouts (see generally DEIR Section 6.5.1). Other potential Project alternatives suggested by the commenter were considered within Chapter 6 of the DEIR, with the exception of SCE taking over the electrical supply to portions of the City of Riverside. This alternative would be considered infeasible and would not meet the project objectives. This

alternative would also likely require many miles of transmission and subtransmission lines very similar to the Proposed Project to accomplish the stated purpose and need.

Response to Comment P-146

Please see Master Response #1 and Master Response #12, found in Section 2.2.1 herein. The commenter undertakes to interpret the City of Riverside's General Plan based on limited citations to cherry-picked words from General Plan statements and misstating the plain language of the General Plan. However, as disclosed in the DEIR, the Project is fully consistent with the City of Riverside's General Plan. If there is an issue of interpretation, it is up to the City Council and not to the commenter to interpret the City of Riverside's General Plan.

Response to Comment P-147

Please see Master Response #1, #7, and #14 found in Section 2.2.1 herein. Contrary to the commenter's claim, recent development alone is not the sole basis for the Project's need. To the contrary, as set forth in Chapter 1 of the DEIR, the Project is part of prudent utility planning and reliability consideration because it provides a second source of bulk power to RPU's electric system. The Project is not solely proposed to accommodate load growth.

Response to Comment P-148

The Lead Agency never claims that all transmission projects are the same. The commenter has taken a statement regarding the similar nature of impact types associated with any power line project that could cross the region, transferred the meaning to the word "same" from the word "similar," and then used the fabrication to dismiss the entire analysis. The same level of impact and potential significance for similar impacts is never stated or implied. The words "same" and "similar" may be similar but they are not the same.

Among Project alternatives compared against objectives, the Proposed Project's 230 kV alignment minimized impacts; the Limonite alternative did not.

Please see Master Response #1 and Master Response #14, found in Section 2.2.1 herein. Also, extensive discussion of the Notice of Preparation associated with the Proposed Project may be found in Responses to Comments P-13, P-70, P-75, P-86, and P-138.

Response to Comment P-149

Demand-side management (DSM) programs are designed to reduce customer energy consumption. Regulatory requirements dictate that supply-side and demand-side resource options should be considered on an equal basis in a utility's plan to acquire lowest cost resources. One goal of these programs is to reduce overall electricity use. Some programs also attempt to shift such energy use to off-peak periods.

The combination of these DSM programs constitutes the most ambitious overall approach to reducing electricity demand administered by any state in the nation. In spite of the State's success in reducing demand to some extent, California continues to grow, and overall demand is increasing. Economic and price considerations, as well as long-term impacts of State-sponsored conservation efforts and new appliance efficiency standards, are considered in load forecasts.

The projected capacity savings of DSM activities would not defer the need of the Proposed Project. While reductions in demand are considered an essential part of RPU's and SCE's existing and future operations, they are already incorporated into its system base and peak load forecasts. The available energy savings from these programs is insufficient to improve the service reliability to the Electrical Needs Area to the level desired and achieved through the RTRP. As a stand-alone alternative to the Proposed Project, energy conservation and load management programs are eliminated from its consideration since they represent a small fraction of the capacity requirements needed to meet RPU's and SCE's objectives for the Proposed Project. The commenter fails to comprehend that the CPUC does not regulate municipally owned utilities such as the City of Riverside. Moreover, the City has taken steps for energy efficiency projects; see the City's General Plan 2025 and the City's website (<http://www.riversideca.gov>).

Response to Comment P-150

See Response to Comment P-149. Additional relevant information supporting the Lead Agency's discussion regarding energy conservation and load management (on page 6-25 of the DEIR) may be found in *Energy Efficiency in California's Public Power Sector: A Status Report* (2011), prepared by the California Municipal Utilities Association. For clarification, this report has been added to the project record. As stated in the DEIR, although energy efficiency, demand reduction, and incentivization are heavily incorporated into RPU's operations, these strategies would provide only a fraction of the energy requirements discussed in Chapter 1 (Purpose and Need).

Response to Comment P-151

In the City of Riverside General Plan 2025 Final Programmatic EIR (FPEIR), Programmatic measures identified under MM UTL 3 and identified by the Commenter (1. accelerated or mandated conservancy of electricity; 2. construct new substations and transmission lines; and 3. develop renewable sources of energy generated within the City's service area) are discussed in the context of their application in addition to RTRP and planned additional generation units under some future worst-case scenario to accommodate unknowns associated with energy conservation and energy efficient development. These measures are not presented as alternatives to RTRP (or alternatives to each other), but rather approaches that would be considered as part of a two-year review process, with the assumption that RTRP and planned additional generation units are already operational and supporting future demand within the City. RTRP is not considered a "later project" in this situation as implied by the commenter.

The complete quote from the FPEIR states:

"In the unlikely event that future growth of the City reaches the Maximum or Maximum w/PRD levels, the existing facilities plus RTRP facilities and planned generating units would not accommodate projected needs. The City is proactively upgrading and expanding the current electrical facilities to allow for future power demands and to improve efficiency. By implementing General Plan policies, such as, OS-8.1 to OS-8.11, which encourage renewable energy and energy efficient development and adherence to the Implementation Plan Tools, such as, OS-30 to OS-32 which promote energy efficient programs that conserve energy 15% above Title 24 requirements, demand can be reduced from projected levels. It is speculative to assume when and by how much conservation and energy efficient development alone will reduce demand. Therefore, without

mitigation, possible impacts associated with the worst case analysis presented above would be significant. With implementation of the General Plan policies and Mitigation Measure MM UTL 3, impacts related to electric energy capacity are considered less than significant” (FPEIR Volume II page 5.16-50).

The commenter has taken a partial quote from the FPEIR and suggested that two of the three approaches described in MM UTL 3 would be viable alternatives to the Proposed Project. In addition, see Chapter 1, Purpose and Need, of the DEIR.

Response to Comment P-152

As discussed in Chapter 6 of the DEIR, distributed generation (including from renewable sources) and energy conservation as alternatives would not meet project objectives.

Response to Comment P-153

Please see discussion in the non-wire alternatives section of the DEIR (pages 6-22 to 6-25). Taken singly or together, feasible non-wire alternatives would be insufficient to increase capacity or address demand issues.

Response to Comment P-154

Please see Responses to Comments P-153 and P-149.

Response to Comment P-155

These approaches are part of RPU’s operations, but outside the scope of the Proposed Project. See Responses to Comments P-150 and P-154. To the extent that the comment suggests replacement of equipment or demand curtailment programs as alternatives to the Proposed Project, there is no evidence that they would achieve the Project Objectives and, moreover, their implementation is speculative.

Response to Comment P-156

An energy storage system might be considered a replacement to the Proposed Project, if it were constructed within the City. Any energy storage project outside the City would likely require 230 kV transmission and would face the same objections submitted on the proposed Project. Energy storage systems may include pumped-hydro storage, compressed-air storage, or electrochemical (battery) storage. Pumped-hydro requires two large-capacity reservoirs at different elevations. They could require hundreds of acres of land for sufficient reservoir capacity to provide 560 MW of capacity, and the two reservoirs would have to be at different elevations. These requirements do not exist within the City. Compressed-air storage systems are being constructed with large capacities (100+ megawatts), but require some form of underground geologic formation (abandoned mine, porous rock, etc.) in order to store the compressed air. No such formation exists within the City of Riverside. A battery-storage system would have to be rated above 560 MW due to the losses of converting direct current electricity to alternating current electricity. No such battery system of this capacity exists. While alternative energy approaches are solutions to some technological problems, they either are not available within the City or do not offer the capacity needed to replace the Project.

Response to Comment P-157

The commenter appears to be referring to the 800 MW line, not the 700 MW line, on Figure 1.5-2. The comment is not valid.

Response to Comment P-158

The Springs and RERC facilities are permitted as intermittent use, not base load. The SCAQMD restricts the use of Springs and RERC due to air quality issues. Furthermore, these facilities are a lot more expensive to operate as a base load resource as compared to the receipt of bulk power from the transmission grid. See the discussion in Section 6.4.2 of the DEIR in Volume II.

Response to Comment P-159

A new generation alternative was rejected for a variety of reasons, as discussed on pages 6-23 and 6-24 of the DEIR. The justification for rejection is reasonable as discussed therein. The basic capacity requirements of a new generation alternative are also reasonable, as provision of the capacity requirements would be needed for this alternative to meet the Project objectives.

The commenter asserts that a project (or alternative) that only partially meets energy capacity requirements would need to be considered under CEQA, stating that Section 15126.6(b) of the CEQA Guidelines states that an alternative is not required to be “equal to” or provide comparable benefits to those associated with the Proposed Project.

CEQA Guidelines Section 15126.6(b) states:

“Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”

Chapter 1 (Purpose and Need) of the DEIR explains the City of Riverside’s capacity requirements and planning efforts, along with the result of not meeting basic capacity requirements. A project that fails to meet basic capacity requirements would be far beyond merely impeding “to some degree the attainment of project objectives.” Moreover, the commenter conflates whether an alternative meets Project objectives with whether an alternative is feasible. These are separate concepts under CEQA.

Response to Comment P-160

The Lead Agency alleges nothing about the inability to secure parts. The quoted DEIR statement (“A search of industry sources indicates that the availability of a large power generator is, at best, only 90%”) refers to the fact that a large power generator is only available for use 90% of the time, statistically, because of planned outages for maintenance and unplanned outages because of failures. This is clearly explained in the text immediately following the quote. Utility system planning always considers the loss of one generator (i.e., the so called “N-1” scenario). If a single 332 MW internal generation base-load alternative were employed, the City would be

expected to have regular but limited blackouts and load shedding events. Redundancy is integral to facilities planning.

This rationale is, in fact, applied to the Proposed Project. The Proposed Project's 230 kV line is actually a second set of transmission lines to connect to the State grid. Section 1.5.3 (Lack of Second Interconnection Point), in Chapter 1 (Purpose and Need), discusses this issue. A stated project objective is to add a second point of interconnection to the State grid to improve system reliability (see objectives on pages 6-1 and 6-2 of the DEIR).

Response to Comment P-161

Both RERC and Springs facilities are designed and permitted to serve intermittent loads during peak scenarios. See Section 1.5.2. of the DEIR and Response to Comment P-158. Conversion of intermittent generator facilities to base load facilities is not reasonable from "an environmental perspective," since they were not designed or permitted for this use.

Response to Comment P-162

A citation has been added to Section 6.4.2, New Generation, as shown in Volume II of this FEIR, and included in the project record.

Response to Comment P-163

Air quality impacts from a new generation base load alternative (i.e., operation full-time) would not be comparable to intermittent operation of RERC, as asserted by the commenter. RERC is an intermittent facility operated during peak load conditions and permitted as such. The impacts of operating RERC as a full-time base load resource would be dramatically greater than its intermittent impacts.

Response to Comment P-164

See Response to Comment P-98.

Response to Comment P-165

Thank you for your comment; it has been added to the project record. Also see Response to Comment P-68. With regard to the commenter's allegation that the Proposed Project is the "initial phase of a larger undisclosed" project, please see Master Response #6 discussing the City's analysis of the whole of the action.

Response to Comment P-166

The FPEIR for the City's General Plan 2025 does not state that RTRP "will likely prove insufficient in addressing RPU's service area needs." See Response to Comment P-151.

Response to Comment P-167

The RPU Power Resources Division routinely reviews and revises the long-term electric energy resources and strategy for the City of Riverside. With regard to fragmentation, RERC and Springs were "energy generation" projects, while the RTRP and STP are "energy delivery" projects, addressing different needs. The separation of RTRP and STP is explained in the response to Comment P-65.

Response to Comment P-168

See Response to Comment P-67.

Response to Comment P-169

As stated consistently in the DEIR and shown clearly on maps, the I-15 route is 9.7 miles long. Nowhere in the document is the I-15 route “estimated to be approximately 3.5 miles,” as claimed by the commenter. The commenter has clipped a partial statement from the DEIR and quoted it out of context. The additional statement quoted out of context by the commenter is from an engineering section of POWER Engineers scope of services (RTRP Final Phase 2 Work Plan, page 58) and references a budgeting contingency for centerline staking of up to three miles of 69 kV underground construction on RPU’s subtransmission system. No reference is made to the 230 kV transmission portion of the Proposed Project. The basis for and relevance of conflating a work plan for 69 kV design and centerline staking (prepared before any engineering or environmental work was conducted) and the subsequent CEQA analysis of the proposed 230 kV portion of the Project cannot be discerned.

See Response to Comment P-67 and Master Response #10a regarding undergrounding.

Response to Comment P-170

See Master Response #10a, regarding undergrounding.

Response to Comment P-171

See Master Response #10a, regarding undergrounding.

Response to Comment P-172

See Master Response #10a, regarding undergrounding. In response to the commenter’s statements regarding air quality impacts associated with undergrounding, undergrounding the entire 230 kV route would result in a new significant, direct impact to air quality. Additionally, it would significantly worsen the cumulatively significant air quality impacts that are already projected for the Project. Since CEQA requires that a lead agency undertake all feasible actions and mitigation to reduce significant impacts, the commenter is incorrect in implying that there would be no difference between the Proposed Project’s impacts and those of an underground alternative.

Response to Comment P-173

See Master Response #10a, regarding undergrounding.

Response to Comment P-174

A new 230 kV alignment parallel to the existing Mira Loma to Vista #1 transmission line would not address the Proposed Project’s purpose and need. Such a line would be constructed entirely outside the City of Riverside (a situation that the commenter has stated they want to avoid) and, because of existing development along the existing line, would find insufficient ROW for construction.

ACCR conductors are discussed on page 6-41 of the DEIR. This technology was rejected because it would impart no benefit to the Proposed Project (no particularly long spans, high mechanical or electrical loads, sag issues, etc.), but would cost two to three times more for materials, require specialized and more costly construction, and require maintaining stock of specialized materials unique to the project.

Response to Comment P-175

With regards to alternatives, Section 15126.6(a) of the CEQA Guidelines states:

“An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

Chapter 6 of the DEIR met this requirement by discussing a broad variety of alternatives to the Proposed Project as well as alternative locations for the Proposed Project.

Response to Comment P-176

See Response to Comment P-9.

Response to Comment P-177

Alternative 1: No Project is discussed on pages 6-63 to 6-66 of the DEIR. Contrary to the commenter’s assertion, the DEIR discusses existing environmental conditions and impacts that would reasonably be expected under the No Project Alternative. With regards to baseline conditions, the DEIR states:

“For the purposes of this analysis, the No Project Alternative includes the following two assumptions: 1) the Proposed Project would not be implemented and the existing conditions in the Proposed Project area would not be changed and 2) new transmission and subtransmission lines as well as substations would not be constructed in or near the Proposed Project area to supply power to the City of Riverside by SCE” (DEIR page 6-63, emphasis added).

Table 6.5-1, Summary of Comparison of Alternatives Impacts, compares impacts, by environmental resource, of the No Project Alternative to the Proposed Project. Also see Response to Comment P-145.

Response to Comment P-178

See Response to Comment P-177.

Response to Comment P-179 to P-183

Contrary to the comment, analysis of the No Project Alternative is consistent with “available infrastructure and community services.” Page 6-63 of the DEIR states:

“Under the No Project Alternative, the RTRP would not be constructed, existing conditions in the Proposed Project area would remain the same, and electrical power would continue to be delivered to the City of Riverside through a single interconnection point, which is at capacity.”

Resource impact analyses are based on the assumption that, under the No Project Alternative, none of the facilities or infrastructure upgrades associated with the Proposed Project evaluated in this DEIR would be constructed by SCE or RPU.

Under Section 15126(e)(3), CEQA allows for the discussion of the No Project alternative to proceed along one of two lines. In its analysis of the No Project alternative, the Lead Agency selected the approach described in Section 15126(e)(3)(B) of the CEQA guidelines:

“If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the ‘no project’ alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this ‘no project’ consequence should be discussed. In certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment” (emphasis added).

Under this direction, CEQA requires discussion of consequences of the no project alternative. As discussed in Chapter 1 (Purpose and Need), without increasing capacity and addressing other project objectives, meeting load demand and maintaining reliability are increasingly problematic within the City of Riverside. The situation that would be addressed by the Proposed Project already occurred in October 2007. At that time, all electric customers, including government, school, university, and hospital facilities, within the City lost power for up to four hours. The Proposed Project is premised both on planned growth and existing demand. A failure to address the purpose and need discussed in Chapter 1 of the DEIR (through the Proposed Project or any means) would create for the City of Riverside’s electrical system an intermittently critical situation in the present and a persistently critical situation in the future. The Lead Agency is in no way attempting to use the no-project situation to “inflame and manipulate the public toward a specific outcome.” Other “non-wire” alternatives, including new generation, distributed generation, energy conservation, and load management are discussed on pages 6-22 to 6-25 of the DEIR. Each is currently developed by RPU under separate programs and integrated into system operations.

Response to Comment P-184

Regarding load shedding and blackouts, the commenter states, “it is unclear when the Lead Agency presumes these horrific conditions will occur (e.g., whether they reflect today’s inevitability or a hypothetical future scenario).” See Response to Comment P-179. Additionally, see Chapter 1, Purpose and Need, for discussion of current reliability, capacity, and load issues. The Lead Agency frames these issues as neither “horrific” nor “hypothetical.” Page 1-14 of the DEIR discusses efforts to address current capacity limits at Vista Substation during peak loads.

Response to Comment P-185

All known feasible alignments have been presented in the DEIR. No other feasible designs are known. Please see Master Response #1, found in Section 2.2.1 herein. With regard to the commenter’s “cuts-and-pastes” statement, the commenter provides absolutely no evidence that the City’s analysis is inaccurate or incomplete. Accordingly, no further response is required.

Response to Comment P-186

Sufficient information for evaluation of the Van Buren Offset Alternative (Alternative 2) is provided in the DEIR and associated technical reports (Appendix B). Section 6.2 presents a description of the route; pages 6-66 to 6-102 present impact analysis by resource. Table 6.5-1, Summary of Comparison of Alternatives Impacts, compares impacts by resource. Contrary to the commenter’s assertion, the Van Buren Offset Route does meet CEQA requirements for a “valid alternative.” Section 15126(6)(a) of the CEQA Guidelines requires alternatives to “avoid or substantially lessen any of the significant effects of the project” (emphasis added). It is not required to avoid or substantially lessen all significant effects. As discussed in the DEIR, the Van Buren Offset presented a different suite of significant impacts compared to the Proposed Project. Some impacts are less, some are more.

Response to Comment P-187

Induction and operational concerns were related to the proposed 230 kV line paralleling Union Pacific Railroad (UPRR) within the UPRR ROW, creating maintenance access and potential electrical induction issues. Perpendicular spanning of the UPRR ROW is not a concern. Design modification resulting in the Van Buren Offset Alternative addressed Union Pacific operational concerns. The Van Buren Offset Alternative is not a “straw man” alternative, as alleged by the commenter, but a good faith alternative that was ultimately found to be infeasible.

Response to Comment P-188

See Master Response #1, regarding non-environmental issues. CEQA Guidelines Section 15084(e) requires that the Lead Agency is responsible for the adequacy and objectivity of the Draft EIR following its own review and analysis, and the Lead Agency must ensure that the Draft EIR reflects its own independent judgment. Pursuant to CEQA, the Lead Agency is required to make such findings prior to any approval of the Project.

Response to Comment P-189

See Master Response #1, regarding non-environmental issues. Also see Response to Comment P-44.

Response to Comments P-190 through P-208

The City of Jurupa Valley made a Freedom of Information Act Request for documents it considered germane to understanding of the Proposed Project and its environmental impacts. Although the Freedom of Information Act is a federal act that applies only to federal agencies, the City of Riverside has treated the City of Jurupa Valley's request as a request under the California Public Records Act. The documents requested were available for review during the public review and comment period through various means, including being previously published on RPU's RTRP website, being published on the RTRP website concurrent with the public release of the DEIR, and being available upon request from the City of Riverside. The City responded separately to this request, as it falls outside of the scope of the environmental review contained within the DEIR.

Response to Comment P-190

This was a request for information and does not require a response in the FEIR.

Response to Comment P-191

This was a request for information and does not require a response in the FEIR.

Response to Comment P-192

This was a request for information and does not require a response in the FEIR.

Response to Comment P-193

This was a request for information and does not require a response in the FEIR.

Response to Comment P-194

The Proposed Project is not materially different from the project described under CAISO Option 1. The only difference is the mileage of the 230 kV transmission line due to actual project routing and siting as described in the DEIR.

Response to Comment P-195

This was a request for information and does not require a response in the FEIR.

Response to Comment P-196

The DEIR addresses all electrical system improvements associated with the Proposed Project for both RPU and SCE.

Response to Comment P-197

This was a request for information and does not require a response in the FEIR.

Response to Comment P-198

This was a request for information and does not require a response in the FEIR.

Response to Comment P-199

This was a request for information and does not require a response in the FEIR.

Response to Comment P-200

This was a request for information and does not require a response in the FEIR.

Response to Comment P-201

This was a request for information and does not require a response in the FEIR.

Response to Comment P-202

This was a request for information and does not require a response in the FEIR.

Response to Comment P-203

This was a request for information and does not require a response in the FEIR.

Response to Comment P-204

This was a request for information and does not require a response in the FEIR.

Response to Comment P-205

See Master Response #10c regarding the initial rejection of the I-15 route, formerly the “Santa Ana River West Corridor.” The remainder of the comment was a request for information and does not require a response in the FEIR.

Response to Comment P-206

In April 2010, SCE conducted a Preliminary Geology and Geotechnical Evaluation (SCE 2010) that compared the Eastern Route to the Van Buren Offset Alternative as well as to the I-15 Route. According to SCE’s evaluation, “from the perspective of foundation, and structure integrity, access, and long term maintenance, the Western [I-15 Route] and Van Buren [Offset] alternatives both are clearly more favorable than the Eastern Alignment Alternative.” SCE’s evaluation indicated that, overall, the Eastern Route would place 40 structures in flood zone location conditions that could jeopardize the foundation and structure integrity of the double-circuit 230 kV transmission line. Also, there would be 43 structures with erosion issues and 6 structures with slope stability issues. Maintenance access could be nonexistent for up to 40 structures during flood conditions. Elevated roads in the flood zone are not considered feasible. Road maintenance in the flood zone would be a constant and costly effort, which could be restricted by permitting requirements. The Eastern Route would not be able to perform the function intended, to serve the public with reliable transmission service.

The Preliminary Geology and Geotechnical Evaluation is included as Attachment C in Volume I of this FEIR.

Response to Comment P-207

This was a request for information and does not require a response in the FEIR.

Response to Comment P-208

This was a request for information and does not require a response in the FEIR. The City of Riverside will respond to all comments in the manner required by CEQA.

-----Original Message-----

From: gordonbiggee [mailto:gordonbiggee@charter.net]

Sent: Sunday, July 31, 2011 9:23 AM

To: Riverside Transmission Reliability Project

Subject: Riverside transmission reliability project

Concerning the proposed 230 kV transmission line:

Why is there a jog away from the 15 freeway between 68th and Limonite?

Q-1

Why is there a jog from away from the 15 freeway just before the Mira Loma-Vista Line?

Q-2

Why is the Mira Loma substation in San Bernardino instead of on the east side of the 15 freeway where the green line and orange lines meet?

Q-3

Thank you.

Nony Bernal

Eastvale resident

Comment Letter Q: Nony Bernal**Response to Comment Q-1**

Since the publication of the DEIR for public review and comment, SCE has determined that such a pronounced jog away from I-15 would not be required. SCE evaluated an alternative alignment suggestion by the Vernola Marketplace property owner that was received during the DEIR public review and comment period and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's primary parking area. An aerial easement would be required from Caltrans, as some of the arms that support the conductors on one of the poles would encroach upon Caltrans ROW. This change is reflected in Chapter 2 of Volume II (redlined DEIR) of this FEIR. See Response to Comment P-114.

Response to Comment Q-2

Because of the I-15 Cantu-Galleano Ranch Road Exit (Exit 105), proposed Caltrans plans to reconstruct this interchange, and limited space between the UPS warehouse area and the highway, the Proposed Project is routed along Wineville Avenue for a short distance.

Response to Comment Q-3

The existing Mira Loma Substation, which is already built and proposed only for upgrades as part of the RTRP, is located in San Bernardino County west of Hammer Avenue, as shown on Figure 2.3-1 in the DEIR.

From: Milton Nollkamper [mailto:milt@menoll.com]
Sent: Monday, August 01, 2011 6:14 PM
To: Riverside Transmission Reliability Project
Subject: Riverside Transmission Reliability Project
Importance: High

George-I have a developer that owns several hundred acres fronting 68th Street at Pats Ranch Road. I would appreciate some information as to the type and quantity of voltage/structures transmission is intending to build along the south side of 68th Street along this properties frontage.

R-1

FYI: I am a utility consultant having worked in Southern California since 1985.

Thank you.

Milton Nollkamper
President

M.E. Nollkamper, Inc.
940 Manor Way
Corona, CA 92882

Fax: 951.737.9343
Cell: 714.606.5310

milt@menoll.com

Comment Letter R: Milton Nollkamper, M.E. Nollkamper, Inc.**Response to Comment R-1**

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein, Chapter 2, Proposed Project Description, of the DEIR in Volume II, and Attachment D of this FEIR for preliminary engineering layout maps.

From: Josh Zonker [mailto:joshzonker@yahoo.com]
Sent: Monday, August 01, 2011 10:50 AM
To: Riverside Transmission Reliability Project
Subject: Riverside Transmission Reliability Project

George Hanson,

My name is Joshua Zonker. I am 20 years old and have been a resident of Riverside most of my life. I am writing today in opposition of the proposed project. I hope my comments will not be overlooked as I do realize they are probably not what you want to hear as the project manager and they concern an issue that you are most likely apathetic toward. I also realize that my opinion is sparse among residents, who typically could care less about environmental issues as long as their energy demands are met. I do hope however, that you will take the time to consider my thoughts and offer a response as it is your responsibility to address such matters given the 60 day public review period.

I have read the project description and understand the perceived need to reduce dependency on the Vista Substation and provide a "long term" solution with the opportunity of expansion. I have also read the DEIR, which suggests the project has potential significant impacts to air quality, greenhouse gas emissions, and hazardous materials. California has been the leader in environmental friendly innovation and should continue to be. I am not going to bore you with environmental facts and what not as I am sure you are an educated person. I would just suggest that we are a smart people and should seek out solutions that continue the trend of improvement and not set ourselves up to backtrack. We can possibly focus our energy and finances on reducing energy use or finding a way to produce and distribute energy that has a lesser impact. We must stop thinking selfishly and began making Riverside a healthier place to live as well as a city we can be proud of because it is leading the state, nation, and world to a brighter future.

Joshua Zonker

Comment Letter S: Joshua Zonker**Response to Comment S-1**

The City has responded to all comments received on the DEIR in good faith and as required by CEQA (CEQA Guidelines Section 15088). The commenter's comments will be provided to the decision-making body prior to any decision on the Project. Please see Chapter 6 and page 6-25 of the DEIR, which discusses Proposed Project alternatives and energy efficiency. See also Master Response #1.

Contrary to the commenter's statement, significant unavoidable impacts would not occur related to greenhouse gases or hazards and hazardous materials. Air quality impacts would be cumulatively considerable.

From: abel hernandez [mailto:abel6513@att.net]
Sent: Tuesday, August 02, 2011 10:57 AM
To: Riverside Transmission Reliability Project
Cc: abel6513@att.net
Subject: Riverside transmission reliability project

I would be willing to sell my property. That has easementment rights. You could drive large utility trucks into river bottom. my property faces the river bottom. on the north side of the river. cross streets archer and kennedy st.. assessment number 163140018-0 .99 arces m/L in por lot 11 blk r mb 011/o63 sparrland poultry colony. thank you, Abel Hernandez p.s. I lived here for over 30 years. Enjoyed the beautiful sights of the river, planned to build another house. and now I will be looking at large utility towers beyond my fence.

T-1

Comment Letter T: Abel Hernandez**Response to Comment T-1**

Thank you for your comment; it has become part of the project record. Please see Section 3.2.1 of the DEIR describing the aesthetics impact analysis. See also Master Response #1. Finally, the Project does not propose to conduct any activities within the bed or banks of the Santa Ana River.

From: TERRY BRITAIN [mailto:terrybritain@sbcglobal.net]
Sent: Wednesday, August 03, 2011 11:34 AM
To: Riverside Transmission Reliability Project
Subject: Riverside Transmission Reliability Project

Attn: Mr. George Hanson, Project Manager

We recently received the Notice of Availability & Notice of Completion, etc.

We own property at 10388 Mull Ave, Riverside, CA 92505. We can't tell by the map provide, with the above Notice, if we will be effected by this project. Particularly, with regard to:" would require the creation of new rights-of-way, acquisition of new lands, purchase of easements, from private property owners, land use conversions, and land exchanges".

Please advise if our property would effected by this project as it pertains to the above issues or other issues.

Sincerely,

Terry & Lani Britain

U-1

Comment Letter U: Terri and Lani Britain**Response to Comment U-1**

The 69 kV subtransmission line in the vicinity of your property would be located on the west side of Mull Avenue where the existing distribution line is currently located. The new line would replace and incorporate the existing lines and poles in this location.

From: Carolyn Powers [powers007@att.net]
Sent: Thursday, August 11, 2011 8:15 PM
To: Marketing Web
Subject: Transmission Lines

I am a resident of Eastvale and I have children in VanderMolen School. I am opposed to the proposed transmission lines. In addition to the environmental impact that was stated in you letter, it will endanger children at the school and impact home values in the area.

V-1

These proposed lines are just across the freeway from my home in Eastvale. We are proud of our new, beautiful community and do not want the eye sore of these transmission lines.

V-2

Carolyn Powers
John Smith
6691 Theresa St.
Eastvale, CA 91752

Comment Letter V: Carolyn Powers and John Smith**Response to Comment V-1**

Please see Master Responses #6, regarding EMF, and #7, regarding social and economic impacts. The commenter's concern that the Proposed Project will endanger the health of children attending the VanderMolen School is unfounded, as the Proposed Project's distance from the school exceeds the guidance limits provided in the California Department of Education School Site Selection and Approval Guide (Proximity to High-Voltage Power Transmission Lines). In consultation with the State Department of Health Services and electric power companies, the California Department of Education has established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

1. 100 feet from the edge of an easement for a 50-133kV (kilo volts) line
2. 150 feet from the edge of an easement for a 220-230kV line
3. 350 from the edge of an easement for a 500-550kV line

The Proposed Project 230 kV transmission line would be located 190 feet from the VanderMolen School property line. Please see Master Response #6 regarding EMF. Please also see Master Response #7 regarding social and economic impacts.

Response to Comment V-2

Please see Master Response #1, found in Section 2.2.1 herein, and Section 3.2.1, Aesthetics, of the DEIR in Volume II.

Riverside Transmission Reliability Project

From: Leah Swan <lswan@EnergyAcuity.com>
Sent: Monday, August 15, 2011 12:54 PM
To: Riverside Transmission Reliability Project
Subject: Riverside Transmission Reliability Project
Attachments: grid_database_sheet.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern –

This email is about the status of Riverside Public Utilities' Transmission Reliability Project (RTRP). My name is Leah Swan and I am a Research Analyst at Energy Acuity – we are a provider of intelligence on the energy infrastructure industry and track projects such as RTRP. I have received intelligence that this project has begun construction in the spring of this year. Is this so? If not, what is the current status of this particular project?

W-1

I have attached more information about Energy Acuity and will happily answer any further questions about the work that we do. Your prompt response is appreciated!

Leah Swan
Research Analyst
lswan@energyacuity.com
720.458.2055 Direct



<http://www.energyacuity.com>

energy acuity Grid Database

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Compare 2,500+ public and private companies worldwide. Profiles examine the company, its markets, key executives, projects, and more.

Utilities

Analyze critical information on utilities by IOU, POU, and Co-ops.

Transmission

Detailed transmission project profiles include capacity, substations, location, mileage, companies involved, and more.

Energy Storage

Energy Storage project profiles provide the development timeline, companies involved, and project type.

Smart Grid

Access details on smart grid projects with information including type, companies involved, location, and stage.

Executives

Identify and contact industry professionals that are driving change within the cleantech sectors.

Request for Proposals

Access and monitor upcoming RFPs in the energy infrastructure sectors. Search for upcoming deadlines and opt to receive notifications once new RFPs are added.

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- 20,000 Companies Tracked
- 35,000 Executives
- 1,500 Projects
- 40,000 Miles New Transmission
- 245 Million Meters Tracked

*As of July 2011



Comment Letter W: Leah Swan, Energy Acuity**Response to Comment W-1**

The Proposed Project has not been approved for construction, and no construction activities have occurred for any portion of the Proposed Project.

5127 Sulphur Drive
Jurupa Valley, CA 91752

August 16, 2011

Mr. George Hanson
RTRP Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

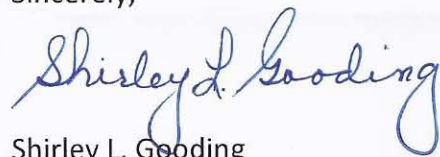
Dear Mr. Hanson:

Please accept these comments in response to the city's draft environmental report for the Riverside Transmission Reliability Project.

I am a twenty-seven (27) year resident of Jurupa Valley, and I am strongly opposed to this project. The City of Riverside's proposal to run high-voltage power lines along the I-15 corridor through our city is unacceptable. I have serious concerns about the long-term health impacts of these transmission lines to our community. Such concerns include my grandson and the children in our neighborhood who attend the Jurupa Valley High School, Mira Loma Middle School, and Sky Country Elementary School. Additionally, the unsightly transmission lines will have significant negative effects to the view shed of our new city.

Please keep me informed of your plans for this project, and notify me of all public meetings and planned actions associated with this project as it proceeds through the environmental process.

Sincerely,



Shirley L. Gooding

cc: The Honorable Laura Roughton
Mayor of Jurupa Valley

X-1

X-2

X-3

Comment Letter X: Shirley L. Gooding**Response to Comment X-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment X-2

The commenter raises concerns regarding the health impacts of the Proposed Project related to the Proposed Project being located in the vicinity of several schools. The 230 kV portion of the Project would be located approximately one mile from Jurupa Valley High School, over two miles from Mira Loma Middle School, and over one mile from Sky Country Elementary School, well outside the California statewide school setback standard of 150 feet as detailed in California Code of Regulations, Title 5, Section 14010(c). Please see Response to Comment V-1 regarding siting of utility infrastructure near schools. Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project, including potential hazardous materials impacts, and Section 3.2.3 of the DEIR, which describes health impacts of criteria pollutants and greenhouse gases. This section of the DEIR examined how implementation of the Proposed Project would alter the present conditions of the local environment due to hazards and hazardous materials. People living, working, and commuting in the vicinity of the Project would not experience any long-term impacts due to the distance of these schools and the lack of significant or substantial exposure to hazardous materials, electrical fields, or other potentially “dangerous” effects. Please also see Master Response #6, regarding EMF.

Response to Comment X-3

You have been added to the public notice distribution list. Visual and aesthetic impacts were covered in Section 3.2.1 of the DEIR.

From: Hansen, Donald [mailto:Donald.Hansen@grainger.com]
Sent: Thursday, August 18, 2011 7:20 AM
To: Riverside Transmission Reliability Project
Cc: Salomon, Stephen @ San Francisco DT
Subject: Grainger property at Cantu-Galleano Ranch and Hamner in Eastvale, CA

George,

We operate our LA distribution operation from property at the NEC of this intersection. We also own the adjacent 40+/- acres for future expansion. Is the plan to install additional power lines along Cantu-Galleano Ranch Road or to incorporate the upgrade into the transmission lines that already exist at the rear (north of Cantu) of our property?

Y-1

Thanks

Don Hansen
Director, Real Estate & Development
phone: 847-535-2012
fax: 866-680-8449

Comment Letter Y: Donald Hansen, Grainger, Inc.**Response to Comment Y-1**

The Proposed Project would tie into the existing Mira Loma-Vista #1 230 kV Transmission Line by connecting each of the new circuits into the existing single-circuit, as described in Section 2.3.1 of the DEIR. New structures would be located along Wineville Avenue and south of Cantu-Galleano Ranch Road, with one structure north of Cantu-Galleano Ranch Road being modified on the existing line (at the northwest corner of Cantu-Galleano Ranch Road and Wineville Avenue) to accommodate the interconnection. No other construction would occur along the existing line or on the property located on the northeast corner of Cantu-Galleano Ranch Road and Hammer Avenue.

September 16, 2011

RECEIVED

SEP 21 2011

Public Utilities
Administration

From: Harvey Clark
PO Box 70328
Riverside, CA 92513
951-990-1327

To: City of Riverside
Public Utilities Department
3901 Orange Street
Riverside, CA 92522

CC: Mayor Loveridge

RE: Riverside Transmission Reliability Project (RTRP)

Dear Sir:

I would like to offer a better alternative than the proposed unsightly, unwanted high voltage power line. An alternative that offers better reliability, better achievement of green energy goals, grid independence, free energy to Riverside residents in the future, and an example for the world to follow. The recent massive Southern California – Arizona blackout shows that even two transmission lines can fail questioning the 'reliability' of the currently planned project.

My proposal would create jobs within the City of Riverside instead of in another city. It involves putting solar panels on roughly 100,000 rooftops in the City of Riverside. Such a project connected to the city grid system would offer so much redundancy and extra power that Riverside would become independent of whatever happens in the nations grid systems. We would become the cleanest and greenest city energy system in the world using solely home grown power. There would be no adverse impacts to be concerned about.

Here is how it would be accomplished. The city would issue as needed low interest municipal bonds to provide the financing. It would then contract for best system and lowest cost for our customers including a dark hours energy storage system. Homeowners/renters and businesses would then have the systems installed. Instead of paying for electrical use they would pay a monthly fee to pay off the bonds. Once their share of the bonds are paid off, they would then receive mostly free electricity for many decades into the future. There would be a monthly cost to cover the off hours storage system, but this would be offset by the increase in the value of their property from having the solar panels on their roof. And there would not be future electrical rate increases.

The incentives are there and the city would be basically organizing, facilitating, and encouraging the projects accomplishment. Some of the new solar panel systems, such as thin film, would with a large project like this be able to provide the low cost needed. Riverside could become an example of how it can be done for all the cities of the world to see. And we might just be the spearhead that curtails Global Warming.

Cordially yours,

Harvey Clark

Z-1

Comment Letter Z: Harvey Clark**Response to Comment Z-1**

Thank you for your comment; it has become part of the project record. Section 6.4.2 of the DEIR discusses non-wire alternatives to the Proposed Project, including new generation, distributed generation (including alternative energy sources), and energy conservation. The City of Riverside already encourages solar energy use through its Residential Photovoltaic Rebate Program. Thus far this program has resulted in approximately 4 MW of local solar generation (far short of the anticipated 560 MW of additional capacity that would be provided by the Proposed Project). Although a city-wide voluntary solar installation program is commendable, its ability to meet the Proposed Project's Purpose and Need of sufficient additional capacity as described here is unsupported. Per Section 15126.6(f)(3) of the CEQA guidelines, "[a]n EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative."

Additionally, the alternative proposed by the commenter would not meet most of the objectives of the Proposed Project. The alternative proposed would not provide sufficient capacity, in a timely manner, to meet existing electric system demand and anticipated future load growth; would not provide an additional point of delivery for bulk power into the RPU electrical system; and would not split and upgrade the subtransmission electrical system.

Riverside Transmission Reliability Project

From: Kim Robinson <kimrobinson_realtor@yahoo.com>
Sent: Monday, September 19, 2011 12:16 PM
To: Riverside Transmission Reliability Project
Subject: RTRP Jurupa

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

I want to advise you that we do not support the high tension power lines coming through our community. It is not our responsibility as a community or as a private person, to supply the city of Riverside with electricity. The eastern corridor is a better location. That way the community & people it benefits can bear the burden of the poles.

AA-1

Kim Robinson

Shining Star Real Estate
8320 Mission Blvd Suite 11
Riverside CA 92509
951-660-0440 cell / 951-790-1225 fax
KimRobinson_Realtor@yahoo.com
DRE # 00882129

Comment Letter AA: Kim Robinson, Shining Star Real Estate**Response to Comment AA-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #10b regarding the Eastern Route and Master Response # 14 regarding local benefits of the Proposed Project.

Riverside Transmission Reliability Project**From:** reynolds6262@charter.net**Sent:** Wednesday, September 21, 2011 2:44 PM**To:** Riverside Transmission Reliability Project**Subject:** NO Transmission Lines in Jurupa Valley**Follow Up Flag:** Follow up**Flag Status:** Flagged

How dare you even consider putting the Electrical Transmission lines anywhere in our City. We have enough pollution and problems with the diesel trucks and the Stringfellow Acid pits. Why should we have to look at these ugly towers when we do not get any of the benefits from them. The citizens of the City of Riverside get all the benefits, well they should get all the lines in their City NOT OURS! You are putting the future of our city in jeopardy. This will involve land that could be developed to improve our tax base and our parks. Move your lines to your area.

BB-1

Thank you,

Brenda Reynolds
6262 Thunder Bay Trail
Riverside, CA 92509

Comment Letter BB: Brenda Reynolds**Response to Comment BB-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #7 regarding social and economic impacts and Master Response #14 regarding local benefits of the Proposed Project. Also see Section 3.2.1 of the DEIR in Volume II for a discussion of aesthetics.

Riverside Transmission Reliability Project

From: George Hodous <ghodous@hotmail.com>
Sent: Thursday, September 22, 2011 7:10 AM
To: Riverside Transmission Reliability Project
Subject: RTRP Project

Follow Up Flag: Follow up
Flag Status: Flagged

I totally oppose the transmission lines running along the Santa Ana River. ESPECIALLY on the south side of the river.

Why not run them on the North side where there are no residences? Or along the railroad tracks heading north along Van Buren? - that would have to be cheaper (shorter). These lines are shown in some studies to cause medical problems. Plus they are an eye sore for people on the south side of the river.

George Hodous
7285 Idyllwild Lane
Riverside, Ca 92503
1-951-689-1978

CC-1

CC-2

CC-3

CC-4

CC-5

Comment Letter CC: George Hodous**Response to Comment CC-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment CC-2

Thank you for your comment; it has become part of the project record. Routes were investigated that included crossing the river to the north close to the proposed substation site. Crossing the river close to the substation location produced greater impacts along the route (primarily higher-value LWCF lands and wildlife habitat) compared to the Proposed Project. Please see Section 6.5 of Chapter 6 of the DEIR for discussion of impacts associated with alternatives. Also see Master Response #1, found in Section 2.2.1 herein.

Response to Comment CC-3

The Van Buren offset alternative roughly follows the UPRR tracks along Van Buren. This route would result in some greater impacts as compared to the Proposed Project. Please see Chapter 6 of the DEIR for a detailed description of the Van Buren Route including route development, description of alternative, environmental impacts, and comparison to other alternatives. Also, please see Master Response #6 regarding EMF.

Response to Comment CC-4

Please see Master Response #6 regarding EMF.

Response to Comment CC-5

Aesthetics-related impacts from the Proposed Project, including impacts as a result of the proposed 230 kV transmission line located along the south side of the Santa Ana River, are thoroughly analyzed in Section 3.2.1 of the DEIR.

Riverside Transmission Reliability Project

From: Kay Meyerett <ktm@clarion-call.org>

Sent: Friday, September 23, 2011 9:20 AM

To: Riverside Transmission Reliability Project

Subject: Fw: Power lines through Jurupa Valley

Follow Up Flag: Follow up

Flag Status: Flagged

A while back I had written to tell you that your newly proposed route along the 15 freeway and Santa Ana River was the best idea I had seen. I was thinking that the freeway is already an eyesore and putting a tall eyesore there would be less impact than running it through residential areas. However, there are still houses and future houses to be considered because that route apparently runs it through the property owned by Anthony Vernola which will be future homes. I thought your freeway route took the power lines to the Santa Ana River and up to Riverside that way. That made more sense to me as far as not adding an eyesore to residential areas. A shortcut through the Vernola property isn't what I understood.

DD-1

I read in today's Riverside County Record that a route had been ruled out that ran through Agua Mansa , considered an eastern route. I didn't know about that route. It had been ruled out "because the electrical towers would be unsightly and cause an aesthetics problem in the City of Riverside". **WHAT?? You've got to be kidding!**

DD-2

I am no longer keeping an open mind about any "southern" or other routes running through our new city. You have a need for more electricity but you don't want to see the unsightly parts of it. Too bad. It isn't OK to hang your unsightly parts over our city.

I think of all the years that we have used "Riverside" in our address because that was the way computers tagged our zip code of 92509. We were very close to the city of Riverside, right across the river. However, your community activities charged us extra money as non-residents of Riverside. We were basically excluded from being a part of the city of Riverside unless we wanted to pay more money. When I hear that the city of Riverside wants to run the unsightly towers through our "non-resident" area because they prefer to not see them inside city limits I close the door on your problem.

DD-3

You have a power problem. Perhaps you should use more solar power and wind power. Perhaps you should use the extra money you collected from us visiting your city and put the lines underground. I'm sorry, I really don't care any more.

DD-4

Sincerely,
Kay Meyerett

Comment Letter DD: Kay Meyerett**Response to Comment DD-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #7 regarding economic and social impacts of the Proposed Project, and Section 3.2.1 of the DEIR in Volume II regarding aesthetics.

Response to Comment DD-2

Please see Master Response #10b regarding the eastern route.

Response to Comment DD-3

Please see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment DD-4

Please see DEIR Section 6.4.2 regarding non-wire alternatives and Master Response #10a regarding undergrounding.

Riverside Transmission Reliability Project**From:** smcdowell@ups.com**Sent:** Tuesday, September 27, 2011 7:28 AM**To:** Riverside Transmission Reliability Project**Subject:** Riverside Transmission Reliability Project (RTRP)**Follow Up Flag:** Follow up**Flag Status:** Flagged

From:

Mira Loma Resident: Sabrina McDowell

Address: 6655 Ametrine Court

Mira Loma, CA 91752

To: George Hanson, Project Manager

Re: Riverside Transmission Reliability Project (RTRP)

As a recent resident of Mira Loma, I object to the Riverside Transmission Reliability Project (RTRP). My neighborhood, nearby shopping area and elementary school sit right in the middle of your proposed area for this project.

EE-1

The property values are already in the dumps, adding unsightly, cancer causing power lines to our area would further de-value the area, making the properties had to sell. I live on a street where homes have been empty for over 3 years. If no one is moving into the area, who needs more power? Where is this growing population you speak of in your reports?

EE-2

EE-3

I currently pay a Mella-Roos for an area that is not well kept by the city/county. I am sure this proposed project will not be free to the surrounding cities. I am already being taxed out of my home.

EE-4

I am sure there is another solution to this power crisis. Having power lines going through my neighborhood is not the answer.

EE-5

Sincerely,

Sabrina McDowell

Comment Letter EE: Sabrina McDowell**Response to Comment EE-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment EE-2

Please see Master Response #7 regarding social and economic impacts. With regard to the commenter's statement on potential health risks, please see Master Response #6, regarding EMF, and Section 3.2.3, Air Quality, in the DEIR in Volume II.

Response to Comment EE-3

Please see Chapter 1, Purpose and Need, of the DEIR in Volume I, which describes the need for the Proposed Project. This comment does not raise any environmental issues.

Response to Comment EE-4

This comment does not raise any environmental issues. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment EE-5

Please refer to Chapter 6 of the DEIR, where an analysis of a range of potential alternatives to the Project was conducted to determine if there was "another solution." Ultimately, there is no other feasible alternative that will meet most of the basic Project objectives and also avoid or reduce the Project's significant impacts. This comment does not raise any environmental issues. Please see Master Response #1, found in Section 2.2.1 herein.

September 30, 2011

From: Harvey Clark
PO Box 70328
Riverside, CA 92513

To: City of Riverside
Public Utilities Department
3901 Orange Street
Riverside, CA 92522


Re: Riverside Transmission Reliability Project (RTRP)

Dear Sir:

If you end up putting these ugly lines through our beautiful Santa Ana River Park Area, could you disguise them to look like pine trees or such, the way the cell phone companies disguise their towers?

FF-1

Cordially yours,

A handwritten signature in blue ink, appearing to read "Harvey Clark", with a stylized flourish at the end.

Comment Letter FF: Harvey Clark**Response to Comment FF-1**

These proposed designs are infeasible given that they are inconsistent with SCE's and electrical industry practices for safety, operations, and maintenance, insofar as they would present a clearance hazard for conductor swing, among other design issues. Furthermore, the commenter presents no evidence that these designs would mitigate any significant aesthetic impacts in the Project area. Modifying 113- to 180-foot transmission structures constructed in an open environment to look like trees would not reduce their visual impact.

Riverside Transmission Reliability Project: RTRP Contact:

George Hanson, Project Manager

Riverside Public Utilities

3901 Orange Street

Riverside, CA 92501

RTRP Hotline:(951) 710-5013

I OPPOSE!!!!

NO to the Van Buren route- Offset

NO to the I-15 Route

Route the Riverside Transmission Reliability Project towers on the City of Riverside easterly side of the Santa Ana River where the electrical power is needed.

The problem is the City of Riverside needs power. The Riverside Public Utilities and Southern California Edison should use the Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant; Since the city of Riverside is the sole beneficent of the project, there is no value but detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals. The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment. our properties and our potential growth in the City of Jurupa Valley.

GG-1

GG-2

GG-3

GG-4

GG-5

GG-6

Thank you,

Matthew Carrington

Matthew Carrington
P.O. Box 464 Mira Loma, Ca 91752
6565 Mission Blvd. Riverside, Ca 92509

Comment Letter GG: Matthew Carrington**Response to Comment GG-1**

Please see Master Response #10b regarding the Eastern Route.

Response to Comment GG-2

Please see Master Response #14, regarding local benefits of the Proposed Project.

Response to Comment GG-3

Please see Master Response #7 regarding economic and social impacts. Visual Resources were covered in Section 3.2.1 of the DEIR.

Response to Comment GG-4

Please see Master Response #6, regarding EMF. Potential impacts and mitigation to schools within one quarter mile of the Proposed Project are disclosed in Section 3.2.7 of the DEIR. VanderMolen Elementary School, the property line of which would be located 190 feet away from the proposed route, is the only potentially impacted school within the City of Jurupa Valley and was among the schools analyzed. The Proposed Project's distance from the school exceeds the guidance limits provided in the California Department of Education School Site Selection and Approval Guide (Proximity to High-Voltage Power Transmission Lines). Please see Response to Comment V-1.

Response to Comment GG-5

Please see Master Response #2 regarding vague and conclusory comments. The location of the 100 year floodplain, as detailed on page 3-185 of the DEIR, is based on Federal Emergency Management Agency (FEMA) established data, the extent of which varies along the river.

Response to Comment GG-6

Please see Master Response #10b, Eastern Route, and Master Response #14, Lack of Local Benefits of 230 kV Route, for discussion regarding environmental impacts and power only being supplied to the City of Riverside, and Response to Comment GG-4 above for discussion regarding impacts to schools. Please see Chapter 3, Section 3.2.1, of the DEIR for discussion of visual impacts.

Riverside Transmission Reliability Project**From:** haroldglick <hal-debglick@charter.net>**Sent:** Friday, October 07, 2011 6:08 PM**To:** Riverside Transmission Reliability Project**Subject:** Comment on Route for Transmission Lines

I think that you have a great route. As a citizen of Jurupa Valley, you can tell my city council to be quiet!!! The land under the lines can be used by industry (if they can get anyone with their planned tax structure), or as forest open space – plant a lot of trees and shield everyone from the freeway traffic noise; plus it will look good.

Please keep the route down the I-15 to the river bottom, & then up-stream; NOT through the middle of our established community.

Thank you for your support.

Harold and Debbie Glick

PS You might as well confess that the power lines have been redesigned and are even a lesser threat than they never were!

HH-1

HH-2

HH-3

Comment Letter HH: Harold and Debbie Glick**Response to Comment HH-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment HH-2

Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment HH-3

Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project**From:** Prc2mail <prc2mail@aol.com>**Sent:** Sunday, October 09, 2011 5:45 PM**To:** Riverside Transmission Reliability Project**Subject:** Riverside Transmission Reliability Project

Dear Mr. Hanson,

I am a home owner and resident of the newly formed city of Jurupa Valley. I have been very concerned about the possible RTRP routes since it was announced.

The proposed route of the 230 kV lines would begin near my house and their route would be visible from my back yard. They would also be near the local school and its playground.

Like others, I am concerned about the health impacts of electromagnetic fields that come from the lines. I have a 9 year old son. I would never have purchased a home and moved into an area that had 230 kV lines running nearby. And yet now I find myself in the position of seeing those lines being built around my home.

II-1

I do not live in a wealthy area. I am closer to train tracks than many would like to be. But my husband and I were able to afford our own home here, and most of our neighbors are people who have lived in the neighborhood a long time and take pride in their homes.

One of the highlights of our property is the view from the back yard. Our property is higher than the subdivision behind us and we are able to see out over the houses to Jurupa Hills and the surrounding river area. The proposed route would leave us with a view of steel towers marching into the distance, and an ever present reminder of the possible health impact of those power lines.

II-2

I ask the RPU to consider another route or even better, underground transmission lines. We do not want the proposed lines constructed near our home, and through one of the last remaining wilderness type areas in the area we live in.

II-3

II-4

Thank you for listening and considering our concerns.

Sincerely,
Jeff & Sarah Posey

Comment Letter II: Jeff and Sarah Posey**Response to Comment II-1**

Several commenters provided the lead agency with comments regarding EMF issues associated with the Proposed Project. Please see Master Response #6.

Response to Comment II-2

Please see Section 3.2.1, Aesthetics, Section 3.2.3, Air Quality, and Section 3.2.7, Hazards and Hazardous Materials, of the DEIR in Volume II, along with Master Response #6, regarding EMF.

Response to Comment II-3

A variety of alternatives, including other routes, was investigated. Undergrounding all or portions of the proposed 230 kV transmission line is discussed in Section 6.4.3 of the DEIR. A number of commenters requested additional information or clarification regarding this alternative to above-ground construction. Please refer to Master Response #10a.

Response to Comment II-4

Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project**From:** Michael Peterson <wikdmyk@sbcglobal.net>**Sent:** Wednesday, October 12, 2011 10:55 PM**To:** Riverside Transmission Reliability Project**Subject:** RTRP

I am writing today to oppose the transmission lines being run through our city with no benefit to our city. All of the power run through these lines are going to the city of Riverside and not to our cities grid. I am also concerned that these lines are too close to a school and could endanger our youth with the interference that is emitted from them.

JJ-1

I do not understand why they can not be run through the Santa Ana river route all the way to Riverside or built underground

JJ-2

Michael Peterson

JJ-3

Comment Letter JJ: Michael Peterson**Response to Comment JJ-1**

The Lead Agency assumes that the commenter's reference to "interference that is emitted from them" is referring to electric and magnetic fields (EMF) associated with the Proposed Project's high voltage lines. The California Department of Education (CDE) has established setback limits for locating any portion of a school site property line near the edge of power line easements. In all areas, the proposed 230 kV easement associated with the Proposed Project is at least 25 feet beyond the CDE's setback limit of 150 feet for 220 to 230 kV transmission lines. The Proposed Project would be constructed in accordance with the California EMF Design Guidelines for Electrical Facilities. Several commenters provided the Lead Agency with similar comments regarding EMF issues associated with the Proposed Project. Please see Master Response #6 regarding EMF and Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment JJ-2

Please refer to Master Response #10b regarding the Eastern Route.

Response to Comment JJ-3

Please refer to Master Response #10a regarding undergrounding.

Riverside Transmission Reliability Project

From: bjiyer@aol.com

Sent: Thursday, October 20, 2011 9:03 AM

To: Riverside Transmission Reliability Project

Subject: uglification of riverside's best view

To George Hanson, Project Manager,

I recognize Riverside's need for a more dependable electric supply and I appreciate your attending public meetings in Jurupa Valley to explain the project.

I am concerned about the proposed electric lines for three reasons : 1) health, 2) economic (Jurupa Valley needs the I-15 corridor for a tax base) and 3) uglification along the bluffs by Hidden Valley Wildlife Area. The health and economic concerns were well described by comments at the public meeting in Jurupa Valley.

KK-1

KK-2

KK-3

The uglification of the most beautiful view in Riverside should also be seriously considered. Have you ever been on the bike trail in winter or spring? You can see green hills to the south, and snowy peaks : Cucamonga Peak to the north, San Gorgonio and San Jacinto to the east, and the river winding below. A red-tailed hawk may fly by at eye level. Almost the whole watershed of the Santa Ana River can be seen. From the whole view you get a sense of wide open space. This view is easily accessible by car, bike and foot. It is unique in Riverside for the sense of space. The transmission towers and lines would detract from this view.

I also have some concern for the safety of the birds that use the bluffs near the existing lines. Red-tailed hawks and American kestrels use the telephone poles year round. In winter migrant species such as prairie falcon, house finches, western meadowlark and occasionally golden eagles use the existing poles and wires. Are the proposed towers and wires safe for them?

KK-4

If this project goes through -- please put the transmission lines underground!!!

KK-5

A better alternative to the electric lines would be solar installation on thousands of homes and businesses in Riverside. With the new system of financing solar (no large payment up front) many homeowners could afford solar now. However homeowners whose careful electricity use makes their electric bill less than a solar payment have little incentive to go solar. What if the money you would spend on the high voltage lines were put into solar -- either buy unused solar from the homeowner or give a certain amount (\$5,000) to the homeowner for installing solar. Something similar could be done for business and government buildings.

KK-6

Please consider the benefits of solar versus the cost and disruption of the transmission lines.

Sincerely,
Barbara Iyer
Jurupa Valley resident

Comment Letter KK: Barbara Iyer**Response to Comment KK-1**

Thank you for your comment; it has become part of the project record. See Master Response #6 regarding EMF and DEIR Section 3.2.3, Air Quality.

Response to Comment KK-2

See Master Response #7 regarding social and economic impacts.

Response to Comment KK-3

Visual impacts associated with the Proposed Project, including those in the Hidden Valley Wildlife Area, are discussed and analyzed in Section 3.2.1 of the DEIR. Some visual impacts are significant, unavoidable and inmitigable. This is disclosed in the DEIR. DEIR pg. 3-54 states: “Hidden Valley Wildlife area to the west (see Photo-simulation Viewpoint 3, Figure 3.2.1-15). Impacts on views from this area would be potentially significant and inmitigable, as they would degrade the visual character and quality of the interface of residential, recreational, and the Santa Ana River’s trails and open space uses.”

Response to Comment KK-4

The entire Proposed Project would be constructed using the most recent guidelines for avian safety recommended by the Avian Power Line Interaction Committee (APLIC 2006). See Mitigation Measure BIO-02 on page 3-128 of the DEIR.

Response to Comment KK-5

See Master Response #10a regarding undergrounding.

Response to Comment KK-6

Please see Response to Comment Z-1 regarding non-wires alternatives to the Proposed Project.

October 23, 2011

Riverside Transmission Reliability Project (RTRP)
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

ATTN: George Hanson, Project Manager

Dear Mr. Hanson;

Being residents of Mira Loma, we will be affected by the proposed Western Route for high power 220 KV transmission lines on huge towers that would run through the Hidden Valley Wildlife Preserve, close to homes in Norco, crossing the Santa Ana River through Goose Creek Golf Course running adjacent to 68th Street in Mira Loma by Vander Molen Elementary School. It would go into the Vernola Market Place shopping center, across Limonite then up I-15 to the warehouses south of Cantu-Galleano where it turns east to Wineville. At that point it would go northeast to Wineville where it would run close to houses already approved for development. We are opposed to the route proposed due to a few factors. The unsightly view would most definitely damage property values in our community along the route proposed, and most certainly the health risks from Electro Magnetic Forces to residential areas and students in the nearby schools, people in the shopping center and the new Vernola Family Park, is one of our biggest concerns. Aside from being unsightly and dangerous to our health, the people affected by this route would receive no benefit from this project. We should not be exposed to the health risks, unsightly view nor to the threat of property value damage caused by these towers. We would be opposed even if we did receive a benefit from them.

LL-1

LL-2

LL-3

We do not want these towers in our community. Since the City of Riverside would benefit from it and it will serve only them, we suggest that this project use the eastern route through Agua Mansa to the Market Street bridge, crossing the Santa Ana River into the City of Riverside there, and follow the river to the power plant. It is only fair that this project is not pushed onto the citizens of the new City of Jurupa Valley, since it is not our project and will not serve any purpose for us except to expose us to health risks, property damage and ruin our view of the surrounding hills and mountains.

LL-4

Thank you for reading our letter and for your consideration.

Sincerely,

Mary Jane Rodriguez
Roberto G. Rodriguez

Mary Jane and Roberto G Rodriguez
5260 Haldor Drive
Mira Loma, CA 91752

Comment Letter LL: Mary Jane and Roberto G. Rodriguez**Response to Comment LL-1**

Thank you for your comments. Please see Master Response #7 regarding social and economic impacts.

Response to Comment LL-2

Please see Master Response #6 regarding EMF and Master Response #7 regarding social and economic impacts.

Response to Comment LL-3

Please see Master Response #7 regarding social and economic impacts and Master Response #14 regarding the benefits of the Proposed Project.

Response to Comment LL-4

Please see Master Response #10b regarding the Eastern Route and Master Response #14 regarding the benefits of the Proposed Project.

Riverside Transmission Reliability Project**From:** ibsalazar@charter.net**Sent:** Monday, October 24, 2011 11:58 AM**To:** Riverside Transmission Reliability Project**Subject:** Transmission Line Concern**Attachments:** transmission line letter.docx

Attached is my letter of concern regarding the installation of power lines in the City of Jurupa Valley.

Irene Salazar

October 23, 2011

Riverside Public Utilities Company
Southern California Edison

Dear Sirs:

I am writing this letter in protest of the Riverside Transmission Reliability Project. To put transmission lines through the City of Jurupa Valley will be disastrous to our citizens. There are many studies that state the risks from exposure to ELF and EMFs are harmful.

The Centers for Disease Control and Prevention "CDC 24/7. Saving Lives. Protecting People. Saving Money through Prevention". There are numerous research reports on EMF (Electric and Magnetic Fields) health risks.

"Report on Health Effects from Exposure to Power-Line Frequency Electric and Magnetic Fields NIH Publication 99-4493 (1999). This summary provides evidence on health risks and makes recommendations for public health.

"Non-ionizing Radiation, Part I: Static and Extremely Low Frequency Electric and Magnetic Fields. This risk assessment is part of a highly-respected international program to evaluate all carcinogens." (Report from the California EMF Program 2002).

"Evaluation of the Possible Risks from Electric and Magnetic Fields (EMFs) from Power Lines, Internal Wiring, Electrical Occupations and Appliances." "This report by the California Department of Health Services evaluates the evidence for the risks of all diseases from exposures to residential and occupation ELF-EMF, concentrating on more recent studies."

These are only three of the studies that have discovered the harmful effects of being close to transmission lines. Health and Safety Building codes do not allow schools to be built close to power lines or the placement of power lines close to schools.

I am against the power lines going through my city the new City of Jurupa Valley. It is my opinion that someone from the Riverside Public Utilities did not do their "due diligence" in the research of the viability of the placement of lines in our city, once Union Pacific won their case, someone must have thought it easy to place the power lines through the

MM-1

MM-2

unincorporated area of Riverside County. It is time for you to reconsider the Eastern Route that has shown to be less harmful and can be implemented immediately.



MM-2

In this day and age we should be moving forward; placing lines above ground is archaic and no longer acceptable and not necessary. All the time, energy and money that have been spent since the inception of "backup power" for the City of Riverside by running power lines through the "unincorporated area of Riverside County" now the City of Jurupa Valley, these same lines could have been placed underground, and the project completed.

MM-3

In closing I strongly urge you to place lines underground and go through the Eastern Route.

MM-4

Respectfully,

Irene Salazar
10021 Willowbrook Rd
Jurupa Valley, Ca. 92509

Comment Letter MM: Irene Salazar**Response to Comment MM-1**

The CPUC addresses public concerns regarding EMF and establishes policy for California's regulated utilities. As a responsible agency, the CPUC would have to approve the Proposed Project and ensure that its guidelines were met. The California Department of Education (CDE) has established setback limits for locating any portion of a school site property line near the edge of power line easements. In all areas, the proposed 230 kV easement associated with the Proposed Project is at least 25 feet beyond the CDE's setback limit of 150 feet for 220 to 230 kV transmission lines. Refer to Appendix C of the DEIR for discussion of EMF associated with RTRP. The studies indicate that the evidence of a health risk is (at best) weak, and the CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. Also, please see Section 6.4.4 of the DEIR and Master Response #6, regarding EMF.

Response to Comment MM-2

For RTRP, extensive constructability and environmental evaluation was conducted to try to develop a viable route to the east. Please see Master Response #10b.

Response to Comment MM-3

Please see Master Response #10a regarding undergrounding.

Response to Comment MM-4

Please see Master Response #10a regarding undergrounding and Master Response #10b regarding the Eastern Route.

October 23, 2011

Riverside Public Utilities Company
Southern California Edison

Dear Sirs:

I am writing this letter in protest of the Riverside Transmission Reliability Project. To put transmission lines through the City of Jurupa Valley will be disastrous to our citizens. There are many studies that state the risks from exposure to ELF and EMFs are harmful.

NN-1

The Centers for Disease Control and Prevention "CDC 24/7. Saving Lives. Protecting People. Saving Money through Prevention". There are numerous research reports on EMF (Electric and Magnetic Fields) health risks.

"Report on Health Effects from Exposure to Power-Line Frequency Electric and Magnetic Fields NIH Publication 99-4493 (1999). This summary provides evidence on health risks and makes recommendations for public health.

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These are only three of the studies that have discovered the harmful effects of being close to transmission lines. Health and Safety Building codes do not allow schools to be built close to power lines or the placement of power lines close to schools.

I am against the power lines going through my city the new City of Jurupa Valley. It is my opinion that someone from the Riverside Public Utilities did not do their "due diligence" in the research of the viability of the placement of lines in our city, once Union Pacific won their case, someone must have thought it easy to place the power lines through the unincorporated area of Riverside County. It is time for you to reconsider the Eastern Route that has shown to be less harmful and can be implemented immediately.

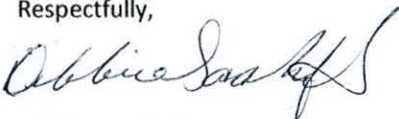
NN-2

In this day and age we should be moving forward; placing lines above ground is archaic and no longer acceptable and not necessary. All the time, energy and money that have been spent since the inception of "backup power" for the City of Riverside by running power lines through the "unincorporated area of Riverside County" now the City of Jurupa Valley, these same lines could have been placed underground, and the project completed.

NN-3

In closing I strongly urge you to place lines underground and go through the Eastern Route.

Respectfully,



Debbie Saathoff
10003 Willowbrook Rd
Jurupa Valley, Ca. 92509

Comment Letter NN: Debbie Saathoff**Response to Comment NN-1**

Please see response to comment MM-1.

Response to Comment NN-2

Please see response to comment MM-2.

Response to Comment NN-3

Please see Master Response #10a regarding undergrounding and Master Response #10b regarding the Eastern Route.

October 31, 2011

Riverside Public Utilities Company
Southern California Edison

Dear Sirs:

I am writing this letter in protest of the Riverside Transmission Reliability Project. To put transmission lines through the City of Jurupa Valley will be disastrous to our citizens. There are many studies that state the risks from exposure to ELF and EMFs are harmful.

OO-1

The Centers for Disease Control and Prevention "CDC 24/7. Saving Lives. Protecting People. Saving Money through Prevention". There are numerous research reports on EMF (Electric and Magnetic Fields) health risks.

"Report on Health Effects from Exposure to Power-Line Frequency Electric and Magnetic Fields NIH Publication 99-4493 (1999). This summary provides evidence on health risks and makes recommendations for public health.

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These are only three of the studies that have discovered the harmful effects of being close to transmission lines. Health and Safety Building codes do not allow schools to be built close to power lines or the placement of power lines close to schools.

I am against the power lines going through my city the new City of Jurupa Valley. It is my opinion that someone from the Riverside Public Utilities did not do their "due diligence" in the research of the viability of the placement of lines in our city, once Union Pacific won their case, someone must have thought it easy to place the power lines through the unincorporated area of Riverside County. It is time for you to reconsider the Eastern Route that has shown to be less harmful and can be implemented immediately.

OO-2

In this day and age we should be moving forward; placing lines above ground is archaic and no longer acceptable and not necessary. All the time, energy and money that have been spent since the inception of "backup power" for the City of Riverside by running power lines through the "unincorporated area of Riverside County" now the City of Jurupa Valley, these same lines could have been placed underground, and the project completed.

OO-3

In closing I strongly urge you to place lines underground and go through the Eastern Route.

Respectfully,



Jim Saathoff
10003 Willowbrook Rd
Jurupa Valley, Ca. 92509

Comment Letter OO: Jim Saathoff**Response to Comment OO-1**

Please see response to comment MM-1.

Response to Comment OO-2

Please see response to comment MM-2.

Response to Comment OO-3

Please see Master Response #10a regarding undergrounding and Master Response #10b regarding the Eastern Route.

October 31, 2011

Riverside Public Utilities Company
Southern California Edison

Dear Sirs:

I am writing this letter in protest of the Riverside Transmission Reliability Project. To put transmission lines through the City of Jurupa Valley will be disastrous to our citizens. There are many studies that state the risks from exposure to ELF and EMFs are harmful.

PP-1

The Centers for Disease Control and Prevention "CDC 24/7. Saving Lives. Protecting People. Saving Money through Prevention". There are numerous research reports on EMF (Electric and Magnetic Fields) health risks.

"Report on Health Effects from Exposure to Power-Line Frequency Electric and Magnetic Fields NIH Publication 99-4493 (1999). This summary provides evidence on health risks and makes recommendations for public health.

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I am against the power lines going through my city the new City of Jurupa Valley. It is my opinion that someone from the Riverside Public Utilities did not do their "due diligence" in the research of the viability of the placement of lines in our city, once Union Pacific won their case, someone must have thought it easy to place the power lines through the unincorporated area of Riverside County. It is time for you to reconsider the Eastern Route that has shown to be less harmful and can be implemented immediately.

PP-2

In this day and age we should be moving forward; placing lines above ground is archaic and no longer acceptable and not necessary. All the time, energy and money that have been spent since the inception of "backup power" for the City of Riverside by running power lines through the "unincorporated area of Riverside County" now the City of Jurupa Valley, these same lines could have been placed underground, and the project completed.

PP-3

In closing I strongly urge you to place lines underground and go through the Eastern Route.

Respectfully,



Stephanie Saathoff
10003 Willowbrook Rd
Jurupa Valley, Ca. 92509

Comment Letter PP: Stephanie Saathoff**Response to Comment PP-1**

Please see response to comment MM-1.

Response to Comment PP-2

Please see response to comment MM-2.

Response to Comment PP-3

Please see Master Response #10a regarding undergrounding and Master Response #10b regarding the Eastern Route.

October 31, 2011

Riverside Public Utilities Company
Southern California Edison

Dear Sirs:

I am writing this letter in protest of the Riverside Transmission Reliability Project. To put transmission lines through the City of Jurupa Valley will be disastrous to our citizens. There are many studies that state the risks from exposure to ELF and EMFs are harmful.

QQ-1

The Centers for Disease Control and Prevention "CDC 24/7. Saving Lives. Protecting People. Saving Money through Prevention". There are numerous research reports on EMF (Electric and Magnetic Fields) health risks.

"Report on Health Effects from Exposure to Power-Line Frequency Electric and Magnetic Fields NIH Publication 99-4493 (1999). This summary provides evidence on health risks and makes recommendations for public health.

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"Evaluation of the Possible Risks from Electric and Magnetic Fields (EMFs) from Power Lines, Internal Wiring, Electrical Occupations and Appliances." "This report by the California Department of Health Services evaluates the evidence for the risks of all diseases from exposures to residential and occupation ELF-EMF, concentrating on more recent studies."

These are only three of the studies that have discovered the harmful effects of being close to transmission lines. Health and Safety Building codes do not allow schools to be built close to power lines or the placement of power lines close to schools.

I am against the power lines going through my city the new City of Jurupa Valley. It is my opinion that someone from the Riverside Public Utilities did not do their "due diligence" in the research of the viability of the placement of lines in our city, once Union Pacific won their case, someone must have thought it easy to place the power lines through the unincorporated area of Riverside County. It is time for you to reconsider the Eastern Route that has shown to be less harmful and can be implemented immediately.

QQ-2

In this day and age we should be moving forward; placing lines above ground is archaic and no longer acceptable and not necessary. All the time, energy and money that have been spent since the inception of "backup power" for the City of Riverside by running power lines through the "unincorporated area of Riverside County" now the City of Jurupa Valley, these same lines could have been placed underground, and the project completed.

QQ-3

In closing I strongly urge you to place lines underground and go through the Eastern Route.

Respectfully,



Eva Casas
10003 Willowbrook Rd
Jurupa Valley, Ca. 92509

Comment Letter QQ: Eva Casas**Response to Comment QQ-1**

Please see response to comment MM-1.

Response to Comment QQ-2

Please see response to comment MM-2.

Response to Comment QQ-3

Please see Master Response #10a, regarding undergrounding, and Master Response #10b, regarding the Eastern Route.

Riverside Transmission Reliability Project

From: Edie1A@aol.com

Sent: Tuesday, November 01, 2011 2:53 PM

To: Riverside Transmission Reliability Project

Subject: Transmission Lines thru Jurupa

Follow Up Flag: Follow up

Flag Status: Flagged

RTRP

City of Riverside, Public Utilities Department

3901 Orange Street

Riverside, Ca 92522

Why in the world would we want new 230kv transmission lines and 69 kv transmission lines coming through our community of Jurupa?? It will lower our property values, be an ugly sight and is dangerous.

RR-1

It will NOT benefit us , but will benefit Riverside. Therefore, let them take the route that goes completely around Jurupa. If they get the benefit, then they should have to put up with the ugly towers, property being devalued and the danger that goes with them.

RR-2

There is NO WAY that we will agree to it going through our City.

Thank you,

Mr & Mrs. Paul Allen

7515 Canyon Terrace Dr.

Riverside, Calif. 92509

Comment Letter RR: Mr. and Mrs. Paul Allen**Response to Comment RR-1**

Please see Master Response #2 regarding vague or conclusory comments Visual and Aesthetic effects were covered in Section 3.2.1 of the DEIR. Further, no portion of the 69 kV lines will be located in the City of Jurupa Valley. Please also see Master Response #7 regarding economic and social impacts.

Response to Comment RR-2

Please see Master Response #2 regarding vague or conclusory comments, Master Response #14 regarding lack of local benefits of the Proposed Project, and Master Response #7 regarding economic and social impacts.

Riverside Transmission Reliability Project

From: Enrique & Sandra Lipp <esjglipp@sbcglobal.net>

Sent: Thursday, November 03, 2011 3:54 PM

To: Riverside Transmission Reliability Project

Subject: No to High Tension Power Lines

Follow Up Flag: Follow up

Flag Status: Flagged

George Hanson
Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

November 3, 2011

Attention George Hanson:

I oppose the high tension power lines you want to run through the city of Jurupa Valley.
We do not want these lines in our city. Please find another route to put these towers.

Thank you,
The Lipp Family

SS-1

Comment Letter SS: Enrique and Sandra Lipp**Response to Comment SS-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

George Hanson, Project Mnger RTRP
3901 Orange Street
Riverside, Ca 92501

November 6, 2011

NO-to Van Buren—No to I-15!

Route the Riverside Transmission Reliability Project towers on the City of Riverside easterly side of the Santa Ana River where the electrical power is needed.

The problem is the City of Riverside needs power. The Riverside Public Utilities and Southern California Edison should use the **Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant;** Since the city of Riverside is the sole beneficent of the project, there is no value-only detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals.

The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge the Public Utilities Commission to require RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment; our properties and our potential growth in the City of Jurupa Valley. **It's Ugly** and I do not want to grow up in an **unsafe environment!** I vote for 'healthy attractive community!'

Sincerely,

Christopher Carrington

Christopher Carrington
PO Box 464
Mira Loma, Ca 91752

TT-1

TT-2

TT-3

TT-4

TT-5

TT-6

Comment Letter TT: Christopher Carrington**Response to Comment TT-1**

Please see Response to Comment GG-1.

Response to Comment TT-2

Please see Response to Comment GG-2.

Response to Comment TT-3

Please see Response to Comment GG-3.

Response to Comment TT-4

Please see Responses to Comments GG-3 and GG-4.

Response to Comment TT-5

Please see Response to Comment GG-4.

Response to Comment TT-6

Please see Responses to Comments GG-5 and GG-6.

7

Riverside Transmission Reliability Project: RTRP Contact:

George Hanson, Project Manager

Riverside Public Utilities

3901 Orange Street

Riverside, CA 92501

RTRP Hotline:(951) 710-5013

I OPPOSE!!!! It's UGLY!!!!!!!!!!

NO to the Van Buren route- Offset

NO to the I-15 Route

Route the Riverside Transmission Reliability Project towers on the City of Riverside easterly side of the Santa Ana River where the electrical power is needed.

The problem is the City of Riverside needs power. The Riverside Public Utilities and Southern California Edison should use the Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant; Since the city of Riverside is the sole beneficent of the project, there is no value but detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals. The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment. our properties and our potential growth in the City of Jurupa Valley.

Thank you,



Ryan Carrington
P.O. Box 464 Mira Loma, Ca 91752
6565 Mission Blvd. Riverside, Ca 92509

UU-1

UU-2

UU-3

UU-4

UU-5

UU-6

Comment Letter UU: Ryan Carrington**Response to Comment UU-1**

Please see Response to Comment GG-1.

Response to Comment UU-2

Please see Response to Comment GG-2.

Response to Comment UU-3

Please see Response to Comment GG-3.

Response to Comment UU-4

Please see Response to Comment GG-4.

Response to Comment UU-5

Please see Response to Comment GG-5.

Response to Comment UU-6

Please see Response to Comment GG-6.

George Hanson Project Manager RTRP
City of Riverside Public Utility Department
3901 Orange
Riverside, Ca 92522

November 6, 2011

Re: [Riverside Transmission Reliability Project](#)

NO-to Van Buren—No to I-15!-Go East Riverside!

Route the Riverside Transmission Reliability Project towers on the [City of Riverside easterly side](#) of the Santa Ana River where the electrical power is needed.

The problem is the City of Riverside needs power. YOUR PROBLEM! The Riverside Public Utilities and Southern California Edison should use the **Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant**; Since the city of Riverside is the sole beneficent of the project, there is no value-only detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals.

The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge the Public Utilities Commission to require RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment; our properties and our potential growth in the City of Jurupa Valley.

It's Ugly  and would be an **unsafe environment!** I vote for a 'healthy community!'

Sincerely,



Ryan Carrington
P.O. Box 464
Mira Loma, Ca 91752

VV-1

VV-2

VV-3

VV-4

VV-5

VV-6

Comment Letter VV: Ryan Carrington**Response to Comment VV-1**

Please see Response to Comment GG-1.

Response to Comment VV-2

Please see Response to Comment GG-2.

Response to Comment VV-3

Please see Response to Comment GG-3.

Response to Comment VV-4

Please see Responses to Comments GG-3 and GG-4.

Response to Comment VV-5

Please see Response to Comment GG-4.

Response to Comment VV-6

Please see Response to Comment GG-6.

+

Riverside Transmission Reliability Project: RTRP Contact:

George Hanson, Project Manager

Riverside Public Utilities

3901 Orange Street

Riverside, CA 92501

RTRP Hotline:(951) 710-5013

I OPPOSE!!!! I have seizures-and my health is AT RISK!

NO to the Van Buren route- Offset

NO to the I-15 Route

Route the Riverside Transmission Reliability Project towers on the City of Riverside easterly side of the Santa Ana River where the electrical power is needed.

The problem is the City of Riverside needs power. The Riverside Public Utilities and Southern California Edison should use the Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant; Since the city of Riverside is the sole beneficent of the project, there is no value but detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals. The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment. our properties and our potential growth in the City of Jurupa Valley.

WW-1

WW-2

WW-3

WW-4

WW-5

WW-6

Thank you,



Heather Carrington
P.O. Box 464 Mira Loma, Ca 91752
6565 Mission Blvd. Riverside, Ca 92509

Comment Letter WW: Heather Carrington**Response to Comment WW-1**

Please see Response to Comment GG-1.

Response to Comment WW-2

Please see Response to Comment GG-2.

Response to Comment WW-3

Please see Response to Comment GG-3.

Response to Comment WW-4

Please see Responses to Comments GG-3 and GG-4.

Response to Comment WW-5

Please see Response to Comment GG-5.

Response to Comment WW-6

Please see Response to Comment GG-6.

George Hanson, Project Manager~RTRP
3901 Orange Street
Riverside, Ca 92501

November 6, 2011

NO-to Van Buren—No to I-15!-Go East Riverside!

Route the Riverside Transmission Reliability Project towers on the City of Riverside easterly side of the Santa Ana River where the electrical power is needed.

XX-1

The problem is the City of Riverside needs power. YOUR PROBLEM! The Riverside Public Utilities and Southern California Edison should use the **Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant;** Since the city of Riverside is the sole beneficent of the project, there is no value-only detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals.

XX-2

XX-3

XX-5

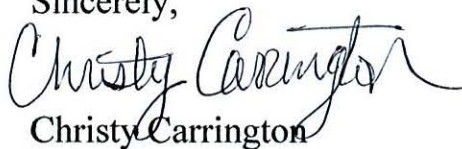
XX-4

The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge the Public Utilities Commission to require RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment; our properties and our potential growth in the City of Jurupa Valley.

XX-6

It's Ugly and I do not want to grow up in an **unsafe environment!** I vote for 'healthy attractive community!'

Sincerely,



Christy Carrington

PO Box 464

Mira Loma, Ca 91752

Comment Letter XX: Christy Carrington**Response to Comment XX-1**

Please see Response to Comment GG-1.

Response to Comment XX-2

Please see Response to Comment GG-2.

Response to Comment XX-3

Please see Response to Comment GG-3.

Response to Comment XX-4

Please see Response to Comment GG-4.

Response to Comment XX-5

Please see Response to Comment GG-5.

Response to Comment XX-6

Please see Response to Comment GG-6.

George Hanson Project Manager RTRP
City of Riverside Public Utility Department
3901 Orange
Riverside, Ca 92522

November 6, 2011

Re: Riverside Transmission Reliability Project

NO-to Van Buren—No to I-15!-Go East Riverside!

Route the Riverside Transmission Reliability Project towers on the City of Riverside easterly side of the Santa Ana River where the electrical power is needed.

The problem is the City of Riverside needs power. YOUR PROBLEM! The Riverside Public Utilities and Southern California Edison should use the **Eastern Route Aqua Mansa-Santa Ana River at Market Street Bridge and cross in the City of Riverside to the Van Buren power plant;** Since the city of Riverside is the sole beneficent of the project, there is no value-only detriment to Jurupa Valley in loss of land, devalued property values, unsightly towers, exposure to EMF (electro-magnetic fields) impact to Jurupa Valley schools, our children, our families, our animals.

The EIR Environmental Impact and 100 year Flood study are erroneous simply by the fact the towers would be routed over the very same Santa Ana River at Route 15; but would in effect be more distance, more costly, more dangerous, more exposure to schools, and unsightly for Jurupa Valley, Eastvale and Norco, and only provide power for the City of Riverside. I urge the Public Utilities Commission to require RPU and SCE to implement the Eastern route to benefit and supply their power needs and to NOT destroy our environment; our properties and our potential growth in the City of Jurupa Valley.

It's Ugly and would be an **unsafe environment!** I vote for a 'healthy community!

Sincerely,

Matthew Carrington

Matthew Carrington
P.O. Box 464
Mira Loma, Ca 91752

YY-1

YY-2

YY-3

YY-4

YY-5

YY-6

Comment Letter YY: Matthew Carrington**Response to Comment YY-1**

Please see Response to Comment GG-1.

Response to Comment YY-2

Please see Response to Comment GG-2.

Response to Comment YY-3

Please see Response to Comment GG-3.

Response to Comment YY-4

Please see Response to Comment GG-4.

Response to Comment YY-5

Please see Response to Comment GG-5.

Response to Comment YY-6

Please see Response to Comment GG-6.

✂

Danielle Carrington
PO Box 464
Mira Loma, CA 91752
(951) 685-4430
carringtongroup@sbcglobal.net

November 6, 2011

Mr. George Hanson
City of Riverside
3901 Orange Street
Riverside, CA 92522

Only the Easterly Route for SCE/City of Riverside

Dear Mr. Hanson, Project RTRP Manager:

I would appreciate a **written reply** to my concerns addressed below:

I would like to have you explain how the impact study affecting the city?
Would be any different of a study for the transmission lines going
through our community vs. the city?

ZZ-1

Aesthetically-ugly in the city-ugly for me too!

ZZ-2

Effect on City of Riverside property values w/benefit.
Effect on my property values absolutely NO benefit.

ZZ-3

Same Santa Ana River. Same Environmentally concerns.
Same Flood concerns.

ZZ-4

Did you do a '100 year Flood Study' for the alternate routes?

Health Effects: You know---and---I know. Adverse Effects! ☹

ZZ-5

I have a daughter diagnosed with Tuberous Sclerosis;
She has grand mal seizures; it is strenuous to endure,
My Heather needs absolutely NO more additional
Exposures to anything with negative impact.

↓

We have lots of kids-many schools and animals and crops that are in our community, in the area you are trying to force these mammoth transmission lines to be placed. If we do not stand up and protect our community-then we should be ashamed!...because it is our Duty...it is Our RESPONSIBILITY!

ZZ-5

We all understand the City of Riverside's need for more energy but the Easterly route is the less adverse route that will deliver the much needed electricity to the City of Riverside. SCE & RPU should abandon installing these unsightly, toxic transmission lines along the 15 freeway or Van Buren Blvd. **YOU should only consider the Easterly Route.**

ZZ-6

The City of Riverside already has access and owns property at the eastern route, the power is solely for the city's use – not ours-we are only passage if you use the other project routes. The City does not want the transmission lines because they are 'ugly'...well they don't get 'beautiful' in our area either. The study sites 100 year flood reasoning-that is ludicrous—because the transmission lines pass over the very same Santa Ana River on the other 2 proposed plans, and possibly at an even broader aspect and more flow. **That should be investigated? Show me that flood study.**

ZZ-7

A few reasons-Why it shouldn't go through Jurupa Valley:

- #1. UGLY
- #2 UNSAFE
- #3 NO Benefit 2-Us!
- #4 Devalues our property Real Estate

ZZ-8

We demand Southern California Edison and the City of Riverside use the **easterly route** only for the City of Riverside's needed power through installation of transmission lines.

ZZ-9

In 1973 SCE/RPU submitted a plan to the CPUC for routing transmission lines through Jurupa. The plan was denied by the CPUC. Reason: *Aesthetics: the way something looks, especially when considered in terms of how pleasing it is.*

Here we are 35 years later in the same David & Goliath struggle. But much has changed since 1973.

- 1) The population has increased from about 25k to 109k
- 2) Student population has increased from 5k to almost 20k
- 3) Jurupa has one of the worst toxic waste dumps in the nation. It's called Stringfellow. Stringfellows toxic chemicals have affected the health of our citizens and have infected our groundwater.
- 4) Jurupa is number one in the nation when it comes to air pollution comingled with diesel particulates that affects our health.
- 5) Back in 1976 little was known about the effects of electromagnetic forces or EMF's.

ZZ-10

The proposed transmission lines through Jurupa will be unsightly and catastrophically unhealthy. The effects of EMF's (electromagnetic fields) are a danger not only to our children but to all that live near them. I find it unconscionable that with all the health research on EMF's, SCE & RPU have determined there is *"little to support a connection between EMF's and adverse health effects"*.

In the Draft Environmental Impact Report (DEIR), SCE & RPU state "the National Institute of Environmental Health Sciences (NIEHS 1999), the National Radiation Protection Board (NRPB 2001), the International Commission on non-Ionizing Radiation Protection (ICNIRP 2001) the California Department of Health Services (CDHS 2002), and the International Agency for Research on Cancer (IARC 2002) **have identified magnetic field exposure (EMF) as a possible human carcinogen**".

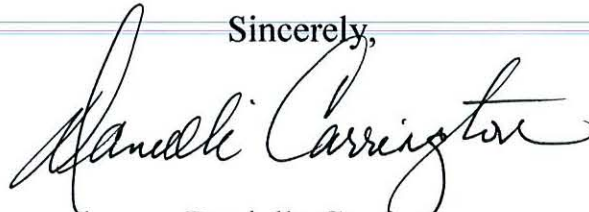
In 2002 three California Department of Health Services Scientists along with the help of 10 other CDHS scientists concluded that EMF's can cause some degree of increased risk of childhood leukemia, adult brain cancer, Lou Gehrig's disease, and miscarriage.

Scientists have been unable to find the "biological" connection between these diseases and exposure to EMF's. It takes decades to prove a biological connection between cause and effect. There is a ton of research leaning to a connection between EMF's and deadly diseases. It took decades to prove the biological connection between smoking cigarettes and cancer. It took decades to prove the biological connection between mesothelioma and inhaling asbestos dust or fibers. Hopefully it will not take decades to prove the biological connection between exposure to EMF's and cancer.

In a 2002 report to California Governor Gray Davis, economists calculated the dollar value of a statistical life to find out what society is willing to pay to avoid a statistical death. In other words, how many deaths from EMF's will society accept before they demand safe measures be instituted to protect them from EMF's?

The proposed transmission lines are unacceptable in the City of Jurupa Valley. The health effects from EMF's are a danger to all that live, work, play and recreate within 100 yards of the transmission lines. The health of the residents of Jurupa Valley, Eastvale, & Norco are at stake. I say **NO!**

Sincerely,



Danielle Carrington

Mother of 7 Children who grew up
Played and worked in this great community.
Resident of the City of Jurupa Valley
Business Owner in the City of Jurupa Valley
Property Owner in the City of Jurupa Valley

Yep...I have a right to care...and a reason to protest. I say NO to Van Buren and No to Eastvale/I-15 I live here~I work here~I shop here..

Take it the direct route the Easterly Route...

It just is the most sensible solution. 😊

Comment Letter ZZ: Danielle Carrington**Response to Comment ZZ-1**

Please see Master Response #2 regarding vague and conclusory comments.

Response to Comment ZZ-2

Aesthetic and visual impacts were covered in Section 3.2.1 of the DEIR.

Response to Comment ZZ-3

Please see Master Response #2, regarding vague and conclusory comments, Master Response #7 regarding economic and social impacts, and Master Response #14, regarding lack of local benefits of the Proposed Project.

Response to Comment ZZ-4

Please see Figures 1 and 3 in the Hydrology and Water Quality Technical Report in Appendix B of the DEIR. These figures show the location of the 100-year floodplain in the Project area based on Federal Emergency Management Agency information. Also please see Response to Comment GG-6.

Response to Comment ZZ-5

Thank you for your comment; it has become part of the project record. Please see Section 3.2.3 (Air Quality and Greenhouse Gas Emissions), Section 3.2.7 (Hazards and Hazardous Materials), and Appendix C (Electrical and Magnetic Field Statement) of the DEIR for an explanation of the existing conditions and impact analyses conducted. No significant environmental impacts related to health are anticipated with the Proposed Project.

Response to Comment ZZ-6

Please see Master Response #10b regarding the Eastern Route.

Response to Comment ZZ-7

Please see Response to Comment GG-6. Please also view Figures 1 and 3 in the Hydrology and Water Quality Technical Report in Appendix B of the DEIR. These figures show the location of the 100-year floodplain in the Project area based on Federal Emergency Management Agency information.

Response to Comment ZZ-8

Please see Master Response #2 regarding vague and conclusory comments.

Response to Comment ZZ-9

Please see Master Response #10b regarding the Eastern Route.

Response to Comment ZZ-10 through ZZ-12

The studies indicate that the evidence of a health risk is weak, and the CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and

precaution-based approaches. No potentially significant health effects will result from the Project. Also, please see Master Response #6, regarding EMF, Master Response #7 regarding economic and social impacts, and Master Response #10b regarding the Eastern Route.

Response to Comment ZZ-13

Please see the Response to Comment ZZ-12.

Derek Carrington
PO Box 464
Mira Loma, CA 91752
(951) 685-4430
carringtongroup@sbcglobal.net

November 6, 2011

City of Riverside
3901 Orange Street
Riverside, CA 92522

Only the Easterly Route for SCE/City of Riverside

Dear Mr. Hanson, Project RTRP Manager:

We all understand the City of Riverside's need for more energy but there is a less adverse route that will deliver the much needed electricity to the City of Riverside. SCE & RPU should abandon installing these unsightly, toxic transmission lines along the 15 freeway or Van Buren Blvd.

YOU should only consider the Easterly Route.

AAA-1

The City of Riverside already has access and owns property at the eastern route, the power is solely for the city's use – not ours—we are only passage if you use the other project routes. The City does not want the transmission lines because they are 'ugly'...well they don't get 'beautiful' in our area either. The study sites 100 year flood reasoning—that is ludicrous—because the transmission lines pass over the very same Santa Ana River on the other 2 proposed plans, and possibly at an even broader aspect and more flow. **That should be investigated? Show me that flood study.**

AAA-2

AAA-3

A few reasons-Why it shouldn't go through Jurupa Valley:

- #1. UGLY
- #2 UNSAFE
- #3 NO Benefit 2-Us!
- #4 Devalues our property Real Estate

AAA-4

We demand Southern California Edison and the City of Riverside use the **easterly route** only for the City of Riverside's needed power through installation of transmission lines.

In 1973 SCE/RPU submitted a plan to the CPUC for routing transmission lines through Jurupa. The plan was denied by the CPUC. Reason: *Aesthetics: the way something looks, especially when considered in terms of how pleasing it is.*

Here we are 35 years later in the same David & Goliath struggle. But much has changed since 1973.

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- 2) Student population has increased from 5k to almost 20k
- 3) Jurupa has one of the worst toxic waste dumps in the nation. It's called Stringfellow. Stringfellows toxic chemicals have affected the health of our citizens and have infected our groundwater.
- 4) Jurupa is number one in the nation when it comes to air pollution comingled with diesel particulates that affects our health.
- 5) Back in 1976 little was known about the effects of electromagnetic forces or EMF's.

The proposed transmission lines through Jurupa will be unsightly and catastrophically unhealthy. The effects of EMF's (electromagnetic fields) are a danger not only to our children but to all that live near them. I find it unconscionable that with all the health research on EMF's, SCE & RPU have determined there is *"little to support a connection between EMF's and adverse health effects"*.

In the Draft Environmental Impact Report (DEIR), SCE & RPU state "the National Institute of Environmental Health Sciences (NIEHS 1999), the National Radiation Protection Board (NRPB 2001), the International Commission on non-Ionizing Radiation Protection (ICNIRP 2001) the California Department of Health Services (CDHS 2002), and the International Agency for Research on Cancer (IARC 2002) **have identified magnetic field exposure (EMF) as a possible human carcinogen**".

In 2002 three California Department of Health Services Scientists along with the help of 10 other CDHS scientists concluded that EMF's can cause some degree of increased risk of childhood leukemia, adult brain cancer, Lou Gehrig's disease, and miscarriage.

Scientists have been unable to find the "biological" connection between these diseases and exposure to EMF's. It takes decades to prove a biological connection between cause and effect. There is a ton of research leaning to a connection between EMF's and deadly diseases. It took decades to prove the biological connection between smoking cigarettes and cancer. It took decades to prove the biological connection between mesothelioma and inhaling asbestos dust or fibers. Hopefully it will not take decades to prove the biological connection between exposure to EMF's and cancer.

In a 2002 report to California Governor Gray Davis, economists calculated the dollar value of a statistical life to find out what society is willing to pay to avoid a statistical death. In other words, how many deaths from EMF's will society accept before they demand safe measures be instituted to protect them from EMF's?

The proposed transmission lines are unacceptable in the City of Jurupa Valley. The health effects from EMF's are a danger to all that live, work, play and recreate within 100 yards of the transmission lines. The health of the residents of Jurupa Valley, Eastvale, & Norco are at stake. I say NO!

Sincerely,



Derek Carrington
Resident of the City of Jurupa Valley

Comment Letter AAA: Derek Carrington**Response to Comment AAA-1**

Page 6-1 of the DEIR describes the reasonable range of alternatives that should be considered for a project under CEQA. Several alignments along the Eastern Route(s) were considered and compared to the Proposed Project within the DEIR (page 6-46), including the rationale for elimination from further study. Please also see Master Response #10b.

Response to Comment AAA-2

Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment AAA-3

100 year floodplain mapping along the Eastern Route(s) is provided in response to this comment. Please also view Figures 1 and 3 in the Hydrology and Water Quality Technical Report in Appendix B of the DEIR. These figures show the location of the 100-year floodplain in the Project area based on Federal Emergency Management Agency information. Please also see Section 3.2.1, Aesthetics, of the DEIR in Volume II.

Response to Comment AAA-4

Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment AAA-5

The studies indicate that the evidence of a health risk is weak, and the CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. No significant health impacts will occur as a result of the Project. Also, please see Master Response #6, regarding EMF.

Response to Comment AAA-6

Please see Master Response #1, found in Section 2.2.1 herein.

George Hanson, Project Manager.

As a resident of Pedley I will be affected by the proposed Western Route for power lines. I ride and hike in Hidden Valley Wildlife Preserve and the towers will forever damage the wonderful natural landscape that is there for all of us to enjoy.

These towers will lower property values in all of Jurupa Valley. They will be near a school, Vander Molen Elementary and expose children to health risks.

I believe that the best route is the eastern Agua Mansa to Market Street route.

Thank you for reading my letter

Pallas Bray

BBB-1

BBB-2

BBB-3

BBB-4

Comment Letter BBB: Pallas Broy**Response to Comment BBB-1**

Thank you for your comment; it has become part of the project record. Aesthetic impacts have been identified and disclosed within Section 3.2.1 of the DEIR, including those potential impacts to the Hidden Valley Wildlife Area.

Response to Comment BBB-2

Please see Master Response #7 regarding social and economic issues.

Response to Comment BBB-3

Potential impacts and mitigation to schools within one quarter mile of the Proposed Project are disclosed in Section 3.2.7 of the DEIR. VanderMolen Elementary School, the property line of which is located 190 feet away from the proposed route, was among the schools analyzed. No significant health risks will result from the Project.

Response to Comment BBB-4

Please see Master Response #1, found in Section 2.2.1 herein.

To: George Hanson, Project Manager
Riverside Transmission Reliability Project
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

From: Trunita Crump-Knighton
5557 Annandale Place
Corona, Ca. 92880

I am not in favor of any public project that raises my utility bill, be it public transportation or any other thing that will be built with any taxpayers money and then will need to be subsidies for the rest it's life time with more taxpayer funding.

CCC-1



Trunita Crump-Knighton

Comment Letter CCC: Trunita Crump-Knighton**Response to Comment CCC-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project

From: George Hepker <ghepker@ilbinc.com>

Sent: Tuesday, November 08, 2011 7:23 AM

To: Riverside Transmission Reliability Project

Subject: Riverside Transmission Reliability Project(RTRP)

Follow Up Flag: Follow up

Flag Status: Flagged

This is a much needed project that will protect our area from unnecessary outages. Reliability increased to such a large extent with a relatively small distance to run Tower Lines. Not to mention the follow work that this project will initiate jobs for a decade.

DDD-1

Put me down as a supporter. Let me know when you would like me to come to a public input meeting.

DDD-2

George Hepker
International Line Builders, Inc.
tel: 951-682 2982 x214
fax: 951-788 0686
mobile: 951-323 5539

Comment Letter DDD: George Hepker, International Line Builders, Inc.**Response to Comment DDD-1**

Thank you for your comment in support of the Proposed Project; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment DDD-2

Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project

From: Smith, Jeff <Jeff.Smith@rmtinc.com>

Sent: Wednesday, November 09, 2011 9:39 AM

To: Riverside Transmission Reliability Project

Subject: RTRP - date for Planning Commission meeting regarding the Draft EIR?

Follow Up Flag: Follow up

Flag Status: Flagged

Good morning,

Can you please tell me whether a public hearing on the RTRP Draft EIR has been scheduled? I know that the public comment period for the Draft EIR was extended until 5 PM on November 30th, so I anticipate that the PC meeting will be scheduled for either November 30th or sometime in December. I want to make sure that I have the meeting date on my calendar.

EEE-1

Thank you and best regards—

--Jeff Smith

Jeffrey Smith, Senior Planner ▲ RMT|ENERGY ▲ 4 West Fourth Avenue, Suite 303 ▲ San Mateo, CA 94402
Office: 650.373.1200 ▲ Direct: 650.340.4821 ▲ WE BUILD CLEAN ENERGY

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Comment Letter EEE: Jeffrey Smith, RMT, Inc.**Response to Comment EEE-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein. The City of Riverside Planning Commission conducted a public hearing on the DEIR on April 5, 2012. Notices were published in local newspapers and postcard notifications were mailed in advance to the DEIR mailing list addressees.

November 10, 2011

Riverside Transmission Reliability Project (RTRP)
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

Attention: Mr. George Hanson, Project Manager

Dear Mr. Hanson,

The Riverside Transmission Reliability Project (RTRP) in which Riverside Public Utilities and Southern California Edison propose to upgrade electrical service to the City of Riverside is a controversy to Dan and I and many of our neighbors because of the suggested routes that would bring very tall power poles and towers carrying High-Voltage Power Lines (230 kV of electricity) into and through our small, quiet community.

We have expressed our thoughts, fears and recommendations in an attached binder and we request that you read them and consider them when making your final recommendations to the Riverside Planning Commission and the Riverside City Council. If you should have any questions regarding any of the areas of our concerns please do not hesitate to contact us as we welcome the opportunity for more discussion so that we may arrive at a more *collaborative* solution to this issue.

FFF-1

Please notify us of any future Public Open House regarding this matter so that we may attend.

Sincerely,

Dan and Denise Torchia

Daniel and Denise Torchia
8400 Tamarind Lane
Jurupa Valley, CA 92509
951-681-9131
torchia18@sbcglobal.net

Dear George Hanson,

We commend the values of Jorge Somoano, former Project Manager of the Riverside Transmission Reliability Project (RTRP):

1. Honesty.
2. Integrity.
3. Character.
4. Conscience of the Project (Health Hazards (Risks) to People – The map overview of each route **vividly** shows the drastic difference in the number of people (population density) who will be exposed to the continuous health risks from the Electric and Magnetic Field (EMF) emissions).

FFF-1

We are certain the fine people of the City of Riverside, the Planning Commission, the City Council, and the Mayor share the same values as their former Project Manager.

We commend and support Supervisor John Tavaglione (Perspective; POWER THREAT? Forgo the cheap route; run transmission lines where they'll harm the fewest people; The Press-Enterprise, Sunday, May 3, 2009; please see attached article behind Tab 1) for working hard to protect the people (particularly the children) of Jurupa Valley from the health hazards that the RTRP 230 kV transmission line (High-Voltage Power Lines) would bring to Jurupa Valley if the City of Riverside **imposes** these High-Voltage Power Lines on the City of Jurupa Valley.

The City of Riverside (George Hanson Project Manager (RTRP), Riverside Public Utilities (RPU) and Southern California Edison (SCE)) should be working together *with* the people of Jurupa Valley (City of Jurupa Valley City Council and Mayor) in a **collaborative effort**, not in an adversarial approach, to find the best solution to this issue.

FFF-2

The best solution for all parties involved could be the solution proposed by Ed Hawkins of Jurupa. Ed Hawkins made his proposal in a Letter to the Editor; The Riverside County Record, Thursday, October 15, 2009, please see attached copy behind Tab 2. This is a proposal that we *fully* support, but only through a **collaborative effort** can we determine the best solution for everyone.

This proposed solution is the winning solution for all parties (no downside, only upside):

↑ FFF-2

1. **Protect the Health of the People (particularly the children)** in the City of Riverside **and** in the City of Jurupa Valley.
2. No power poles or power lines to ruin the views and property (including property values) of homeowners and businesses (including business activity and the **ECONOMY**) in the City of Riverside **and** in the City of Jurupa Valley.
3. Political win for the City Council and the Mayor in the City of Riverside and the City Council and the Mayor in the City of Jurupa Valley (no upset voters in the City of Riverside or in the City of Jurupa Valley).
4. Riverside Public Utilities brings the additional power to the city.
5. Southern California Edison will make the City of Riverside power customers happy and will make the City of Jurupa Valley SCE power customers happy.

FFF-3

FFF-4

FFF-5

This proposed solution is not beyond Edison's engineering capabilities. The Draft Environmental Impact Report (DEIR) states that SCE has nearly 40 years of experience with Solid Dielectric or Extruded Dielectric cable systems (XLPE) for underground transmission lines.

1. Has SCE ever placed High-Voltage Power Lines underground?
2. In which cities has SCE placed High-Voltage Power Lines underground?
3. How many miles of underground High-Voltage Power Lines has SCE installed?
4. How many miles of underground High-Voltage Power Lines does SCE maintain?

Cities in the United States place High-Voltage Power Lines underground (examples: New York City and Washington, D.C.).

FFF-6

Other parts of the World place High-Voltage Power Lines underground (example: England).

The best solution is simple. Place the High-Voltage Power Lines underground. There is absolutely no reason (technological or engineering), as stated in the DEIR, that these High-Voltage Power Lines should not be placed underground. A higher financial cost is cited in the DEIR. **A higher financial cost is not a compelling reason to put people's health, particularly children's health, at risk.** Do not ask the City of Jurupa Valley to pay this price with their health and their economics, in order for the City of Riverside not to pay a higher financial cost.

FFF-7

As stated in the DEIR, the Technology exists and the Engineering exists to place High-Voltage Power Transmission Lines underground. **Conscience, Will and Courage are required.**

FFF-8

The City of Riverside says it is the City of Arts & Innovation. Technology is innovation.

This power project is the City of Riverside's moment, a perfect opportunity to be good neighbors and to demonstrate its embrace of that 21st Century innovation.

Here is the question – will the City of Riverside be up to the challenge of putting their words into deeds? Or is this the case where, **"you take a less wealthy area, you desecrate, you harm ... to supply the more wealthy area,"** Commissioner John Petty.

Having High-Voltage Power Lines pass through the City of Jurupa Valley (including near schools) will expose the children of the City of Jurupa Valley (including school children) to Electric and Magnetic Field (EMF) emissions, increasing the chances that these children will develop leukemia.

FFF-9

Our source is "EMF: Electric and Magnetic Fields Associated with the Use of Electric Power" (June 2002). An evaluation led by two United States government institutions, the National Institute of Environmental Health Sciences (NIEHS) of the National Institutes of Health (NIH) and the Department of Energy (DOE), was undertaken. This evaluation, known as the Electric and Magnetic Fields Research and Public Information Dissemination (EMF RAPID) Program, was reported to the United States Congress by the NIEHS. Edison provided this EMF Questions and Answers booklet at the Public Open House held April 25, 2007. Copies of this booklet are available electronically on the Internet (http://www.niehs.nih.gov/health/assets/docs_p_z/results_of_emf_research_emf_questions_answers_booklet.pdf). On page 16 (please see this critically important attached copy behind Tab 3) it says: *"Is there an association between measured fields and childhood leukemia? **Yes**, but the association is weak, and it is not clear whether it represents a cause-and-effect relationship."*

It is **unconscionable** to consider, let alone choose, a route that passes through the City of Jurupa Valley (including anywhere near schools) since there is no scientific certainty that continuous exposure to Electric and Magnetic Fields is safe. ***If one child develops leukemia as a result of this project, that is one child too many.***

Therefore, ***erring on the side of caution*** (please refer to the preceding two paragraphs) regarding our children's health ***leads to the only responsible and morally acceptable decision***: Choose the Eastern (Santa Ana River) Route. Please see the attached copy of the Letter to the Editor (Protect school kids) in The Press-Enterprise on July 11, 2007, behind Tab 4.

FFF-10

The route that provides the maximum amount of safety for the children and the surrounding community is already one of the proposed RTP routes: That route is the Eastern (Santa Ana River) Route. **A yes vote for the Eastern (Santa Ana River) Route is the only responsible vote.** Choosing a route other than the Eastern (Santa Ana River) Route will be condemning the children in the City of Jurupa Valley to an increased chance of developing leukemia. This ***danger*** from High-Voltage Power Lines ***does not exist today***, along the proposed RTP routes, in the City of Jurupa Valley.

FFF-11

Why would you vote to *impose* this continuous ***Silent Terror*** on the children (including school children) and their parents who live in the City of Jurupa Valley?

Why would you vote to *force* the parents in the City of Jurupa Valley to *live in constant fear* of being told by a doctor that their child has developed leukemia? The children and residents of Mira Loma and the Jurupa Valley are already exposed to elevated cancer risks from diesel particulate matter emissions produced at the Mira Loma rail yard. Please see attached article (Air Board, Union Pacific Say Mira Loma Rail Yard Exceeds Average Cancer Risk; The Riverside County Record, July 5, 2007) behind Tab 5.

A neighborhood in San Bernardino faces the same cancer risks from diesel truck and diesel train rail yard emissions as Mira Loma. Ron Loveridge, Riverside Mayor and a member of the California Air Resources Board, said "The risk is not just problematic, but extraordinary near the San Bernardino rail yard. We have an obligation to do something about it" (Cancer risk seen near rail yard; A study, new rules possible for San Bernardino neighborhood of about 7,000; The Press-Enterprise, Wednesday, November 4, 2009; please see attached article behind Tab 6).

FFF-12

Ron Loveridge, Riverside Mayor, California Air Resources Board Member, is expressing a deep concern for people in San Bernardino (please read the article from the above paragraph behind Tab 6). Hopefully, Ron Loveridge, Riverside Mayor, California Air Resources Board Member, will show this same deep concern for the people in Mira Loma and Jurupa Valley in regards to

imposing additional risks in the form of **continuous EMF exposure** (**childhood leukemia**) on a community already facing elevated cancer risks from diesel truck and diesel train particulate matter emissions (please read the article behind Tab 5).

FFF-12

Why would you vote to **impose** an **additional layer of dangerous exposure** that will only serve to increase the health risks to the people who live in the City of Jurupa Valley?

FFF-13

If **you** vote to have the High-Voltage Power Lines installed in the City of Jurupa Valley, **you will be responsible** for the children who develop leukemia as a result of this project.

The **only route** that **Does Not Impose** this **continuous Silent Terror** is the **Eastern (Santa Ana River) Route**.

Will you be voting **for the health and safety of the children in the City of Jurupa Valley** or will you be voting to condemn them to the increased chances of developing leukemia?

CITY OF JURUPA VALLEY (I-15) ROUTE

As stated in the DEIR, in 2006, the City of Jurupa Valley (I-15) Route **"was investigated and rejected because of feasibility concerns."** City of Jurupa Valley (I-15) Route **"was eliminated because of environmental conflicts with the river corridor open space and wildlife habitat management and current and proposed urban development along the I-15 corridor."**

FFF-14

The concerns and conditions cited in the DEIR along the City of Jurupa Valley (I-15) Route have not changed since 2006, when as stated in the DEIR, the **RTRP rejected and eliminated the City of Jurupa Valley (I-15) Route**. The same health impacts (particularly children's health), environmental impacts, economic impacts, business impacts, property impacts, visual impacts, aesthetic impacts, future growth impacts, wildlife impacts, exist today in 2011 as they did in 2006.

If the City of Riverside had any concern at all about the people in the City of Jurupa Valley, the City of Riverside would be placing the High-Voltage Power Lines underground to protect the people (particularly the children) in the City of Jurupa Valley. The technology to place High-Voltage Power Lines underground exists, as stated in the DEIR. SCE has nearly 40 years of experience with Solid Dielectric or Extruded Dielectric cable systems (XLPE) for underground

FFF-15

transmission lines, as stated in the DEIR. However, the City of Riverside's DEIR eliminated from further consideration the placing of the High-Voltage Power Lines underground along the City of Jurupa Valley (I-15) Route based on higher financial cost. The City of Riverside is unwilling to pay the higher financial cost to get the power the City of Riverside needs. But, the City of Riverside is expecting the people in the City of Jurupa Valley to pay this price with their health (particularly their children's health as this route puts the power lines next to Louis VanderMolen Fundamental Elementary School), their environment, their economy, their business, their property, their views, their aesthetics, their future growth. The City of Riverside apparently has **no conscience** regarding this power project. Obviously, the only thing that matters to the City of Riverside is getting its power project on the cheap, as revealed in the DEIR. **Brown out the City of Jurupa Valley so the City of Riverside, the Emerald City, can be green.** The City of Riverside has zero concern for the people in the City of Jurupa Valley, as articulated in the DEIR.

FFF-15

FFF-16

FFF-17

FFF-18

The Health Hazards and Risks of the City of Jurupa Valley (I-15) Route are as follows:

FFF-19

1. **Greater (NEGATIVE) Environmental Impact (Health Hazards (Risks) to People** – please see map overview of high population density (City of Jurupa Valley (I-15) Route) behind Tab 7).
 - a. The Electric and Magnetic Fields (EMF) literature from the World Health Organization (WHO), presented by SCE at the Public Open House held October 14, 2009, **confirmed** the literature (EMF: Electric and Magnetic Fields Associated with the Use of Electric Power) presented by SCE at the Public Open House held April 25, 2007, that **EMF exposure brings Health Hazards (Risks) to People (particularly children in the form of childhood leukemia)**. Please see the supporting research findings below in Item c. and behind Tab 8.
 - b. The City of Jurupa Valley is a community already facing elevated cancer risks from diesel particulate matter emissions. Why would the City of Riverside consider **imposing additional risks** in the form of **continuous EMF exposure (childhood leukemia)**?
 - c. World Health Organization, Information Resources (<http://www.who.int/peh-emf/en/>)
Results of EMF Research – EMF Questions & Answers Booklet (http://www.niehs.nih.gov/health/assets/docs_p_z/results_of_emf_research_emf_questions_answers_booklet.pdf)

FFF-20

FFF-21

EASTERN (SANTA ANA RIVER) ROUTE

As stated in the DEIR the Eastern (Santa Ana River) Route meets the RTRP “Proposed Project objectives.”

The lack of conscience, will, and determination are the reasons the Eastern (Santa Ana River) Route is not the route that RTRP (City of Riverside) is using for the City of Riverside’s High-Voltage Power Transmission Line project, according to the DEIR.

FFF-22

A Power Transmission Line Corridor to the City of Riverside already exists from the East.

At the Public Open House held October 14, 2009, Jorge Somoano, Project Manager (RTRP), Riverside Public Utilities representatives and Southern California Edison representatives confirmed that the **Eastern (Santa Ana River) Route is the Environmentally Superior Route**. They articulated during the Public Open House that the Eastern (Santa Ana River) Route is the Environmentally Superior Route because of the following reasons:

1. **Less** Environmental Impact (Health Hazards (Risks) to People – please see map overview of low population density (Eastern (Santa Ana River) Route) behind Tab 9).
2. **Power line corridor to the City of Riverside already exists from the East** (Eastern (Santa Ana River) Route) (please see map overview behind Tab 10, Tab 11, Tab 12 and Tab 13).
3. Southern California Edison’s excess power capacity is in Colton from the East (Eastern (Santa Ana River) Route), per Jorge Somoano, Project Manager (RTRP).
4. Vehicles already have access to the power lines in the existing power corridor from the East (Eastern (Santa Ana River) Route) (please see map overview behind Tab 10, Tab 11, all 5 pages refer to access along Eastern (Santa Ana River) Route and Tab 12).
5. The 230/69 kV power substations that the new High-Voltage Power Lines will tie into will be built along the Santa Ana River (please see map overview behind Tab 14). The Eastern (Santa Ana River) Route travels along the same side of the Santa Ana River as the location of the 230/69 kV power substations.

FFF-23

FFF-24

GENERAL INFORMATION

1. Access

- a. Road runs next to the Santa Ana River along the length of the Eastern (Santa Ana River) Route (please see map overview behind Tab 10, Tab 11, all 5 pages refer to access along Eastern (Santa Ana River) Route and Tab 12).
- b. Vehicles already have access (see a. above) to the power lines in the existing power corridor from the East.

FFF-24

2. Technology

- a. The technology to place High-Voltage Power Transmission Lines underground already exists, as stated in the DEIR.
- b. The power projects preferred underground cable type (XLPE) already exists (U.S. manufacturing capability for 230 kV XLPE cable. Outside the U.S., manufacturing capability of up to 765 kV XLPE cable.), as stated in the DEIR.

FFF-25

3. Engineering

- a. Not beyond the engineering capabilities of SCE, as stated in the DEIR.
- b. High-Voltage Power Lines are currently placed underground (examples: New York City and Washington, D.C.).

4. Flood Plain

- a. The 230/69 kV power substations that the new High-Voltage Power Lines will tie into will be built in the flood plain (please see map overview behind Tab 14).

5. Cost

- a. The *deciding issue should be people's health*, not financial cost (please see Tab 1).
- b. Any financial cost difference for the project along the Eastern (Santa Ana River) Route, would be the *difference* between running High-Voltage Power Lines above ground and running High-Voltage Power Lines underground as the High-Voltage Power Lines run through Riverside. The High-Voltage Power Lines would go underground starting near Fairmount Park running underground all the way to the 230/69 kV power substations along the Santa Ana River.

FFF-26

This could mean an additional financial cost to the project but the City of Riverside can Surcharge the customers or issue a Bond to pay for this difference in project cost. There should be no additional financial cost to Edison because the City of Riverside would pay the financial cost difference through the Surcharge or Bond issuance (this financial cost is the sacrifice required to get the additional power).

FFF-26

6. Those requesting the power project (City of Riverside) should make the sacrifice (City of Riverside) to get the power
 - a. The City of Riverside's responsibility is to make the necessary sacrifices to get the additional power they are requesting.
 - b. The Eastern (Santa Ana River) Route is the sacrifice required (City of Riverside) for the power project.

7. Proposed Routes

- a. Public Open House held April 25, 2007 (please see attached map of proposed routes behind Tab 13).
- b. Public Open House held October 14, 2009 (please see attached map of proposed routes behind Tab 15).

FFF-27

8. Existing Power Transmission Line Corridors

- a. Public Open House held April 25, 2007 (please see attached map of existing power transmission line corridors behind Tab 13).

9. Water, Vegetation and Wildlife Impact

- a. Protecting the people's health has to be at *least* as important as protecting water, vegetation and wildlife.

The City of Riverside already has existing Power Transmission Line Routes, Corridors (including a corridor from the East), that can be used for this project without endangering people; endangerment which includes health risks, reduced property values, and quality of life in the neighborhoods that you plan to impose upon with this project.

FFF-28

Any burdens associated with this project should be borne by those requesting the power. You should not ask your neighbors to bear a burden you are not willing to bear yourselves. It is the City of Riverside's responsibility to bear the burdens and to make the sacrifices to relieve this crucial need for an additional High-Voltage Power Transmission Line.

FFF-29

We will continue to be involved in this extremely important issue. Thank you for your time and consideration.

Most Sincerely,

Dan and Denise Torchia

Daniel and Denise Torchia
8400 Tamarind Lane
Jurupa Valley, CA 92509
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torchia18@sbcglobal.net



DAN BERNSTEIN

IT'LL BE JARD TO JANDLE JURUPA

View its Web site and discover Riverside Public Utilities "*is committed to helping make Riverside a greener place to live by committing ourselves to supporting renewable, environmentally friendly electric power sources, and sustainable living practices.*"

But, to paraphrase Abe Lincoln, "You can green all the people some of the time, and some of the people all the time, but you cannot green all the people all the time."

And if those poor, wretched Jurupan souls don't even live in Riverside, why should a city striving to satisfy its personal electricity needs green them at all?

This renewable low regard for its neighbors across the mighty Santa Ana seems to have turned Riverside's green eyes a flat, dead gray in the face of objections to high-voltage wires knifing through Jurupa to deliver "environmentally friendly electric power" to the City of Arts & Innovation.

These wires, swaddled in an (arguably) carcinogenic electromagnetic blanket, should concern a community that cradles the Stringfellow acid pits and diesel-friendly warehouses that (allegedly) encourage underdeveloped young lungs to stay that way? Once you go toxic, how can you become too toxic? Just suck it up (don't inhale) and get over it. String the wires to sustain something worth sustaining: the Emerald City.

If that was Riverside's clean, green mind-set (I may have grossly understated it), I now believe the city has cause for alarm. So-called wireless Riverside may have to re-route these megawatt carriers to avoid Jurupa because something unprecedented has occurred.

It's not just that John Tavaglione, the RivCo supe who presides over this fiefdom, is revolting. (He can be quite pleasant.) It's not just that the Jurupa school district (Captain Considine unrecalled and accounted for!) has declared its opposition. It's really this:

The Jurupa Community Services District and the Jurupa Area Recreation and Park District never agree on *anything*, barely speak to each other, and generally distrust and loathe one another. But they are dead-set against this Jurupa high-wire act. *They are on the same side!* This is akin to powerful warlords uniting to fight the Taliban (not that Riverside faintly resembles those guys). I'm just saying this is big. Really big.

Yes, I know Riverside says it will let Jurupa sip some of this new juice if there's an earthquake (assuming the lines don't go down). Very generous, but do they really think this will sway two formerly warring districts that have now lined up against a common enemy? I wouldn't count on it. If I were Riverside, I wouldn't have anything to do with these districts. They're battle-tested. They are accustomed to prolonged, protracted, costly and thoroughly counterproductive battles.

When it comes to fighting the good (or more often bad) fight, they're simply more sustainable.

■ ■ ■

Reach Dan Bernstein at 951-368-9439 or dbernstein@PE.com

Power plan sparks input

JURUPA VALLEY: The proposal to run electrical lines through the city hits a current of opposition.

BY SANDRA STOKLEY
STAFF WRITER
sstokley@pe.com

The Jurupa Valley City Council had hoped for a huge turnout at Tuesday night's community workshop on the city of Riverside's proposal to run high-voltage power lines through Jurupa Valley to bring more power to Riverside.

The Performing Arts Theatre at Patriot High School was only about half-full.

But most of those who attended made it clear through their comments or enthusiastic applause: They do not want that project in their midst.

"We have to worry about our lives, our children's lives, our neighbor's lives," said Brian Schafer, who spoke about studies that have tied electromagnetic fields emanating from high-voltage lines to illness.

"It's like you don't care," he said, speaking to utility company officials sitting in the first row.

The 230-kilovolt transmission line project is a joint effort of Riverside Public Utilities and Southern California Edison to bring more electrical power to the area for customers of Riverside's public utility.

The evening began with a presentation on the Riverside Transmission Reliability Project — as the proposal is officially known — by David Wright, general manager of Riverside Public Utilities.

Wright said Riverside is linked to California's electrical grid by one connection.

"If it goes out, the entire city of Riverside goes out," Wright said.

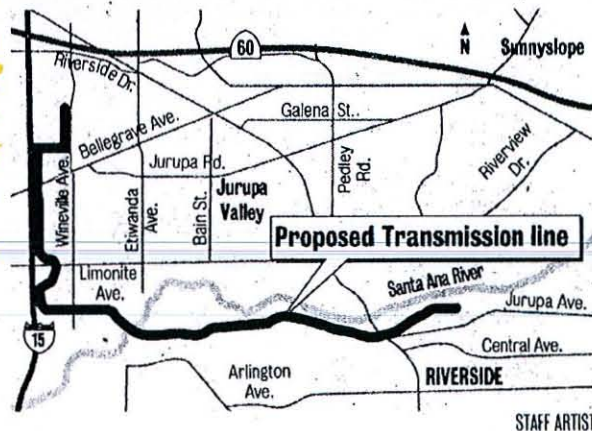
He said the power line project would have regional benefits. Chiefly, it could provide power to Jurupa in case of an emergency.

But residents and Jurupa



PAUL ALVAREZ/FREELANCE PHOTOGRAPHER

Anne Hughes speaks at a town hall meeting at Patriot High School in Jurupa Valley. Riverside Public Utilities and Southern California Edison want to run power lines through the city.



through what is now the city of Jurupa Valley had been under consideration, including one that followed Van Buren Boulevard and another that headed north on Bain Street, across the street from a residential neighborhood.

The latest route would put the lines near Louis Vander-Molen Fundamental Elementary School on Carnelian Street in a new residential community in Jurupa Valley.

The proposal has triggered a furor in Jurupa Valley, with residents expressing concerns about the health effects.

Not all of those who attended Tuesday's meeting were opposed to the project.

"In my career, I have never heard of anyone becoming ill from electromagnetic fields," said George Hepker, who lives in the Glen Avon area of Jurupa Valley and said he works for International Line Builders.

Valley city officials remained skeptical.

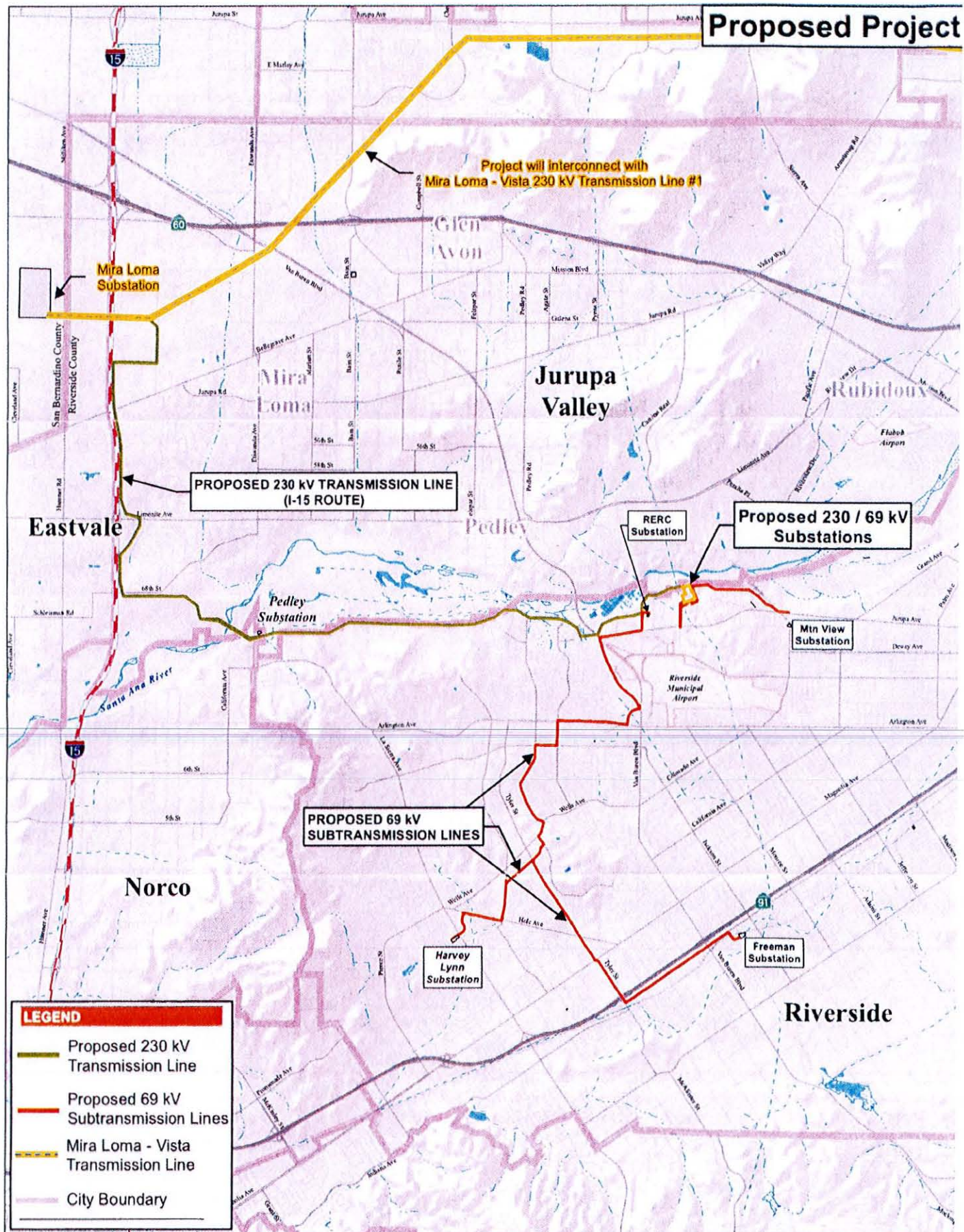
City Engineer Roy Stephenson told Mayor Pro Tem Verne Lauritzen, who led the meeting, that the city is planning to submit public record requests to Riverside to get documentation on the city's conservation efforts, electrical needs and the consultants who helped prepare the project's massive 2,500-page environmental study.

"We'll be seeking as much

information as we can," he said.

Officials announced at the meeting that the time period allowing the public to comment on the draft environmental impact report, which was to end Sept. 30, has been extended to Nov. 30.

The report, which was released Aug. 1, identified the Interstate 15 corridor as the environmentally superior route for the power line. Several other routes



Public hearing set for power line project

RIVERSIDE: Some critics say the project threatens health; sponsors say no.

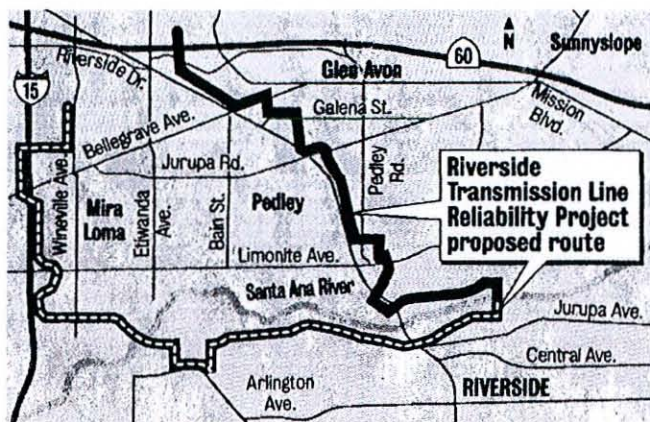
BY SANDRA STOKLEY
THE PRESS-ENTERPRISE

The Riverside Planning Commission today will take public testimony on a proposal to run a high-voltage transmission line through Jurupa to bring more electrical power to the city.

The plan has unleashed a storm of protest in the unincorporated area north and west of Riverside, with residents expressing concerns about the health impacts of electromagnetic fields that emanate from the 230 kV power lines.

"They say there is no imminent health threat from these lines and that is what was said about Stringfellow," Jurupa Unified School District board member Mary Burns said, referring to the notorious toxic waste dump and Superfund site that is located in the Glen Avon area of Jurupa.

The school district as well as the Riverside County Board of Supervisors, Jurupa Area Recreation and Park District and the Jurupa Community Ser-



THE PRESS-ENTERPRISE

vices District all are on record as opposing the lines through Jurupa.

The Planning Commission will meet at 10 a.m. in the City Council chambers at Riverside City Hall, 3900 Main St.

Dave Wright, Riverside public utilities director, said the public hearing is part of the process of preparing an environmental impact report for what is formally known as the Riverside Transmission Reliability Project.

Southern California Edison is the co-applicant for the project.

Two routes — both of them through the Jurupa area — are under consideration.

Wright said the project is

crucial to relieve the electric load carried by overburdened power lines into the city of Riverside.

He said the Jurupa area would benefit because during an emergency — such as an earthquake — the line could be used to send power to Jurupa.

Wright said the lines pose no health risk.

"There are no studies that tie EMFs from transmission lines to health issues," he said.

Pedley resident Brian Schafer disagreed.

"Go online and read

about EMFs. It's all over the Internet," he said.

Schafer said that Sweden classified electromagnetic fields as a class 2 carcinogen in 1992.

Schafer said he also wants the Planning Commission hearing held in Jurupa, at a time and place where Jurupa residents can voice their concerns.

Wright said the city has held nine community meetings since 2006, including three in the Jurupa area, where city officials were available to answer questions and address concerns raised by residents.

He said 150,000 bilingual notices were mailed out for the community meetings.

Schafer said that's not good enough.

"There are seven Riverside City Council members and none of them have come out and talked to the community," Schafer said. "They'll take whatever advice Edison and Riverside Public Utilities gives them."

Reach Sandra Stokley at 951-368-9647 or at sstokley@PE.com

POWER THREAT?

Forgo the cheap route; run transmission lines where they'll harm the fewest people

BY JOHN F. TAVAGLIONE

As a county supervisor for the past 14 years, I have faced many difficult issues. The most difficult usually involve a choice between the lesser of two evils. Such is the case with the Riverside Transmission Reliability Project.

The need for this project is unquestionable. The Riverside's citywide power outage in October 2007 demonstrated the vulnerability of Riverside's existing single connection to the region's power grid. Without this project, power will go out again — it's only a matter of time.

The project would run new 230 kilovolt power transmission lines to a new substation near the Riverside Municipal Airport from a point north of the county line between Colton and Ontario. The northern connection point is flexible.

The important choice is the route these new power lines take. Riverside has studied numerous alignments since 2007, and a final recommendation is pending. The majority run through the

EDITOR'S NOTE:

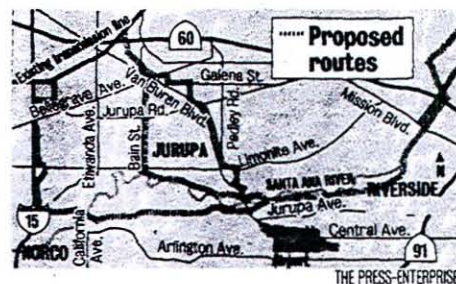
City of Riverside officials declined an invitation to contribute an op-ed to this package.

heart of Jurupa's unincorporated communities. These shorter alternatives are based on a simplistic mantra: shorter is easier, faster and cheaper. If only it were so simple.

I first learned about the proposal from a map that illustrated three of the possible routes. One follows Bain Street in Mira Loma and runs through a rural community. Bain Street is one of the main equestrian trail connections to the Santa Ana River and also is a residential street.

Another alternative follows Van Buren Boulevard from a point northwest of Bain Street near the San Sevaine Channel to the Van Buren Bridge over the Santa Ana River, where it enters the city. This alignment is east of the railroad right-of-way and passes by numerous homes and businesses.

A third alternative alignment runs along Interstate 15 in Mira Loma. This



alignment cuts through a new residential neighborhood and a new retail shopping center. It also bisects hundreds of acres of land slated for future development before crossing the river into the city. From there it runs east, paralleling the Hidden Valley Wildlife Area before connecting to the new substation. The alignment again places most of the burden on people who do not benefit from this project.

A fourth alignment still under consideration travels through the Agua Mansa area in northeastern Jurupa near the Santa Ana River, north of Highway 60. This eastern route affects industrial properties in the unincorpo-

rated area then crosses the river near Market Street and enters the city. From there, it runs down the east side of the river along an established transmission corridor where power lines are already in place. From a fairness standpoint, this alignment affects unincorporated residents the least and places the burden squarely where it belongs, on those who live in the city of Riverside.

I have met with Riverside city officials to discuss this project and shared with them my desire to see an equitable solution. A "win-win" simply isn't possible. Both sides will have to share the burden to some degree.

However, one choice does not unfairly burden residents who gain nothing from the project. It is the eastern route through Agua Mansa and along the river, and I urge Riverside Public Utilities and Southern California Edison to recommend this alignment.

The decision should be a matter of fairness — not of easier, faster and cheaper.

John F. Tavaglione is Riverside County's District 2 supervisor.

* * * *

But there is other poor government to note. The Riverside Public Utilities Department is hosting hearings to explain their latest boondoggle which would bring a new high-voltage power line through Mira Loma and Pedley residential areas and be close to several schools.

The towers will be giant, unsightly defamations of our view. Worse, they will produce strong electromagnetic fields of energy which research indicates may be harmful to health. This power boost is only for the City of Riverside. It will be of no benefit to Jurupa.

In 2007 hearings they showed about seven preliminary routes to connect from an east-west line between Colton and Mira Loma substations to a new Riverside substation to be built where the old Riverside animal control facility is located near the river and railroad bridge.

Jurupa citizens reared up with objections as they had in the 1980's over a similar line which eventually was put along existing power line corridors. In 2007 the school board, park board, community services board and our County Supervisor objected to routing any new high voltage line across Jurupa residential areas and endangering school children.

There was a 2007 route which made sense. It would have come from the Colton substation down Agua Mansa Road, cross to Riverside near the Market Street bridge and follow other utilities along the Santa Ana River to the new power station.

This route has been dropped for obviously political reasons. Riversiders would prefer a line crossing Jurupa than one running along the river in the City. They are avoiding an unsightly and dangerous line through Riverside at the expense of Jurupa residents and school children.

Areas in Europe require such dangerous lines to be underground because they have read the research on health issues. If they can do it, why can't Riverside. Use the logical eastern route, then bury the line as it runs through Riverside.

This is a Riverside opportunity to be considerate and neighborly, sort of like a real "All American city."

Ed Hawkins, Jurupa

3

Results of EMF Research

This chapter summarizes the results of EMF research worldwide, including epidemiological studies of children and adults, clinical studies of how humans react to typical EMF exposures, and laboratory research with animals and cells.

Q Is there a link between EMF exposure and childhood leukemia?

A Despite more than two decades of research to determine whether elevated EMF exposure, principally to magnetic fields, is related to an increased risk of childhood leukemia, there is still no definitive answer. Much progress has been made, however, with some lines of research leading to reasonably clear answers and others remaining unresolved. The best available evidence at this time leads to the following answers to specific questions about the link between EMF exposure and childhood leukemia:

Is there an association between power line configurations (wire codes) and childhood leukemia? No.

Is there an association between measured fields and childhood leukemia? Yes, but the association is weak, and it is not clear whether it represents a cause-and-effect relationship.

Q What is the epidemiological evidence for evaluating a link between EMF exposure and childhood leukemia?

A The initial studies, starting with the pioneering research of Dr. Nancy Wertheimer and Ed Leeper in 1979 in Denver, Colorado, focused on power line configurations near homes. Power lines were systematically evaluated and coded for their presumed ability to produce elevated magnetic fields in homes and classified into groups with higher and lower predicted magnetic field levels (see discussion of wire codes on page 15). Although the first study and two that followed in Denver and Los Angeles showed an association between wire codes indicative of elevated magnetic fields and childhood leukemia, larger, more recent studies in the central part of the United States and in several provinces of Canada did not find such an

Protect schoolkids

In support of Ed Hawkins' letter ("Reject utility plan," Your Views, July 6), the most important reason to reject Southern California Edison's choice of Van Buren Boulevard as the best environmental route for a high-voltage transmission line comes from Edison's own literature.

Having high-voltage power lines pass near schools will expose schoolchildren to electric and magnetic field emissions, increasing the chances that these children will develop leukemia.

Our source is "EMF: Electric and Magnetic Fields Associated with the Use of Electric Power" (June 2002). Edison provided this question-and-answer booklet at a public open house in April. It says: "Is there an association between measured fields and childhood leukemia? Yes, but the association is weak, and it is not clear whether it represents a cause-and-effect relationship."

It is unconscionable to consider, let alone choose, a route that passes near schools since there is no scientific certainty that continuous exposure to electric and magnetic fields is safe. If one schoolchild develops leukemia as a result of this project, that is one child too many.

Erring on the side of caution regarding our children's health leads to the only responsible decision: Choose the eastern route along the Santa Ana River.

DANIEL and DENISE TORCHIA
Jurupa

Air Board, Union Pacific Say Mira Loma Rail Yard Exceeds Average Cancer Risk

UP officials say they will take steps to reduce pollution generated at Mira Loma auto distribution center

By DAVID H. BARNES

Publisher/Editor

MIRA LOMA -- California Environmental Protection Agency's Air Resource Board (CARB) officials and Union Pacific Railroad Thursday evening acknowledged the Mira Loma UP auto distribution center on Etiwanda Avenue is causing elevated diesel particulate matter (PM) emissions, and promised to take steps to reduce the emissions.

Railroad and CARB officials held a public meeting at the Jurupa Valley High theater to hear public comment on its "Draft Health Risk Assessment for the Union Pacific Railroad Mira Loma Auto Facility Rail Yard."

Critics of the railroad's Mira Loma facility say the railroad's proposed mitigation doesn't go far enough.

About 30 residents appeared at the meeting, and all agreed that short of simply closing the facility permanently, the next best thing involves closing the yard's Galena Avenue exit, establishing a truck route, bringing in hybrid locomotives, and enforcing laws prohibiting diesel big rigs from idling more than 5 five minutes in nearby neighborhoods.

Union Pacific officials are hesitant to commit to any citizen and Air Resource Board requests.

Union Railroad representatives Lanny Schmidt and Lupe Valdez said hybrid locomotives, using battery power, have been recalled because of battery heat problems.

The hybrid yard locomotives are called "goats."

Schmidt said closing the Galena access is not going to happen.

"We are going to shift 70% of the traffic from Galena to Harrel Street," Schmidt said. "The problem with moving the trucks from Galena to Harrel is it will create even more diesel particulate matter."

The Galena access is an issue because it is alongside Jurupa Valley High School, particularly the baseball and softball fields.

Betty and Steve Anderson, Penny Newman, Rachael Lopez and numerous

other citizens have argued for years the Galena access should be closed because it is a health risk to JVHS students.

The UP Mira Loma Rail Yard diesel particulate matter emissions are estimated at 4.87 tons for the year 2005.

The total diesel PM emissions from all sources in the South Coast Air Basin (Riverside, San Bernardino, Orange, Imperial and L.A. Counties) is 7,750 tons.

Harold Holmes, a CARB engineer, said the Air Resources Board staff has determined there are about 1,300 premature deaths per year, in the basin, due to diesel exhaust exposure.

"The ARB estimates the excess cancer risk in the basin is about 1,000 people for one million," Holmes said. "Excess risk in the San Francisco Bay area and San Joaquin Valley were about one third lower."

ARB officials said 70 percent of the excess cancer risk from breathing ambient air is attributed to one toxic air contaminant, diesel particulate matter.

The average regional risk for diesel particulate matter in urban areas in the year 2000 was between 500 to 800 excess cancers per million people.

The Mira Loma rail yard is 1,250 excess cancers per one million, according to UP and ARB officials. The number thins further from the facility, but nevertheless is 1,025 as far off as Pedley Road in Glen Avon and Limonite Avenue in Pedley.

Holmes said there is light at the end of the tunnel. "There's been 5 tons of PM in the past, our plan will cut the emissions to 2 tons in the future," Holmes said.

Critics have a different take on the issue.

Penny Newman characterized the pollution problem as a "state of emergency."

"We are so far out of compliance it is unbelievable," Newman said. "We need to quit studying the problem and take action."

ARB and UP are more optimistic.

Holmes said the railroad and ARB entered into an agreement in 2005 to prepare health risk assessments for 16 designated rail yards in California.

"There are a lot of things that can be done at this yard," Holmes said. "We've completed the draft health risk assessment and tonight we are seeking public comment. We next are going to look at mitigation to reduce cancer risks."

Holmes said the diesel particulate matter needs to be reduced ASAP.

"The plan is to reduce the risks by at least 85% by the year 2020," he said.

Holmes added that the agreement between the railroad and the state is "the first of its kind in the country."

Citizens at the highest risk are those within 1,500 feet of the railyard, where locomotive exhaust and big rig exhaust combine to create an excess risk, beyond the 1,000 cases per one million.

Lupe Valdez, a UP public affairs officer, told the audience the railroad is aware of what needs to be done.

"We support this process," she said. "We will work to reduce the emissions."

Audience members questioned the state's health assessment because the numbers were provided by the railroad.

"It is a resource issue," the ARB's Holmes said. "UP prepares the documents, true. But we have models to compare the numbers with. This is not unprecedented."

When citizens repeated requests to close the Galena gate to traffic, UP's Lanny Schmidt reiterated "no."

"Closing the gate will cause unintended problems," he said. "I've talked to the VPs in Omaha about this issue. We will develop a plan to send traffic to Harrell. Currently 50 to 60% is using Galena. Now, 75% of the trucks will use Harrell."

The Harrel entrance and exit is on Etiwanda Avenue, 250 yards from the Pomona 60 freeway.

..continued on following page.

Betty Anderson is asking the state, the county, and the railroad to close the Galena access and send all of the big rigs west of Harrel to Wineville Road, then south to the new Galena Interchange (Galleano-Cantu), and onto the I-15 freeway.

"All we need is a truck route," Anderson said. "Just send the big rigs right out of here. It will only take the stroke of a pen from the county. That's all."

Schmidt told citizens UP responded to the Galena issue by closing the traffic for one hour when school starts and for one hour when school ends.

Citizens called the closure a joke.

"You're not closing it to help our children," said a woman from the audience. "You're closing it because of the traffic gridlock created when school opens and closes."

Sky Country residents complained auto haulers exit the facility and park on Etiwanda Avenue and Bellegrave, and idle the engines.

"My house smells like diesel," a woman said.

UP officials said they can't control big rigs after they have left their facility.

But ARB's Holmes said residents can call a toll free 800 number and ARB will cite the big rig drivers.

His response was not well accepted.

"We've called that number repeatedly," the woman said. "No one ever shows up."

Holmes then agreed.

"There are some resource issues," he said. "Your complaints are important for our enforcement division."

The issue of enforcement and ticketing the big rig drivers for idling near homes shifted to the County of Riverside. Specifically, Second District Supervisor John Tavaglione's chief of staff John Field, seated in the audience.

A group of citizens pointed at Field. "You're up, John," one said.

"The supervisor is very concerned about this issue," said Field. "Unfortunately, our Sheriff's Deputies are responding to other crimes. The supervisors have allocated a lot of funding to the Sheriff and we have a 1.3 deputy to 1,000 citizen ratio. It still isn't enough, but it's a lot better than most."

Field said Tavaglione is responding to all of the issues of the citizens of the Junipia Valley.

"We've heard the people, we're doing everything we can to address all of the issues," Field said.

Penny Newman, executive director of the Citizens for Community Action and Environmental Justice (CCA EJ) said there is too much talk and not enough action.

"It is critical we don't have anymore polluting industries here," she said. "We get enough from L.A. The USC study has shown our children have the weakest lungs and the slowest lung growth. 5,400 people died in the South Coast Basin last year. Everyone else is calling that a state of emergency. The County of Riverside should do the same."

Newman, who was recently appointed the California State Transportation Committee by Governor Arnold Schwarzenegger, said the rail yard is of no benefit to Mira Loma.

"It is a benefit to the shippers, to logistics. It doesn't bring any money here. They don't hire locally. The people they do hire are from temporary agencies. They are paid minimum wage and don't have benefits."

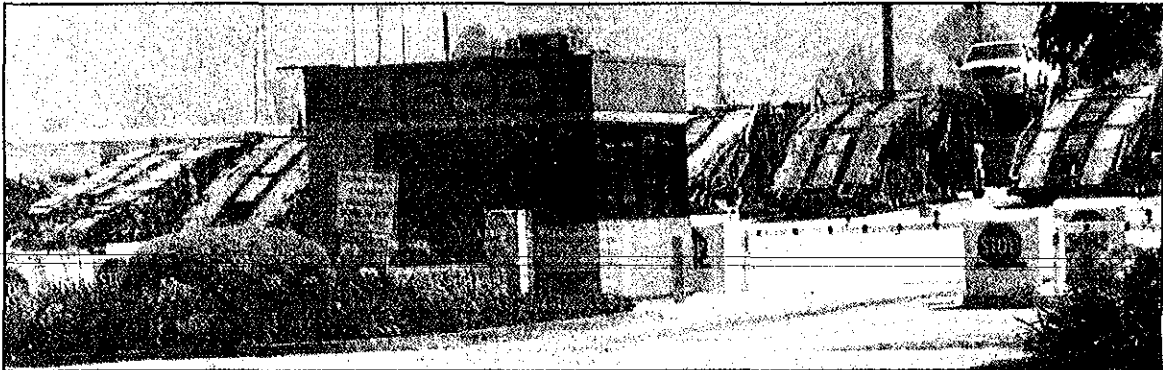
Rachael Lopez, also of CCA EJ, offered the railroad officials a chain and lock.

"Here," she said. "Lock the gate on Galena."

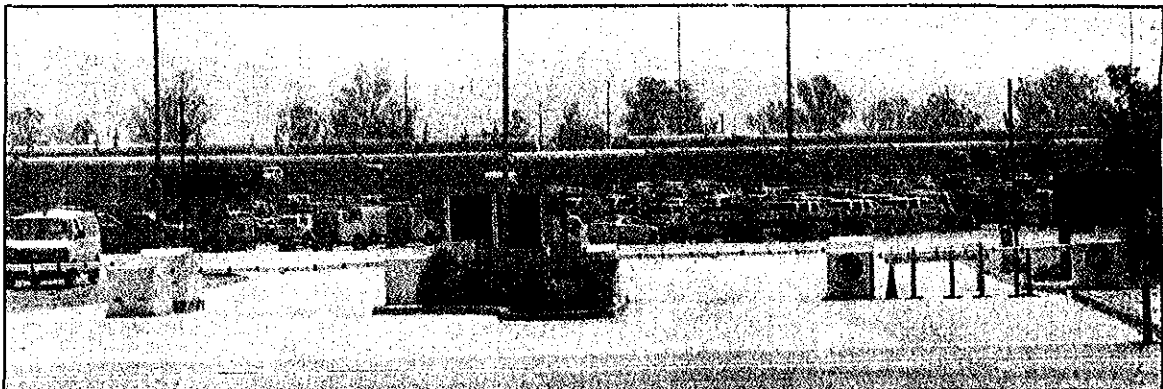
Other issues included using battery powered hybrid "goats" in the rail yard and installing a weigh station so big rigs can weigh at the facility and not seek a separate facility.



Union Pacific Railroad officials Lanny Schmidt and Lupe Valdez hear from citizens.



UP critics want this Galena Gate closed. The sign reads "idling more than 5 minutes prohibited."



Citizens are asking Riverside County officials to designate Harrel Street at the Union Pacific Rail Yard as the Western County "truck route." Citizens want all big rig traffic to use Harrel Street to travel west to Wineville Road, taking Wineville south to the Galena (Galleano-Cantu) interchange at the I-15. Union Pacific's railyard is open 24-7.

Cancer risk seen near rail yard

A study, new rules possible for San Bernardino neighborhood of about 7,000

BY DAVID DANELSKI
THE PRESS-ENTERPRISE

Researchers and regulators are focusing what some say is unprecedented attention on a low-income, predominately Hispanic community of about 7,000 people living with pollution from a west San Bernardino rail yard.

Alarmed by an analysis that found an unacceptable cancer risk in the neighborhood, the state is considering new air pollution rules for the rail yard. Loma Linda University is studying child asthma hospitalizations to look for trends. UCLA will examine the toxicity of rail yard emissions. And the railroad says it is con-

tinuing to make changes to cut pollution.

The busy BNSF Railway yard is a cargo transfer point, where goods are moved between diesel trucks and freight trains and where trains are assembled for long hauls.

Soot and other air pollution drift into the densely populated neighborhood nearby, creating a cancer risk more than 2.5 times higher than at any rail yard in the state, the California Air Resources Board found last year.

"The risk is not just problematic, but extraordinary near the San Bernardino rail yard," said Riverside Mayor Ron Loveridge, a

IN BUSINESS

■ Warren Buffett's plans to buy BNSF Railway seen as big bet on economy. D1

member of the California Air Resources Board. "We have an obligation to do something about it."

At Loveridge's behest, the air board's staff is exploring regulations that would force the railroad to reduce the cancer risk, if voluntary efforts fall short. The staff is expected to report back to the board in February.

BNSF spokeswoman Lena Kent said the railroad has voluntarily

cut pollution from the yard in half since 2005.

Among the changes, the company is using newer, cleaner locomotives that have devices to limit idling time; newer, less-polluting vehicles to move cargo containers; and new booths that allow trucks to enter and leave the yard twice as fast, reducing pollution from trucks idling at the booths, she said.

Kent said the railroad company believes the state overestimated the cancer risk last year.

Susana Negrete is a mother of four who lives less than 300 feet from the BNSF operation.

SEE RAIL YARD/A6

RAIL YARD

CONTINUED FROM A1

Though she is encouraged by the state and academic attention, her family and neighbors still suffer from diesel pollution she said comes from the yard, she said.

"My son, the 9-year-old, had a bloody nose this morning, and it happens very often," she said.

Several of her neighbors have had lung cancer and other respiratory illnesses, and some have died, Negrete said. She and other community members have been fighting for pollution reductions for years, she added.

"I cannot say I'm happy, but at the least they are doing something," Negrete said. "Finally, we are seeing that they are listening."

HEALTH STUDY

One of those who listened is San Bernardino Mayor Pat Morris.

He hosted a recent multi-agency meeting about the rail yard and other pollution problem sites and asked a Loma Linda University official for a study of the health problems among people living near the yard, said Sam Soret, chairman of the Department of Environmental and Occupational Health in the university's School of Public Health.

The school is examining area hospital admissions to see how often children in the neighborhood are treated for severe asthma attacks.

Loma Linda University also is seeking a \$1 million grant from the U.S. Environmental Protection Agency to conduct a more comprehensive study that would involve interviewing a sample of residents to learn their health histories. Soret said the residents also would be examined for respiratory health.

Soret said he was struck by the proportion of children in the neighborhood, which had a median age of 25.2 in 2000, according to census data. Children 17 and under represent 38 percent of the population.

That's why he didn't want to wait for the EPA money to start the smaller hospital admissions study, using university resources.

"I felt we needed to get moving and do something," Soret said.

Another study is expected to start next week.

This one is headed by UCLA environmental health sciences professor John

"The risk is not just problematic but extraordinary near the San Bernardino rail yard. We have an obligation to do something about it."

**RON LOVERIDGE,
RIVERSIDE MAYOR, AIR
RESOURCES BOARD
MEMBER**

Froines, a nationally known expert on the toxic properties of soot and other fine-particle pollution.

Using a \$280,000 grant from the South Coast Air Quality Management District, Froines will probe the toxicity level in the neighborhood.

In an interview, Froines said diesel soot can carry as many as 1,000 chemicals. His research group has developed laboratory procedures that can show the toxicity of various combinations of such chemicals, he said.

Froines also will examine particles that form after fumes leave locomotives, trucks and other rail yard equipment.

"These rail yards are enormous, and we have not been paying enough attention to these as pollution sources," Froines said.

FOCUSING RESEARCH

At UC Davis, scientist Thomas Cahill, known for his work on air pollution from the 9/11 World Trade Center attack that sickened firefighters and other emergency responders, is considering research to identify the specific sources of pollution in the neighborhood, said David Barnes, a researcher who works with Cahill.

The study would pinpoint how much of the neighborhood's pollution is from rail equipment and how much is from other sources.

Penny Newman, a Glen Avon-based environmental activist who brought the rail yard problem to the attention of various government and academic officials, described the regulatory and research efforts as "an unprecedented response to an unprecedented problem."

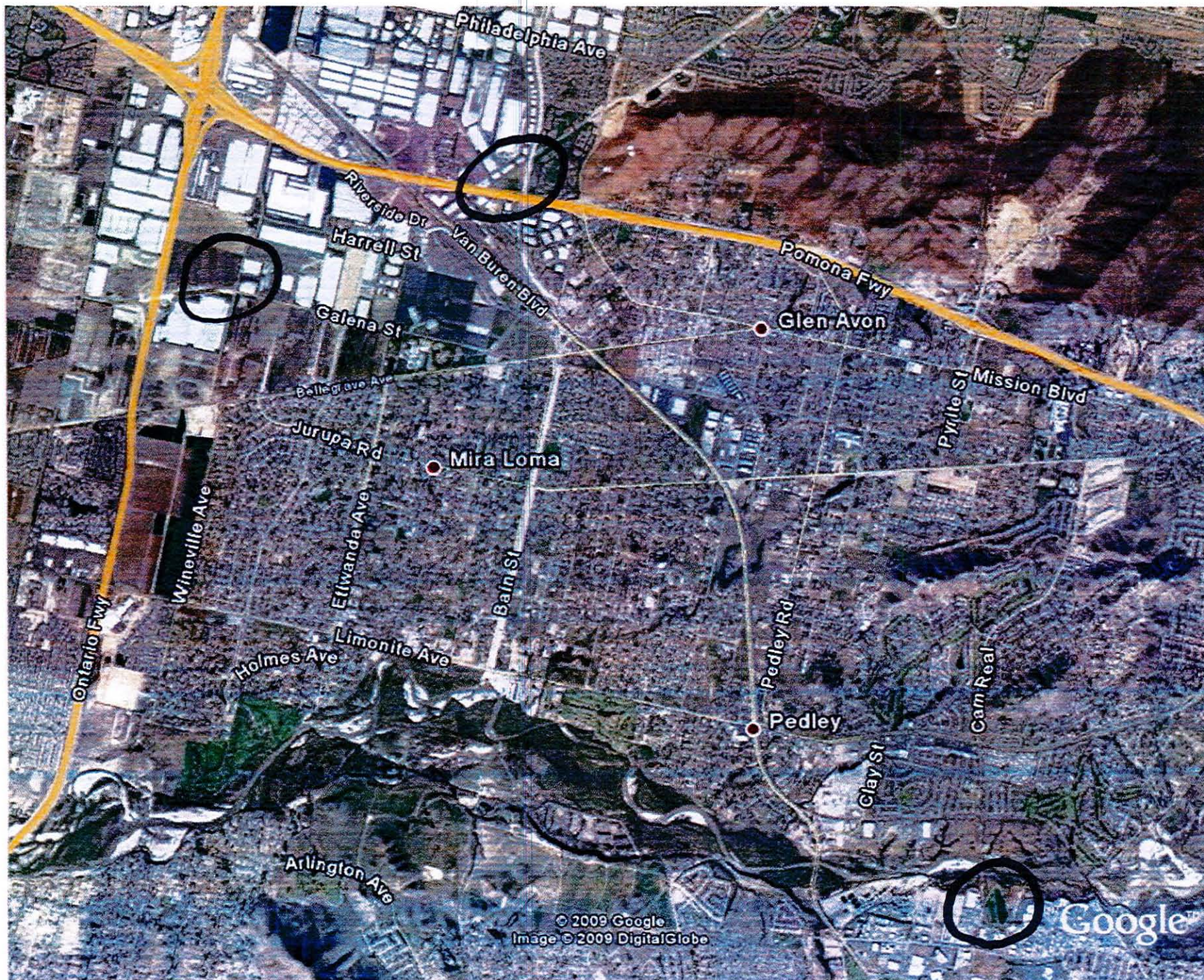
"Even if Burlington Northern has cut the pollution in half, it's still the worst rail yard in the state," she said.

The research, she said, will lead to more facts and fewer arguments.

Negrete said she will keep fighting for cleaner air.

"These children here deserve better air ...," she said. "They live here. They are going to school here. They breathe this air 24-7."

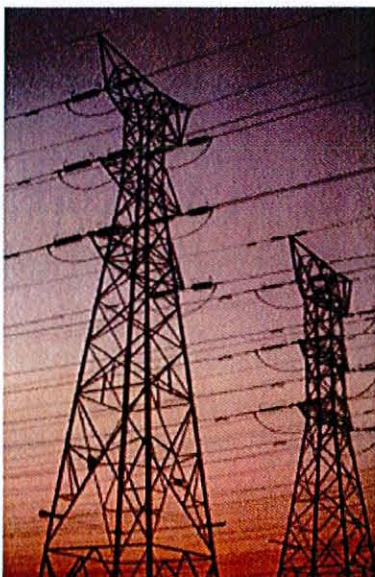
"As long as we are standing, we will stand up."





Electric & Magnetic Fields



Description



Electric and magnetic fields (EMFs) are invisible lines of force associated with the production, transmission, and use of electric power such as those associated with high-voltage transmission lines, secondary power lines, and home wiring and lighting. Electric and magnetic fields also arise from the motors and heating coils found in electronic equipment and appliances.

Because the use of electric power is so widespread, humans are constantly exposed to electric and magnetic fields. Studies conducted in the 1980s showed a link between magnetic field strength and the risk of childhood leukemia. After reviewing more than two decades of research in this area, NIEHS scientists have concluded that the overall pattern of results suggests a weak association between increasing exposure to EMFs and an increased risk of childhood leukemia. The few studies that have been conducted on adult exposures show no evidence of a link between residential EMF exposure and adult cancers, including leukemia, brain cancer, and breast cancer. Based on these reviews, the NIEHS recommends continued education on practical ways of reducing exposures to EMFs.

General Information

- Environmental Health Perspectives, Environews by Topic: EMFs (<http://www.ehponline.org/topic/emfs.html>)
- World Health Organization, Information Resources(<http://www.who.int/peh-emf/project/mapnatreps/nz/en/index.html#information>)
- Health Effects from Exposure to Power-Line Frequency Electric and Magnetic Fields (<http://www.niehs.nih.gov/health/docs/niehs-report.pdf>)  (752KB)
- Results of EMF Research - EMF Questions & Answers Booklet (<http://www.niehs.nih.gov/health/docs/emf-02.pdf>)  (11.7MB)

Related Topics

- Consumer Health Links: EMF

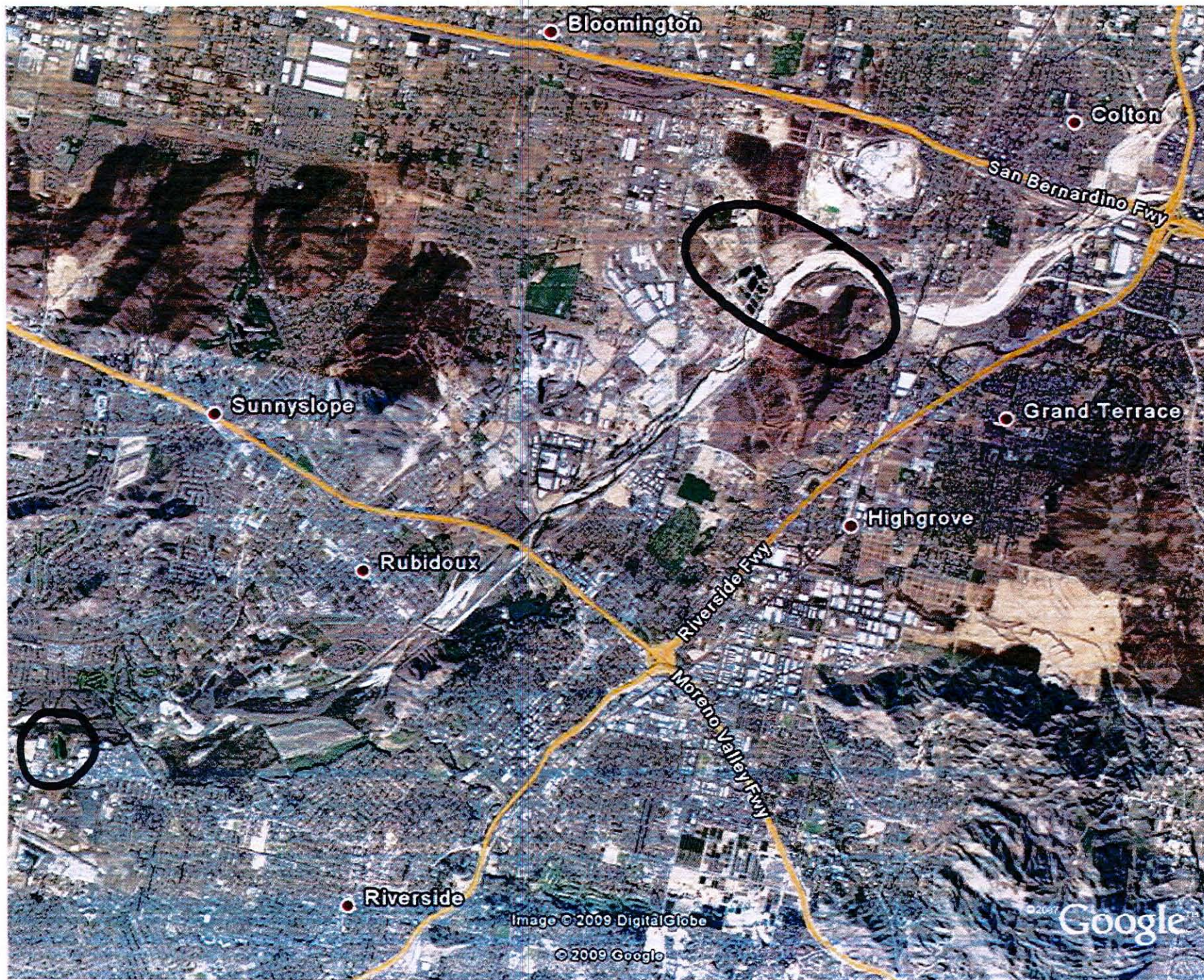
(<http://www.niehs.nih.gov/research/resources/library/consumer/hazardous.cfm#emf>)

This page URL: <http://www.niehs.nih.gov/health/topics/agents/emf/index.cfm>

NIEHS website: <http://www.niehs.nih.gov/>

Email the Web Manager at webmanager@niehs.nih.gov

Last Reviewed: September 14, 2009





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Pointer 34°01'27.49" N 117°21'45.40" W elev 840 ft Streaming 100% Eye alt 1483 ft



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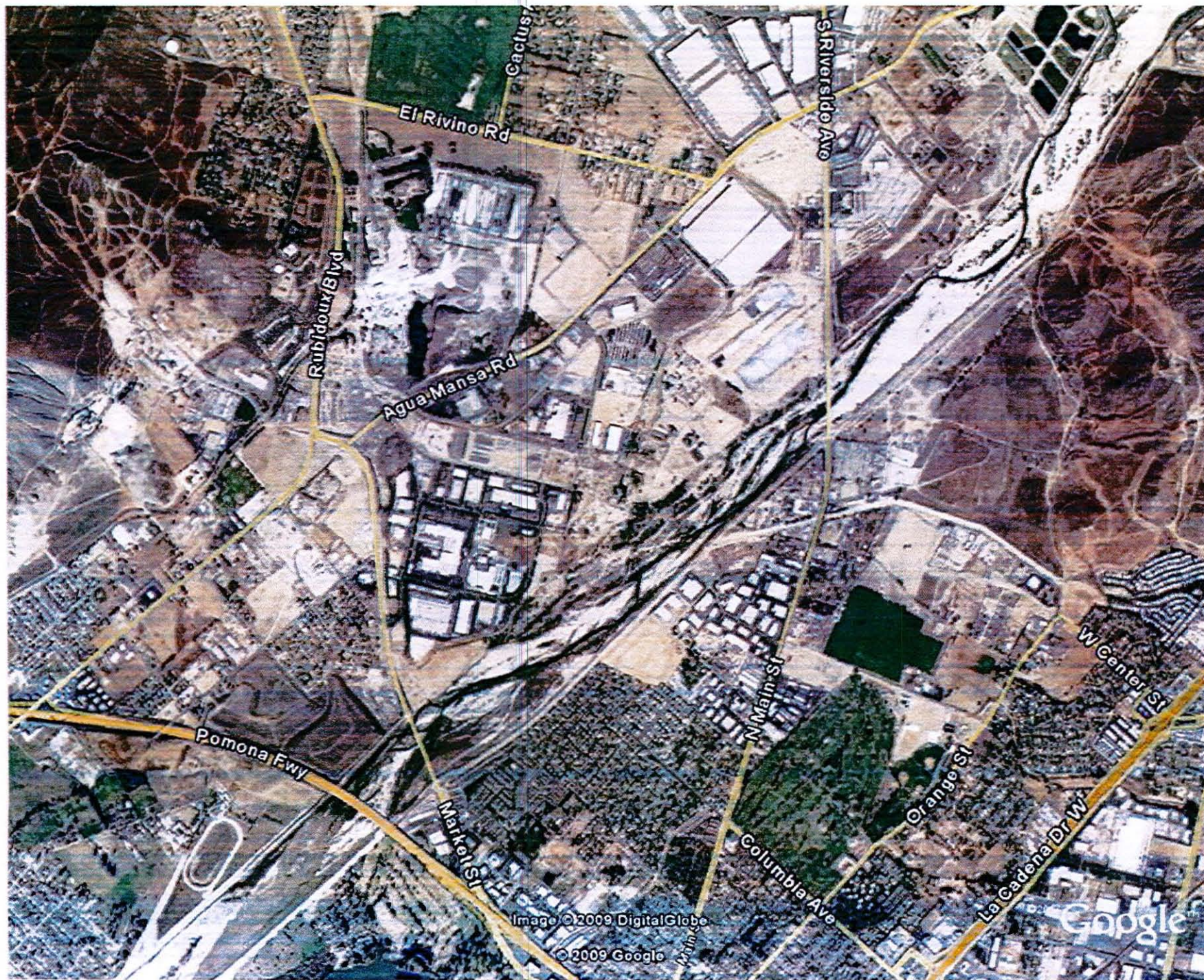


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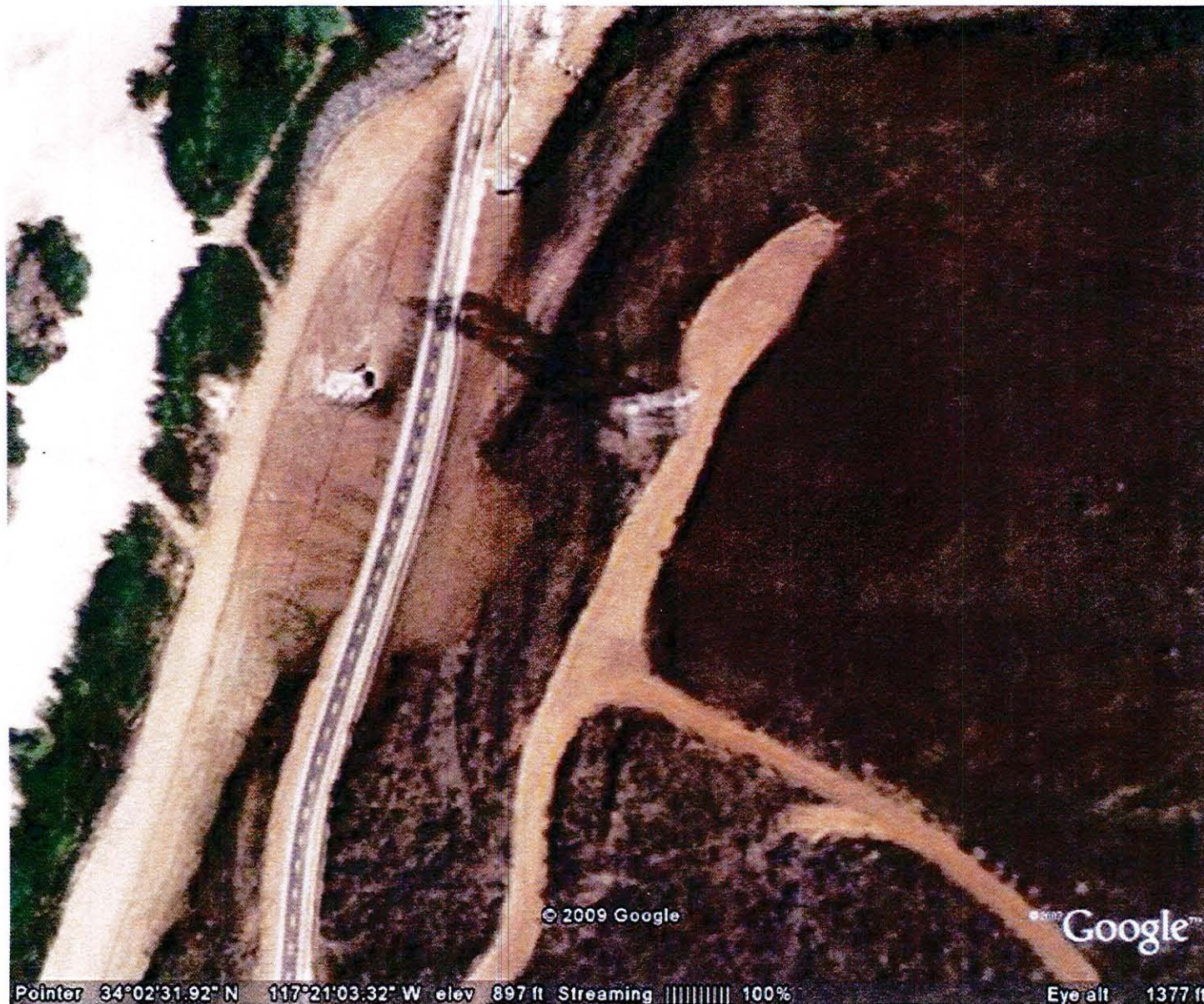
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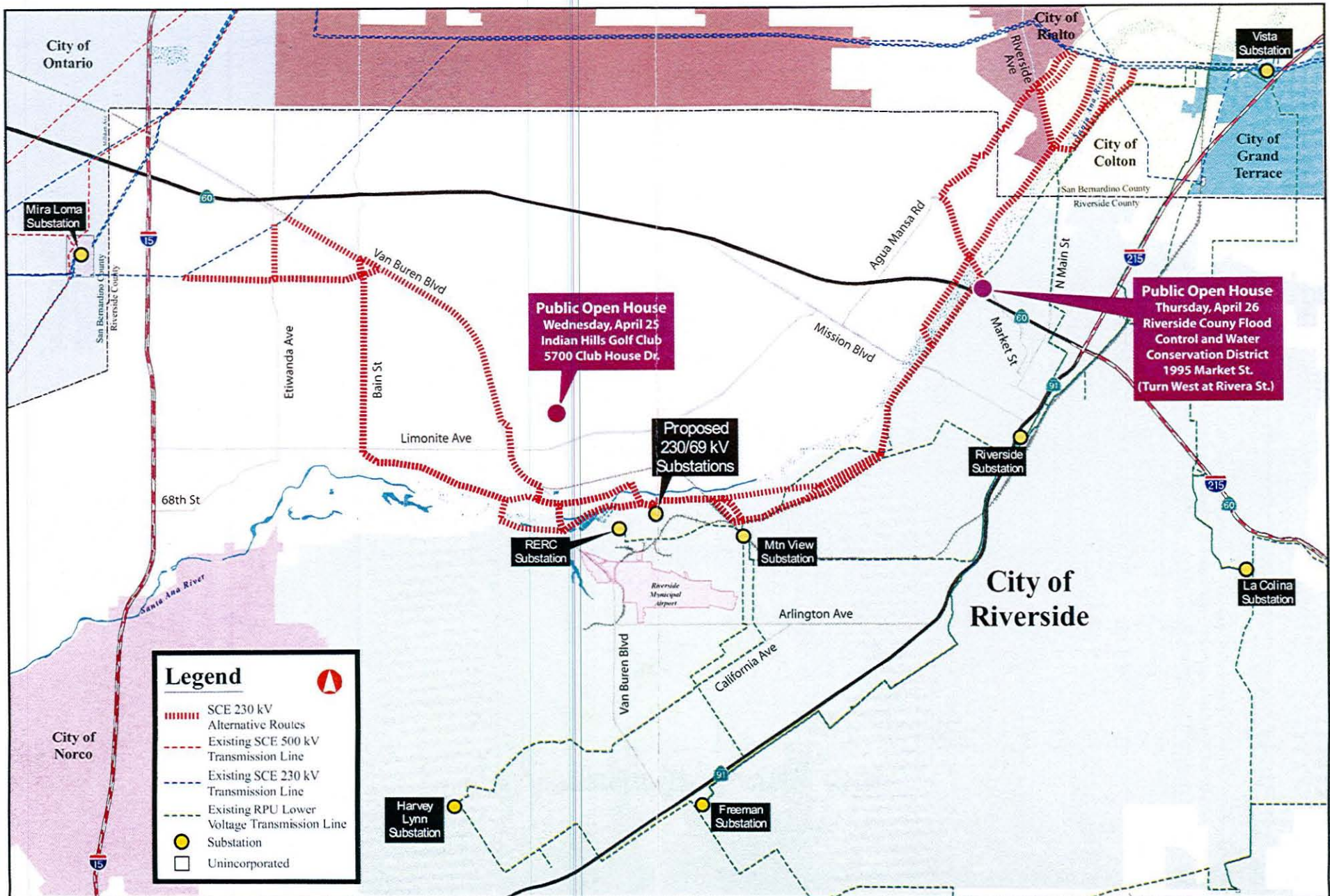
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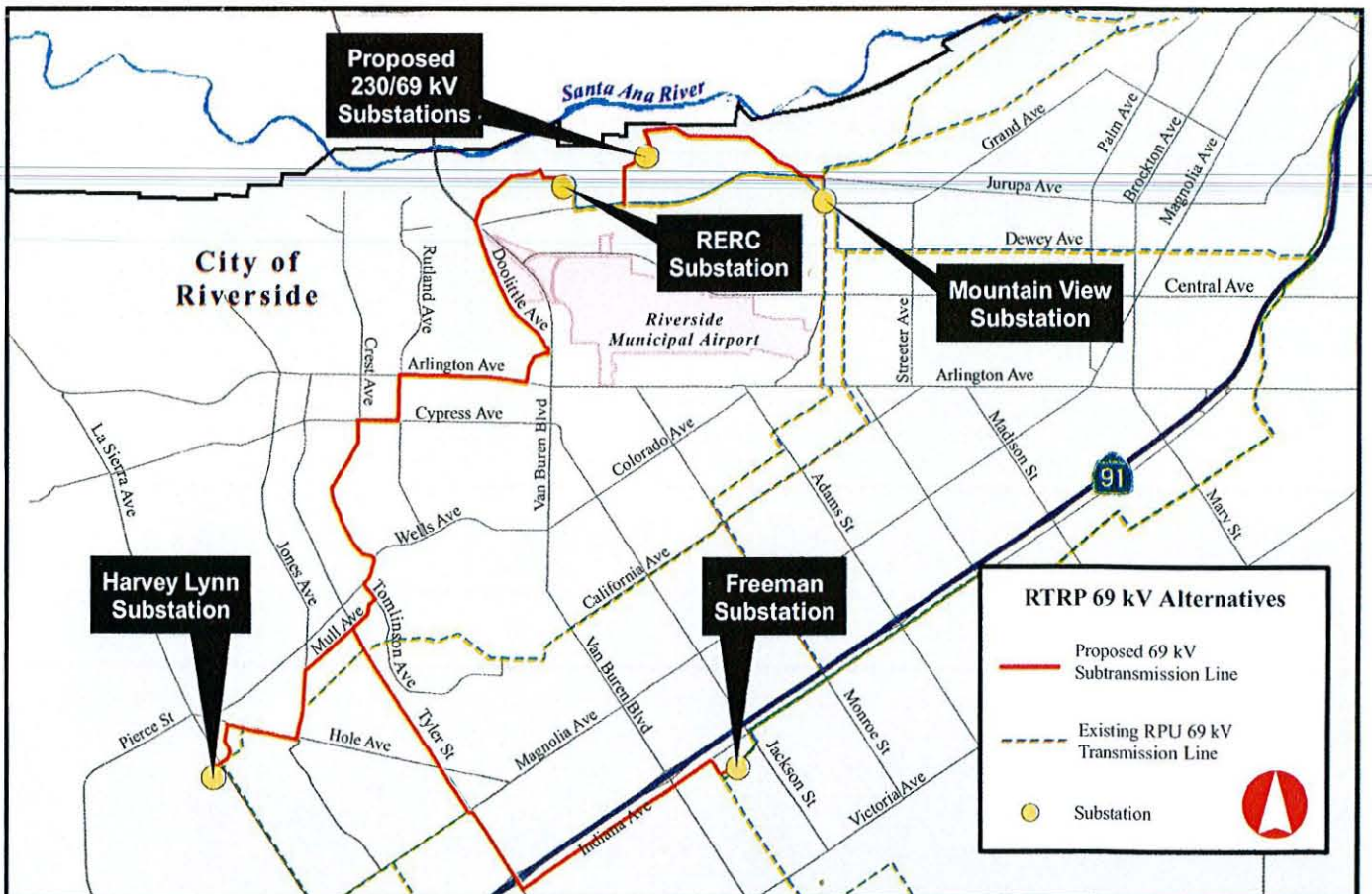
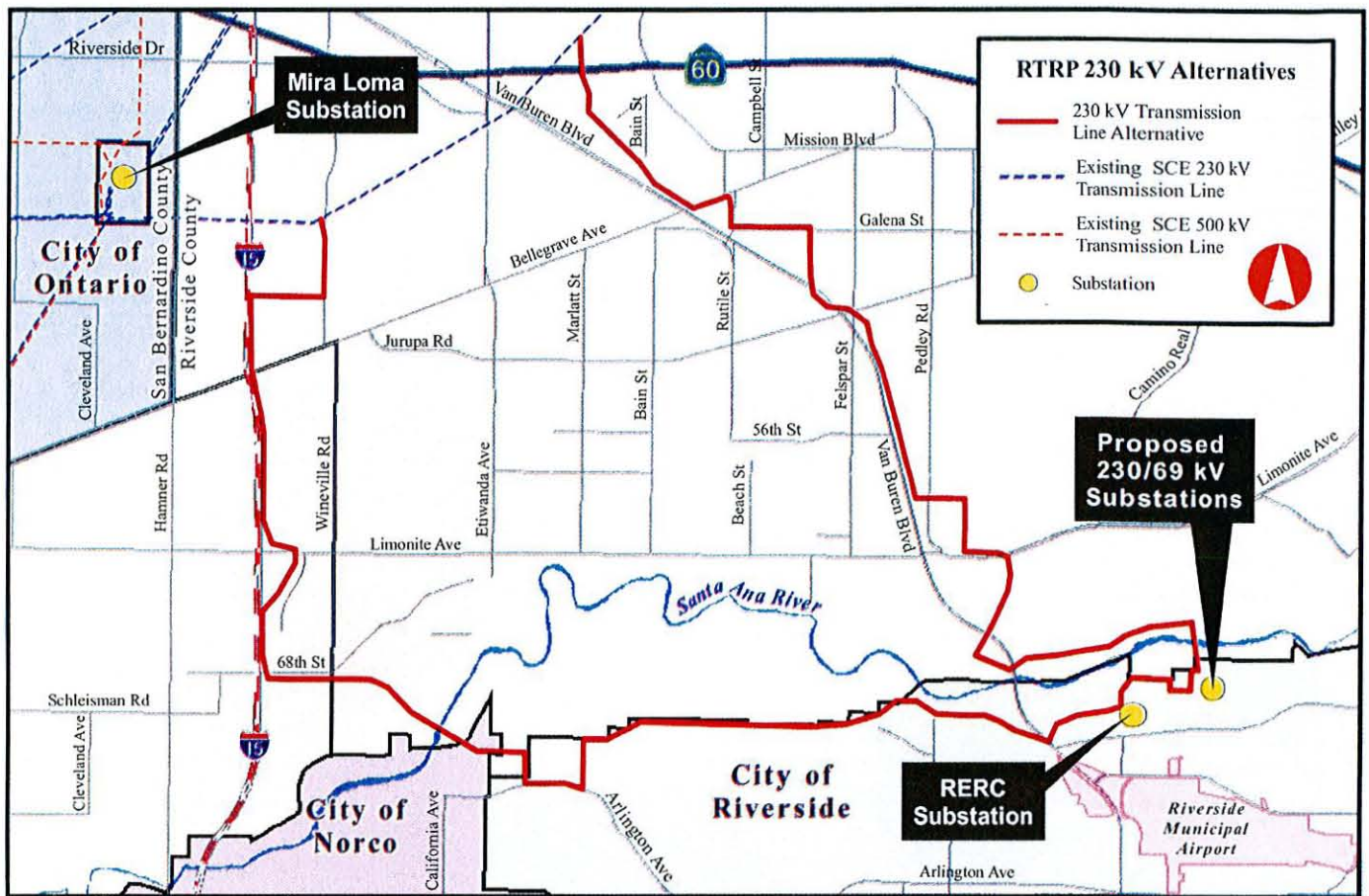
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230 kV Alternative Routes Map







Comment Letter FFF: Daniel and Denise Torchia**Response to Comment FFF-1**

Thank you for your comment; it has become part of the project record. As requested, the commenter has been added to the mailing list to be notified of future public meetings. In addition, please see Master Response #6 regarding EMF.

Response to Comment FFF-2

Please see Master Response #1, found in Section 2.2.1 herein. In addition, see Master Response #8 regarding the involvement of the City of Jurupa Valley.

Response to Comment FFF-3

Please see Master Response #6 regarding EMF.

Response to Comment FFF-4

Please see Response to Comment O-18.

Response to Comment FFF-5

Please see Master Response #7 regarding social and economic impacts and Master Response #10a regarding undergrounding.

Response to Comment FFF-6

Please see Master Response #10a regarding undergrounding. With regard to the commenter's questions, no specific comment regarding this Project's environmental analysis are raised. Please see Master Response #1.

Response to Comment FFF-7

The selection of the Environmentally Superior Route is discussed in the DEIR. In addition, please see Master Response #6 regarding EMF, Master Response #7 regarding economic and social impacts, and Master Response #14 regarding lack of local benefits.

Response to Comment FFF-8

Thank you for your comment; it has become part of the project record. The selection of the Environmentally Superior Route is discussed in the DEIR. In addition, please see Master Response #6 regarding EMF.

Response to Comment FFF-9

Please see Master Response #6 regarding EMF.

Response to Comment FFF-10

The selection of the Environmentally Superior Route is discussed in the DEIR (Chapter 6, Section 6.6). In addition, please see Master Response #6, regarding EMF, and Master Response #10b, regarding the Eastern Route.

Response to Comment FFF-11

Please see Master Response #6 regarding EMF. With regard to the commenter's statements on diesel particulate matter, this Project will not have any facilities adjacent to the referenced Mira Loma rail yard. Moreover, this Project will not be a source of significant diesel particulate emissions during operations. A discussion of cumulatively considerable impacts for air quality can be found in Section 3.2.3 of the DEIR in Volume II.

Response to Comment FFF-12

Please see Master Response #6, regarding EMF and Response to Comment FFF-11.

Response to Comment FFF-13

Please see Master Response #6 regarding EMF and Master Response #10b, regarding the Eastern Route. Please see Master Response #10a regarding undergrounding.

Response to Comment FFF-14

The selection of the Environmentally Superior Route is discussed in the DEIR (Chapter 6, Section 6.6). In addition, please see Master Response #6 regarding EMF and Master Response #10c regarding the initial rejection of the I-15 route.

Response to Comment FFF-15

Please see Master Response #7 regarding social and economic impacts and Master Response #10a regarding undergrounding.

Response to Comment FFF-16

Please see Master Response #7 regarding social and economic impacts, and Response to Comment V-1.

Response to Comment FFF-17

For the RTRP, environmental review and route siting of both the 230 kV transmission and 69 kV subtransmission lines were conducted iteratively in a concerted effort to identify and avoid impacts to the environment. Careful environmental review was conducted for all alternatives and minimizing environmental impacts was included as a Project objective. In the final analysis, the Proposed Project minimized potentially significant environmental impacts compared to other alternatives. Please see Response to Comment O-19.

Response to Comment FFF-18

As is evidenced by the methodology and analysis in RTRP technical reports used to prepare the DEIR, impacts to the human and natural environment were assessed independent of jurisdictional boundaries. The selection of the Proposed Project as the Environmentally Superior Route is discussed in the DEIR. In addition, please see Master Response #6 regarding EMF.

Response to Comment FFF-19

The selection of the Environmentally Superior Route considers multiple factors, not just project cost, and is discussed in the DEIR. In addition, please see Master Response #6 regarding EMF.

Response to Comment FFF-20

Please see Master Response #6 regarding EMF.

Response to Comment FFF-21

The selection of the Environmentally Superior Route is discussed in the DEIR. In addition, please see Master Response #6 regarding EMF.

Response to Comment FFF-22

The selection of the Environmentally Superior Route is discussed in the DEIR. There is no transmission line corridor extending to the east as described by the commenter. In addition, please see Master Response #6, regarding EMF, Master Response #7, regarding social and economic impacts, and Master Response #10b, regarding the Eastern Route.

Response to Comment FFF-23

Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment FFF-24

The selection of the Environmentally Superior Route is discussed in the DEIR. In addition, please see Master Response #6, regarding EMF, Master Response #7, regarding social and economic impacts, and Master Response #10b, regarding the Eastern Route. There is no continuous access to the east along the Santa Ana River. There is no existing road that would extend along the length of an eastern route along the Santa Ana River.

Response to Comment FFF-25

Please see Master Response #10a regarding undergrounding. The substations would not be built in the 100-year floodplain.

Response to Comment FFF-26

Please see Master Response #6, regarding EMF, Master Response #7, regarding social and economic impacts, Master Response #10b, regarding the Eastern Route, and Master Response #14, regarding local benefits of the Proposed Project. The substations would not be built in the 100-year floodplain (as referenced in DEIR Section 3.2.8, Hydrology and Water Quality).

Response to Comment FFF-27

Please see Master Response #1, found in Section 2.2.1 herein. Both the Eastern Route and full undergrounding of the 230 kV line were rejected because of feasibility issues and significant environmental impacts.

Response to Comment FFF-28

The selection of the Environmentally Superior Route is discussed in the DEIR. In addition, please see Master Response #6, regarding EMF, Master Response #7, regarding social and economic impacts, and Master Response #10b, regarding the Eastern Route.

Response to Comment FFF-29

Please see Master Response #14, regarding lack of local benefits.

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside CA 92501

Subject: Plans for high voltage lines

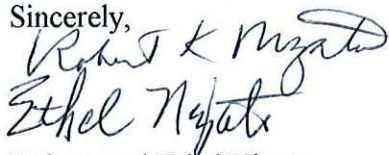
We object to the plans of SCE and the county of Riverside to install high tension power lines near our property and very close to the Vandermolen Elementary School that our grand daughter attends.

We object to your plans because they present:

- health threats
- physical dangers to citizens and children near by
- an ugly back drop the views around the neighborhood

We want you to select another route for your project.

Sincerely,



Robert and Ethel Nizato
12047 Malachite Ct.
Mira Loma CA 91752

562-260-8507

951-582-9708

GGG-1

GGG-2

GGG-3

Comment Letter GGG: Robert and Ethel Nizato**Response to Comment GGG-1**

Thank you for your comment; it has become part of the project record. In addition, please see Master Response #6 regarding EMF and Response to Comment V-1.

Response to Comment GGG-2

Potential impacts resulting from the Proposed Project related to Hazards and Hazardous Materials are evaluated in Chapter 3 of the DEIR.

Response to Comment GGG-3

Please see Response to Comment O-18.

Riverside Transmission Reliability Project

From: albegolfin@charter.net

Sent: Monday, November 14, 2011 5:27 PM

To: Riverside Transmission Reliability Project

Subject: ATENTION GEORGE HANSON, PROJ. MNGR RE: high voltage lines

MR. HANSON, THIS EMAIL IS TO INFORM YOU OF THE GREAT MISCARRIAGE OF PLANNING AND WIELDING OF POWER BY THE RIVERSIDE PUBLIC UTILITIES COMMISSION. TO SAY THAT THE PEOPLE OF JURUPA VALLEY ARE AGAINST THIS PROJECT IS AN UNDERSTATEMENT! THESE PROPOSED LINES ARE TO RUN RIGHT THRU A PLANNED COMMUNITY OF HOMES, A COMMERCIAL RETAIL CENTER AND OVER AN EXISTING ELEMENTARY SCHOOL! THESE LINES WILL NOT ONLY BE UNPLEASANT TO LOOK AT BUT THEY HAVE BEEN ALSO CONNECTED TO NUMEROUS CANCERS AND CHILD DEFECTS. THE ROUTE THAT SHOULD BE TAKEN IS THE EAST ROUTE, THERE ARE ELECTRICAL TOWERS THERE NOW AND ALSO A SUITABLE ACCESS ROAD TO MAINTAIN THEM ON THE SOUTH SIDE OF THE SANTA ANA RIVER. THIS AREA IS MOSTLY INDUSTRIAL AND VERY LOW RESIDENTIAL DENSITY, SO THERE ARE NO ENVIRONMENTAL HURDLES BECAUSE YOU ALREADY HAVE LINES RUNNING THERE

HHH-1

HHH-2

HHH-3

HHH-4

Comment Letter HHH: Anonymous E-mail Comment (albegolfin@charter.net)**Response to Comment HHH-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment HHH-2

Existing and planned land uses are discussed and analyzed in the DEIR in Section 3.2.9. The California Department of Education (CDE) has established setback limits for locating any portion of a school site property line near the edge of power line easements. In all areas, the proposed 230 kV easement associated with the Proposed Project is at least 25 feet beyond the CDE's setback limit of 150 feet for 220-230 kV transmission lines.

Response to Comment HHH-3

The Proposed Project would be constructed in accordance with the California EMF Design Guidelines for Electrical Facilities. Please refer to Master Response #6 and Section 3.2.1 of the DEIR describing the aesthetics analysis.

Response to Comment HHH-4

Please refer to Master Response #10b regarding the Eastern Route.

From: Carolyn Powers [powers007@att.net]
Sent: Friday, November 11, 2011 8:09 PM
To: Marketing Web
Subject: Riverside Transmission Reliability Project

Since I am opposed to this project it is important that I know when the public hearing will be held. Is there a new scheduled date?

III-1

Carolyn Powers

Comment Letter III: Carolyn Powers**Response to Comment III-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein. The City of Riverside Planning Commission conducted a public hearing on the DEIR on April 5, 2012. Notices were published in local newspapers and postcard notifications were mailed in advance to the DEIR mailing list addressees.

From: Harvey Clark
PO Box 70328
Riverside, CA 92513
951-990-1327

November 20, 2011

RECEIVED

To: General Manager David Wright
Public Utilities Department
3901 Orange Street
Riverside, CA 92522

NOV 22 2011

Public Utilities
Administration

Dear Mr. Wright,

I would like to offer a better alternative than the proposed unsightly, unwanted high voltage power line. An alternative that offers better reliability, better achievement of green energy goals, grid independence, free energy to Riverside residents in the future, and an example for the world to follow. The recent massive Southern California – Arizona blackout shows that even two transmission lines can fail questioning the ‘reliability’ of the currently planned project.

My proposal would create hundreds of jobs within the City of Riverside instead of in another city. It involves putting solar panels on roughly 100,000 rooftops in the City of Riverside. Such a project connected to the city grid system would offer so much redundancy and extra power that Riverside would become independent of whatever happens in the nation’s grid systems. We would become the cleanest and greenest city energy system in the world using solely home grown power. There would be no adverse impacts to be concerned about.

Here is how it would be accomplished. The city would issue as needed low interest municipal bonds to provide the financing. It would then contract for the best system and lowest cost for our customers including a dark hours energy storage system. Homeowners, renters and businesses would then have the systems installed. Instead of paying for electrical use they would pay a monthly fee to pay off the bonds. Once their share of the bonds are paid off, they would then receive mostly free electricity for many decades into the future. There would be a monthly cost to cover the off hours storage system, but this would be offset by the increase in the value of their property from having the solar panels on their roof. And there would not be future electrical rate increases. There may be a need to develop the dark hours energy storage system, but when the need is there the systems will become available.

With the resulting increase in property values, the incentives are there and the city would be basically organizing, facilitating, and encouraging the projects accomplishment. Some of the new solar panel systems, such as thin film, would with a large project like this be able to provide the low cost needed. Riverside could become an example of how it can be done for all the cities of the world to see. And we might just be the spearhead that curtails Global Warming.

If KB home builders can get such a good deal on large solar projects that they can add solar systems to their new homes with out increasing the cost of the homes, Riverside can do this for existing homes. If we start soon folks can qualify for the solar rebates currently available.

Awaiting your reply,

Harvey Clark

JJJ-1

Comment Letter JJJ: Harvey Clark**Response to Comment JJJ-1**

Thank you for your comment; it has become part of the project record. Section 6.4.2 of the DEIR discusses non-wire alternatives to the Proposed Project, including new generation, distributed generation (including alternative energy sources), and energy conservation. The City of Riverside already encourages solar energy use through its Residential Photovoltaic Rebate Program. Thus far this program has resulted in approximately 4 MW of local solar generation (far short of the anticipated 560 MW of additional capacity that would be provided by the Proposed Project). Although a city-wide voluntary solar installation program is commendable, its ability to meet the Proposed Project's Purpose and Need of sufficient additional capacity as described here is unsupported. Per Section 15126.6(f)(3) of the CEQA Guidelines, "[a]n EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." Also see Response to Comment Z-1.

Riverside Transmission Reliability Project

From: Stephen Anderson <sca1baa@earthlink.net>

Sent: Sunday, November 20, 2011 4:13 PM

To: Riverside Transmission Reliability Project

Subject: RTRP COMMENT

The final reviewer for transmission line routes needs to be the City of Jurupa Valley; not Riverside. The reasons are obvious:

1. All of the routes being considered originate and travel through Jurupa Valley.
2. The routes being considered render the most cost damage to Jurupa Valley while seeking to spare Riverside.
3. Most of the complaints about the routes come from the citizens of Jurupa Valley, and thus can be best reconciled by Jurupa Valley City government. .
4. The benefactor of the project is the City of Riverside with favorable bias being given to Riverside.

KKK-1

Why the City of Riverside is given a free-hand in the implementation of this project remains for discovery. In light of the glaring conflict of interest and bias, this ploy is simply not justifiable under scrutiny.

Riverside is not offering anything to alleviate the situation they are forcing on to the City Jurupa Valley if it might cause them more expense or more route damage. Undergrounding the lines is not employed even at the Vernola Market Place, Goose Creek Golf Course, and Vander Molen Elementary school children's crossings. The Eastern route that travels through a Jurupa Valley industrial area before crossing into Riverside prior to Market Street was quickly removed from consideration when a few Riverside inhabitants complained that it might destroy their view.

KKK-2

In the below narrative, I seek to show how transmission line routes through Jurupa are flawed. The residents of Jurupa Valley will experience public revenue loss, suffer electromagnetic field exposure and lose vital development opportunities, to include a hospital. However it cannot describe the scares that the transmission lines will permanently etch into the Jurupa landscape.

KKK-3

KKK-4

KKK-5

Why is it so imperative that transmission lines for the City of Riverside go through Jurupa Valley? Is it because Riverside politicians are trying to avoid the disturbance from Riverside voters? It is not because they are concerned about explaining why Jurupa will have to sacrifice. However, the Eastern route, the only Riverside route being protested by Riverside residents was quickly removed. We don't hear much from the Riverside population anymore. I guess it is best to allow Jurupa to fight their battles.

KKK-6

I spoke out against Riverside running transmission lines through Jurupa when Bain Street was the main route, and again, when Van Buren Blvd. was the main route. Now I am preparing to speak against the I-15 route.

KKK-7

Bain was compassionately a poor choice since it ran parallel to a middle school and was a path use by school children, families and recreationalists to include horsemen, bicyclists and runners.

The Van Buren route, now an alternative route, is a quagmire of transmission lines, crisscrossing Van Buren at several locations in a vain attempt to avoid schools, 2

KKK-8

developments and transportation routes. Ironically, all this is done only to end up crossing through the Metro-link parking lot and a proposed high density residential project near Limonite Avenue before continuing South along Albertson shopping center's western boundary.

↑
KKK-8

From the North connection, the I-15 transmission lines run along Wineville Ave. and a proposed residential development. At Landon Drive they cut west to the I-15. There it continues south to Bellegrave Avenue where it runs east again, before crossing Bellegrave. In short, transmission Lines will bottle up 2 ¼ sides of a proposed Business Park that is hoping to bring a hospital facility to Jurupa Valley. The Developer has expressed concerns that this land will no longer meet the conditions necessary to develop it as a Business park.

KKK-9

After crossing Bellegrave it returns to the I-15 traveling South to Limonite where it jogs east to dissect the near middle of the Vernola Market Place (Lowe's) shopping center. The proposed development for the area prior to the shopping center is residential-commercial. However, the transmission lines now limit this development; consuming one side of the development and approximately ¼ to ½ of the other two sides. This will surely limit the commercial value of this property if not eliminate it. This is doubly disappointing, since this undeveloped commercial property has the I-15 freeway Limonite off-ramp serving it.

After leaving the Vernola Market Place the lines continue along the I-15 to cross 68th Street at a place used by Vander Molen Elementary school children going to and from school. The route then parallels 68th Street past Vander Molen Elementary School to cross through the Western center sections of Goose Creek Golf Course making its way to the other side of the Santa Ana River. However, in order to reach its destination it travels through the Hidden Valley recreation and wildlife preserve.

Are approved development plans so artificial that they do not exist or are they a part of the route planning costs. I see this route as interfering with the possible development of a much needed hospital for our area. It also deters commercial development along one of our busiest I-15 off ramps. This is to say nothing about exposing proposed residential inhabitants to Electric Magnetic Fields (EMF) and the required reduction in residential development to reduce EMF exposure risk.

KKK-10

What is visible is that some potential customers for retail buying and golfing will seek other locations to limit their exposure to EMF. All of these considerations by developers and customers will reduce public revenue going to the City of Jurupa Valley; and to repay the expenses generated by such infrastructure as Vernola Park.

KKK-11

I am afraid that a strange relationship has developed between Edison and the City of Riverside to make Riverside the winner and Jurupa Valley the loser. This can be avoided if the Eastern route is revitalized and employed in the least belligerent manner possible. The route that crosses North of Market Street, not South of Market Street is the preferred route

KKK-12

Stephen Anderson

Comment Letter KKK: Stephen Anderson**Response to Comment KKK-1**

See Master Responses #5, regarding the Lead Agency, #8, regarding the City of Jurupa Valley, and #14, regarding local benefits of the Proposed Project.

Response to Comment KKK-2

See Master Response #10a regarding undergrounding and Master Response #10b regarding the Eastern Route and Master Response #14 regarding local public benefits. As explained in Chapter 6 of the DEIR, the Eastern Route was considered and removed from consideration due to feasibility issues and greater significant environmental impacts as compared to the Proposed Project. Additionally, the Proposed Project's 230 kV transmission line route was modified through the Vernola Marketplace to reduce impacts to the shopping center. The route is located between the shopping center and Interstate 15.

Response to Comment KKK-3

See Master Response #7 regarding social and economic impacts.

Response to Comment KKK-4

See Master Response #6 regarding EMF. Land use impacts, including those to planned land uses within the Project area, are described in the DEIR under Section 3.2.9. The commenter briefly mentions losing a development opportunity to include a hospital. There are no approved plans for hospitals within the Project impact area.

Response to Comment KKK-5

The DEIR discusses visual characteristics of the Proposed Project and Impacts in Section 3.2.1. See Master Response #2 regarding vague and conclusory comments.

Response to Comment KKK-6

See Master Response #10b regarding the Eastern Route.

Response to Comment KKK-7

A number of possible routes utilizing Bain Street were evaluated. The eventual "Bain Street Route" and its elimination from further consideration is discussed in the DEIR on pages 6-43 to 6-46. See also Master Response #10b regarding the Eastern Route.

Response to Comment KKK-8

The Van Buren offset Route is a feasible alternative to the 230 kV portion of the Proposed Project (I-15 route). However, its environmental impacts would be greater than the route proposed. See discussion of the development of the Van Buren offset route and its environmental analysis throughout Chapter 6 of the DEIR.

Response to Comment KKK-9

The Van Buren Offset Alternative crosses a number of developed land, uses including existing industrial, commercial, and residential uses. This alternative would also have the greatest impacts to existing and planned transportation projects, including a Metrolink parking facility. Please also see Master Response #7 regarding economic and social impacts. The Proposed Project would cross existing industrial (wastewater treatment plant), commercial (western edge of the Vernola Marketplace property instead of across the parking lot of the shopping center as noted in the August 2011 DEIR), recreational/open space (Goose Creek Golf Club, Santa Ana River Trail, and Hidden Valley Wildlife Area), and agricultural uses. The Proposed Project would also traverse undeveloped specific planned (residential and mixed uses) areas. Please see Response to Comment KKK-4 above in regard to a proposed hospital.

Response to Comment KKK-10

.Please see Master Response #6, regarding EMF

Response to Comment KKK-11

Please see Master Responses #7, regarding social and economic impacts, and #13, regarding data collection. Please see Response to Comment M-3 regarding the Vernola Park.

Response to Comment KKK-12

Please see Master Response #10b regarding the Eastern Route.

Riverside Transmission Reliability Project

From: penporter@charter.net

Sent: Wednesday, November 23, 2011 10:06 PM

To: Riverside Transmission Reliability Project

Subject: Riverside Transmission Reliability Project

George Hanson
Riverside Public Utilities
Riverside Transmission Reliability Project
3901 Orange St, Riverside 92522

Dear Mr. Hanson,

Regarding the proposed project to construct a 230KV electric transmission line for the city of Riverside Public Utilities Department and the Southern California Edison Company such a proposed project would have dire consequences for the newly formed city of Jurupa Valley.

I am a resident of Jurupa Valley, and I am concerned about the safety for the residents around these high voltage power lines. The effect on the environment and the quality of life for the residents would be greatly effected, this is because of the reduction of property values and the resulting reduction in public revenue.

LLL-1

These transmission lines provide no benefit to the city of Jurupa Valley or its residents. The proposed route does not take into consideration existing schools, businesses and recreation. The proposed route also does not consider planned projects in the area that have already been approved.

LLL-2

LLL-3

In fact several of the supporters of our city who voted for cityhood approved the formation of a new city because they wanted to see the land proposed for the transmission lines become developed land. The above ground transmission lines make the development of the land for the future generations to enjoy a major problem, as it drives a stake down the center of our commercial area. These lines must be placed either underground or on the Eastern Route through Agua Mansa Road across the Santa Ana River at the Market Street Bridge to the city of Riverside.

LLL-4

Thank you for your consideration of my concerns,

Don Porter

Comment Letter LLL: Don Porter**Response to Comment LLL-1**

Thank you for your comments. Please see Master Response #7 regarding social and economic impacts. Please refer to DEIR Section 3.2.7, Hazards and Hazardous Materials, and Section 3.2.13, Public Services and Utilities, which confirm that safety impacts will be made less than significant through project design and safety plans to be implemented during construction and operation of the Project.

Response to Comment LLL-2

Various sections of the DEIR discuss Proposed Project effects on schools and businesses (including Section 3.2.1, Aesthetics; Section 3.2.9, Land Use and Planning; and Section 3.2.11, Noise); Section 3.2.14 discusses recreation. Also see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment LLL-3

Section 3.2.9 of the DEIR discusses planned projects. Please also see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment LLL-4

Please see Master Responses #10a, regarding undergrounding, and #10b, regarding the Eastern Route.

Riverside Transmission Reliability Project**From:** reynolds6262@charter.net**Sent:** Wednesday, November 23, 2011 9:26 AM**To:** Loveridge, Ron; Riverside Transmission Reliability Project**Subject:** Riverside Transmission Reliability Project**Follow Up Flag:** Follow up**Flag Status:** Flagged

Dear Mayor Loveridge

You and your City Council must reconsider putting the high voltage lines through the City of Jurupa Valley. Our citizens receive no benefit from this project but we receive all of the blight and financial impact. These transmission lines will impact growth and development in our community. In addition, our citizens will be exposed to the effects EMF and its impact on our health. The proposed line runs next to parks, through parks, schools, shopping centers and land designated for both residential and commercial development. This will impact our tax base and reduce our city and area revenue. No one wants to live next to high voltage lines.

MMM-1

MMM-2

MMM-3

Any route through our City is not acceptable. Since it is the citizens of the City of Riverside that benefit from this project the lines need to be kept in the boundaries of the city as much as possible. I would suggest undergrounding the lines to reduce the blight to your own city.

MMM-4

Thank you

Brenda Reynolds
Jurupa Valley Resident

Comment Letter MMM: Brenda Reynolds**Response to Comment MMM-1**

Please see Master Response #7 regarding social and economic impacts. Please also see Master Response #14 regarding lack of local benefits of the Proposed Project.

Response to Comment MMM-2

Please see Chapter 5 of the DEIR and Master Response #6 regarding EMF and potential health effects.

Response to Comment MMM-3

Please see Master Response #7 regarding social and economic impacts.

Response to Comment MMM-4

The proposed I-15 230 kV transmission line route is a feasible alternative that maximized the extent of the route within the City of Riverside while reducing environmental impacts. Approximately one half of the 230 kV transmission line would be in the City of Jurupa Valley.

Undergrounding of the line (all or portions) was extensively evaluated. Please see Master Response #10a.

Riverside Transmission Reliability Project**From:** Pamela English <pamenglish@charter.net>**Sent:** Friday, November 25, 2011 5:47 PM**To:** Riverside Transmission Reliability Project**Subject:** Power Line Project

This letter is being sent in protest to the power transmission route currently projected to go through the community of Jurupa Valley, CA. First of all, why would the government and people of Jurupa Valley not be given input as to the feasibility of this project? It will not provide power to us, but to the citizens of Riverside. Why does Riverside get to decide something that will impact our community so greatly?

NNN-1

It should at least be considered to take the route to the east and go to Riverside near Market Street/Agua Mansa Road. I understand that this route was not favorable because it would interfere with the view of some residents. Well, what about my view? I don't want to look at giant power lines that don't even provide power to me. Not to mention that the current proposed route cuts right through our major commerce gateway and an elementary school. Vander Molen Elementary is a new school, fully built out and occupied, and I understand that it is not shown on the reports submitted by Southern California Edison or in the Draft Environmental Impact Report. How old are these reports?

NNN-2

NNN-3

NNN-4

It is possible, I understand, to have the route run completely through the city of Riverside. The burden should not be put on us, the citizens of Jurupa Valley. It will highly affect our community and should not be allowed to happen. Property values are bad enough without adding this. Are the citizens of Riverside willing to compensate us for our loss of personal and commercial property values? I try to keep my tax dollars our community as much as possible, but often it is necessary to shop in Riverside. If this project goes forward as proposed it will just encourage me to take my money elsewhere. I'll encourage my friends to do the same.

NNN-5

NNN-6

Respectfully submitted,

Pamela English
11689 Parkcenter Dr.
Jurupa Valley, CA 91752
951-212-8620

Comment Letter NNN: Pamela English**Response to Comment NNN-1**

Please see Master Response #8 for a discussion of the City of Jurupa Valley's role and inclusion in the environmental review process. Also, see Master Response #5 for further details about the City of Riverside's role as Lead Agency. Please also see Master Response #14 regarding lack of local benefits of the Proposed Project.

Response to Comment NNN-2

See Master Response #10b regarding the Eastern Route.

Response to Comment NNN-3

Thank you for your comment; it has been made part of the project record. Please see DEIR Section 3.2.1 regarding potential aesthetic impacts from the Project.

Response to Comment NNN-4

Proximity to schools was a strong consideration for both route development and environmental analysis. VanderMolen Elementary School was not overlooked. This school is specifically mentioned on pages 3-55, 3-188, 3-210, 3-268 and 3-285 of the DEIR. The California Department of Education School Site Selection and Approval Guide (Proximity to High-Voltage Power Transmission Lines, <http://www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp#highvoltage>) in consultation with the State Department of Health Services and electric power companies has established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

1. 100 feet from the edge of an easement for a 50-133 kV line
2. 150 feet from the edge of an easement for a 220-230 kV line
3. 350 from the edge of an easement for a 500-550 kV line

The Proposed Project 230 kV transmission line would be located 190 feet from the VanderMolen School site property line. In addition, please see Master Response #6 regarding EMF.

Response to Comment NNN-5

It was not possible to route a new transmission line from the Mira Loma-Vista #1 transmission line to the City of Riverside without passing through multiple jurisdictions. See Master Responses #7 and #14. The environmental review process considered impacts independent of jurisdiction in order to ensure that all environmental impacts were minimized.

Response to Comment NNN-6

Please see Master Response #7 regarding social and economic impacts.

Riverside Transmission Reliability Project

From: Janet Dewhirst <jlynndew@gmail.com>

Sent: Friday, November 25, 2011 6:36 PM

To: Riverside Transmission Reliability Project

Subject: RTRP

I strongly oppose running these lines through the city of Jurupa Valley. It gives our city no benefit, no reduction in ridiculously high rates, yet we get to bare the potential health risks from these lines and the down right ugly appearance of these lines through our city.

000-1

000-2

000-3

Sincerely,

Janet Dewhirst
Jurupa Valley resident

Sent from my iPad

Comment Letter 000: Janet Dewhirst**Response to Comment 000-1**

Thank you for your comment; it has been made part of the project record. Please see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment 000-2

Please refer to Appendix C of the DEIR for discussion of EMF, and Chapter 5 of the DEIR and Master Response #6 regarding EMF and potential health effects. Please also refer to DEIR Section 3.2.7, Hazards and Hazardous Materials, and Section 3.2.13, Public Services and Utilities, which confirm that safety impacts will be made less than significant through project design and safety plans to be implemented during construction and operation of the Project.

Response to Comment 000-3

Section 3.2.1 of the DEIR discusses visual analysis conducted for the Proposed Project and assesses impacts. Also, please see Master Response #2 regarding vague and conclusory comments.

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

November 26, 2011

Dear Mr. Hanson:

Please find another route to put your High Tension Power lines. I am a homeowner of this community where you are proposing to place these lines. I do not want the High Tension Power lines here.

PPP-1

High Tension Power lines have been known to cause cancer. There are enough pesticides in our food products and other detriments that causes cancer and other medical problems for residents of this area without these Power Tension Power Lines near our homes giving us added problems.

Given the tough economic times many homeowners, including myself, in this community have strived to pay our mortgages on time and keep our property. Now I have found that you are planning to place these High Tension Power lines in our community. I am trying to be a healthy homeowner and do not want added factors to jeopardize my health or the health of my family.

Please place these High Tension Power lines in another area away from our homes.

I am sure you would not place these lines near you home. Please give me and others in this community the same consideration.

Thank you,

Arturo Fonseca

Arturo Fonseca
Owner of Property at:
11837 64th Street,
Mira Loma, CA 91752

Comment Letter PPP: Arturo Fonseca**Response to Comment PPP-1**

The CPUC addresses public concerns regarding EMF and establishes policy for California's regulated utilities. Refer to Appendix C of the DEIR for discussion of EMF associated with RTRP. Also, please see Master Response #6.

November 26, 2011

George Hanson, Project Mgr.

Riverside Public Utilities

3901 Orange St., Riverside, Ca. 92522

Attn: George Hanson,

Re: Placement of 230kv Electrical Transmission Lines

I am a resident of Jurupa Valley and have been since 1957. My question for you: Why do you and your Planning Department **want to totally trash** the Hwy 15 gateway into the City of Jurupa Valley?

QQQ-1

As you know these transmission lines provide no benefit to the City of Jurupa Valley or its residents. **What it will do is increase health risks such as childhood leukemia, Alzheimer's, depression, and miscarriages. These lines will definitely destroy property values, and what an impression your heinous lines will give people entering Jurupa Valley, if they dare expose themselves to the EMF.**

QQQ-2

QQQ-3

QQQ-4

You and your **narcissistic planning department** are aware and have turned a blindside to the impact on our city, existing schools, shopping center, homes, businesses, golf courses and many of our parks and recreation areas and **you** have no regard what so ever for our plans for developing the **prime** land running along Hwy 15.

QQQ-5

Be a good neighbor, these lines must be placed on the once proposed Eastern Route through Agua Mansa Road across the Santa Ana River at the Market Street Bridge to the City of Riverside. Your excuse for eliminating this route is flawed and without merit. We know it, you know it. Your electricity, your visual blight. Not Ours.

QQQ-6

A reply to my question would be appreciated.

Sincerely,



Ms Sheila Ehrlich
4410 Tyrolite St
Riverside CA 92509-3355

Comment Letter QQQ: Sheila Ehrlich**Response to Comment QQQ-1**

Please see Master Response #2 regarding vague and conclusory comments.

Response to Comment QQQ-2

Please see Master Response #14 regarding the lack of local benefits of the Proposed Project.

Response to Comment QQQ-3

Please see Master Response #6 regarding the effects of EMF.

Response to Comment QQQ-4

Please see Master Response #7 regarding economic and social impacts of the Proposed Project, which discusses property value impacts, and Master Response #6 regarding the effects of EMF. The Visual and Aesthetic effects of the Proposed Project are detailed in Section 3.2.1 of the DEIR.

Response to Comment QQQ-5

Please see Master Response #2 regarding vague and conclusory comments. The Proposed Project's significant environmental effects were discussed in the DEIR. Riverside County/the City of Jurupa Valley was consulted throughout the DEIR development process regarding development plans along I-15 and elsewhere in Proposed Project area. Please also see Master Response #12, regarding land use plan consistency, and Master Response #13, regarding data collection.

Response to Comment QQQ-6

Please see Master Response #10b regarding the Eastern Route.

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

November 26, 2011

Dear Mr. Hanson:

Please find another route to put your High Tension Power lines. We are homeowners of this community where you are proposing to place these lines. We do not want the High Tension Power lines here. A Brehm Builder's representative of this property informed me (Aurelia) that there would be no High Power lines on or near this community. That person informed me that there was nothing on record when we purchased our home seven years ago nor was there any proposal for the future regarding High Power lines in this area. That was one of the main reasons that we purchased property here.

RRR-1

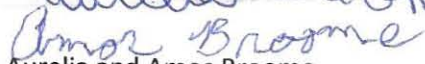
High Tension Power lines have been known to cause cancer. There are enough pesticides in our food products and other detriments that causes cancer and other medical problems for residents of this area without these Power Tension Power Lines near our homes giving us added problems.

Given the tough economic times many homeowners, including others and ourselves in this community have strived to pay our mortgages on time and keep our property. Now we have found that you are planning to place these High Tension Power lines in our community. We are trying to be healthy homeowners and do not want added factors to jeopardize our health or the health of our family.

Please place these High Tension Power lines in another area away from our homes.

I am sure you would not place these lines near you home. Please give us the same consideration.

Thank you,



Aurelia and Amos Broome

Owners of Property at:
11847 64th Street,
Mira Loma, CA 91752

Comment Letter RRR: Aurelia and Amos Broome**Response to Comment RRR-1**

Please refer to Section 1.4.2 of the DEIR, which describes the early public notices regarding the Project beginning in April of 2006. Also refer to Chapter 7 of the DEIR, which describes in detail the public involvement process undertaken by the Lead Agency to inform the public and agencies and to gather input and comments on the Project from the public.

The CPUC addresses public concerns regarding EMF and establishes policy for California's regulated utilities. Refer to Appendix C of the DEIR for discussion of EMF associated with RTRP. Also, please see Master Response #6.

Riverside Transmission Reliability Project**From:** Sarah Rah <rah.sarah72@gmail.com>**Sent:** Sunday, November 27, 2011 9:31 AM**To:** Riverside Transmission Reliability Project**Cc:** Bill Worthington; Janet Shaw**Subject:** attn: George Hansen**Categories:** Red Category

TO: George Hansen - Riverside Public Utilities

My family is among several partners who own the RANCHO LA SIERRA property. This is the vacant acreage that runs about 2 miles along the south bank of the Santa Ana River from Tyler Ave to the access corridor into the Hidden Valley Wildlife Park.

How firm are the plans for the route alongside the Santa Ana River? If all goes smoothly, what is the expected time schedule for land acquisition?

SSS-1

Please add me (as representing the Worthington family interests) to any notification list for activities and announcements related to this project.

SSS-2

Thank you,
Sarah Rah
Worthington Investment Company LLC
32837 Road 222 - North Fork CA 93643
(559) 877-7272
rah.sarah72@gmail.com

Comment Letter SSS: Sarah Rah, Worthington Investment Company LLC**Response to Comment SSS-1**

The 230 kV portion of the Proposed Project requires CPUC approval before final design and construction would begin. If the Proposed Project is approved, the Certificate of Public Convenience and Necessity (CPCN) could be issued as early as December of 2012 (in the schedule for construction as shown in the DEIR), at which time the right-of-way acquisition process would be initiated.

Response to Comment SSS-2

Thank you for your comment. You have been added to the mailing list.

Riverside Transmission Reliability Project**From:** Arlene Stevens <rspstevens@hotmail.com>**Sent:** Sunday, November 27, 2011 6:58 PM**To:** Riverside Transmission Reliability Project**Cc:** astevens**Subject:** Response to the Draft EIR for electrical transmission lines through Jurupa Valley**Attachments:** RPU document.doc

Please see also attached letter

George Hanson, Project Manager
Riverside Public Utilities
Riverside Transmission Reliability Project
3901 Orange Street
Riverside, CA 92522

Dear Sir:

We are residents of Jurupa Valley, in fact, the Sky Country neighborhood that will border your proposed route regarding the placement of 230kV electrical transmission lines. We don't believe your environmental impact report accurately discusses the risks to the City of Jurupa Valley or Eastvale for that matter, please refer to the 90+ page report produced on the behalf of The City of Jurupa Valley. It is obvious that your city is trying to take advantage of newly formed cities by using our property rather than the City of Riverside's, the main benefactor of this project. We are greatly concerned about the health risks of being so near the power lines, property values and the impact to our local economy.

TTT-1

TTT-2

We really do not understand why RPU thinks they can bypass the CPUC with the project. We do not understand why you would not use a route more direct to your city, such as the "original Eastern Route", which would be within your own city limits. We do not understand why one option is not to bury the lines so the skyline view is not hindered and the impact of health, property value and the economy is minimized. Your informational meetings have been worthless and have given no real information, it's been the same story said a million different ways, you want what you want and you don't care who you step on to get it, the problem is you made a deal with Edison not expecting any opposition from across the river.

TTT-3

TTT-4

TTT-5

TTT-5a

What we do understand is that the City of Riverside just wants to have their back up power grid, with the least amount of blight and cost to their own city limits and they don't care who they step on to achieve this.

Please follow CPUC guidelines, get an accurate environmental impact report done and use your own city limits for your own projects, we would not think to encroach on your property to achieve our own projects' completion, why are you doing this to us? Do the right thing and seriously look in your own backyard to do your city's project.

TTT-6


Thank you for your time,

Greg and Arlene Stevens

5138 Sulphur Dr
Jurupa Valley, CA 91752

George Hanson, Project Manager
Riverside Public Utilities
Riverside Transmission Reliability Project
3901 Orange Street
Riverside, CA 92522

The following letter is identical
to the letter submitted on 1st
page (above).



Dear Sir:

We are residents of Jurupa Valley, in fact, the Sky Country neighborhood that will border your proposed route regarding the placement of 230kV electrical transmission lines. We don't believe your environmental impact report accurately discusses the risks to the City of Jurupa Valley or Eastvale for that matter, please refer to the 90+ page report produced on the behalf of The City of Jurupa Valley. It is obvious that your city is trying to take advantage of newly formed cities by using our property rather than the City of Riverside's, the main benefactor of this project. We are greatly concerned about the health risks of being so near the power lines, property values and the impact to our local economy.

We really do not understand why RPU thinks they can bypass the CPUC with the project. We do not understand why you would not use a route more direct to your city, such as the "original Eastern Route", which would be within your own city limits. We do not understand why one option is not to bury the lines so the skyline view is not hindered and the impact of health, property value and the economy is minimized. Your informational meetings have been worthless and have given no real information, it's been the same story said a million different ways, you want what you want and you don't care who you step on to get it, the problem is you made a deal with Edison not expecting any opposition from across the river.

What we do understand is that the City of Riverside just wants to have their back up power grid, with the least amount of blight and cost to their own city limits and they don't care who they step on to achieve this.

Please follow CPUC guidelines, get an accurate environmental impact report done and use your own city limits for your own projects, we would not think to encroach on your property to achieve our own projects' completion, why are you doing this to us? Do the right thing and seriously look in your own backyard to do your city's project.

Thank you for your time,

Greg and Arlene Stevens
5138 Sulphur Dr
Jurupa Valley, CA 91752

Comment Letter TTT: Greg and Arlene Stevens**Response to Comment TTT-1**

The commenter does not specify what makes the DEIR inaccurate, or to which 90-page report they are referring. Please see Master Response #2 regarding vague and conclusory comments.

Response to Comment TTT-2

Please see Master Response #6 regarding the potential effects of EMF and DEIR Section 3.2.7, Hazards and Hazardous Materials, and Section 3.2.13, Public Services and Utilities, which confirm that safety impacts will be made less than significant through project design and safety plans to be implemented during construction and operation of the Project. Please also refer to Master Response #7 regarding potential property value and economic impacts.

Response to Comment TTT-3

Please see Master Response #5 regarding the responsibilities of the CPUC and the determination of the Lead Agency.

Response to Comment TTT-4

Please see Master Response #10b regarding the elimination of the Eastern Route.

Response to Comment TTT-5

Please see Master Response #10a regarding transmission line undergrounding.

Response to Comment TTT-5a

Please see Master Response #1, found in Section 2.2.1 herein. Additionally, the City has not made any “deal” with SCE, nor has it committed to carry out the Project at all. At this time, the City is completing its environmental review process as required by CEQA. No decision (whether that be approval or disapproval) on the Project will be made until the environmental review process is complete.

Response to Comment TTT-6

The commenter does not specify which CPUC Guidelines have not been followed during the DEIR development process, or why the DEIR is inaccurate. Please see Master Response #2 regarding vague and conclusory comments.

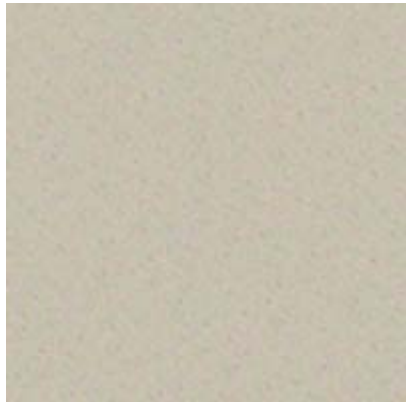
Riverside Transmission Reliability Project

From: LANE THOMAS <ljlaw@sbcglobal.net>
Sent: Monday, November 28, 2011 3:15 PM
To: Riverside Transmission Reliability Project
Cc: PGA Ross Fisher; John Bonner
Subject: Comments to DEIR
Attachments: Ltr to City of Riverside-George Hanson 11.28.11.pdf

Please see attached.

Lane Thomas

Lane J. Thomas
Attorney at Law
200 S. Los Robles Ave., Suite 530
Pasadena, CA 91101
(626) 304-7065



Jennifer Garcia, Paralegal
Lane J. Thomas
Attorney at Law
200 S. Los Robles Ave., Suite 530
Pasadena, CA 91101-5801
(626) 304-7065
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LANE J. THOMAS
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PASADENA, CALIFORNIA 91101-5801

E-MAIL ADDRESS
ljttlaw@sbcglobal.net

November 28, 2011

Via FedEx and Email (RTRP@Riversideca.gov)

George Hanson, Project Manager
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, CA 92522

**Re: Riverside Transmission Reliability Project - Comments on
Draft Environmental Impact Report**

Dear Mr. Hanson:

Goose Creek Golf Club, LLC owns and operates the golf course located at 11418 68th Street. While privately owned, Goose Creek Golf Club ("Goose Creek") is a public course that was designed by Schmidt-Curley Design, an international golf course architecture and master-planning firm with more than 100 layouts in 24 countries. Goose Creek is a scenic facility which offers a first rate golf course to the public at reasonable rates.

Goose Creek has reviewed the Draft Environmental Impact Report ("DEIR"), State Clearinghouse No. 2007011113, dated August 1, 2011, which was prepared in connection with the proposal of the City of Riverside Public Utilities Department ("RPU") and Southern California Edison ("SCE") to construct and operate the Riverside Transmission Reliability Project ("Project" or "RTRP"). As stated in the DEIR, this Project would include a new 230 kV overhead transmission line, new 69 kV overhead subtransmission lines, two new substations, and upgrades at four existing 69 kV substations. This Project specifically includes the proposed construction of 175-foot tall set of single circuit, lattice steel structures on the Goose Creek Golf Club. As acknowledged in the DEIR, recreational resources, recreational activities, and recreationists are considered to be sensitive receptors for the purposes of the DEIR.

The DEIR's Environmental Analysis is Flawed in Several Critical Respects:

The Aesthetic Impact Analysis is Flawed

The DEIR fails to analyze the Project's visual impacts on the recreationists using Goose Creek Golf Course. What analysis, if any, has been done to measure golfers' perceptions of and reactions to the proposed 175-foot tall steel structure and transmission lines? The DEIR must be revised to include this analysis.

UUU-1

The Recreation Impacts Analysis is Flawed

The Recreation section of the DEIR fails to fully disclose adverse impacts caused by the Project during construction and once construction is completed and fails to demonstrate that the proposed mitigation would reduce impacts during construction to less than significant. Accordingly, the DEIR is deficient.

UUU-2

The DEIR states that construction activities associated with the 230 kV transmission line would require a steel lattice structure on the golf course which would require the temporary closure of some holes and/or a portion of the driving range (DEIR, pp.3-308 - 3-309) but asserts that as a result of the implementation of mitigation measure MM REC-01, “impacts resulting in disruptions to the operations of the Goose Creek Golf Club would be short-term and temporary, resulting in less than significant impacts” (DEIR, page 3-309). This analysis is deeply flawed.

At pages 2-73 to 2-79 of the DEIR, details of the “construction activities” related to the 230 kV Lattice Steel Towers (LSTs) are provided. Requirements include the following:

- a. A temporary laydown area of approximately 200 feet by 200 feet (.092 acre) which may require vegetation removal and grading.
- b. Each LST structure requires four concrete footings which require drilling using truck or track-mounted excavators with footing depths up to 60 feet.
- c. The concrete is then poured and requires approximately 20 days to cure to an engineered strength which must be verified by testing.
- d. Only after the concrete has been poured and cured and verified by testing, may erection of the steel towers commence.
- e. The LSTs are assembled within the laydown area at each site. Structure assembly requires the hauling and stacking of bundles of steel using tractors with 40-foot trailers and a rough terrain forklift.
- f. Assembled sections are then lifted into place with a large crane.

UUU-3

The substantial construction activity described above contradicts the assertion that the impacts associated therewith would be “short-term” and “temporary”. The DEIR fails to address the following questions:

1. Where will the nearly one acre laydown area be located for the construction of the LST proposed for the Goose Creek Golf Club and what are the specific impacts?
2. Which holes will be affected and for how long?
3. What will be the extent of the proposed vegetation removal and grading in that area?

UUU-4

UUU-5

UUU-6

4. Who will be in charge of restoring the vegetation and original contours to this professionally designed golf course and how will it be implemented?

UUU-7

5. How long will it take for the affected areas to be restored to their original condition following construction?

UUU-8

6. What are the impacts to the golf course from the weight and traffic associated with tractors with 40-foot trailers transporting bundles of steel? What are the impacts to the golf course from the weight and traffic associated with the truck mounted excavators? What are the impacts to the golf course from the weight and traffic associated with trucks delivering concrete for the footings? What are the impacts to the golf course from the weight and traffic associated with the large crane lifting the steel into place?

UUU-9

7. What are the details of the proposed mitigation measure? How will coordination of golf course hole and driving range closures reduce the impact of closures to less than significant? How will scheduling of construction to avoid heavy use periods reduce the impact of closures to less than significant? How will posting of notices prior to closure reduce the impact of closures to less than significant.

UUU-10

In sum, the DEIR omits a critical component of CEQA analysis— the linkage between the proposed mitigation and the level of significance after mitigation.

UUU-10

Further, the DEIR avoids a full analysis and disclosure of permanent impacts by summarily stating that “(o)nce constructed the Proposed Project would be a passive feature that, through careful siting of structure (poles, LSTs and TSPs) locations, would not disrupt recreational activities to the point of decreasing recreational value and would not create on-going disruptive activities”. This conclusion is absolutely unsupported. The DEIR is devoid of any analysis that would support the conclusion that the installation of an LST and overhead transmission lines on and across a golf course “would not disrupt recreational activities to the point of decreasing recreational value”. What analysis was done to determine where to place the LST on the golf course to render the structure non-disruptive? What analysis was done to determine whether or not the installation of the proposed LST and associated construction activities would damage the integrity of the golf course design?

UUU-11

George Hanson, Project Manager
Re: **Riverside Transmission Reliability Project**
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Page 4

Goose Creek requests and expects that responses to each comment in this letter will be provided in accordance with CEQA Guidelines section 15088.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lane J. Thomas", written in a cursive style.

LANE J. THOMAS

LJT:jg

cc: Goose Creek Golf Club, LLC
Attn: Ross Fisher

Comment Letter UUU: Lane J. Thomas representing Goose Creek Golf Club, LLC**Response to Comment UUU-1**

Overall “perceptions and reactions” of golfers, residents, travelers, or other potentially affected viewers was considered during the visual sensitivity analysis (as described on page 3-9 of the DEIR and page 16 of the Visual Resources Technical Report in Appendix B of the DEIR). Page 3-54 of the DEIR acknowledges potentially significant and inmitigable visual impacts to recreational golfers and the degradation of the existing character of the golf course and adjacent river corridor (see page 3-57). As stated in the Visual Resources Technical Report, the Goose Creek Golf Course was determined to have Class A Visual Integrity (Page 30), and was included in the sensitivity analysis (pages 33-34). It is not industry practice, nor is it required by CEQA, to measure recreationist’s perceptions and reactions to a proposed project through polling, working groups, surveys, or similar direct data-gathering techniques.

Response to Comment UUU-2

The comment is conclusory and doesn’t cite to substantial evidence in support of the allegations made therein; please see Master Response #2 regarding vague and conclusory comments.

As stated in the DEIR, construction activities would occur for the Proposed Project over a 14- to 18-month period, with construction occurring in the Goose Creek Golf Club property for a portion of the course. One tower (LST) would be installed near a blue tee box affecting one hole, and two towers (LSTs) would be installed near the driving range, one on both ends. Temporary access roads, landing pads, pull and tension sites, guard structures, and permanent structure clearance would be needed for construction. The construction time frame would be approximately twelve to thirteen uninterrupted weeks to clear, construct, string conductor, and restore. During this period, activities that disrupt the operations of the course, such as closing of tees or the driving range, would be periodic. Such short-term impacts arising from construction activities associated with the Proposed Project are to be distinguished from potentially long-term impacts associated with the presence of the structures in the landscape over the lifetime of the Proposed Project. Although long-term impacts may be created by construction activities for certain resources (e.g., biological effects of work area clearing affecting the habitat of a specific species that cannot be restored for several years), long-term impacts on recreation resources would occur by disrupting recreational activities as a result of the structure, access road, conductor or other project feature’s presence. The long-term impacts would be related to the visual impacts created by the ongoing presence of the structures and conductors, primarily, as discussed in the Aesthetics section of the DEIR (Page 3-54). Two Proposed Project features, the LSTs and the conductors (wires), have the potential for long-term disruption of recreational activities; the construction of permanent access roads would not occur on lands owned and operated by the Goose Creek Golf Club. The placement of these structures and the height of the conductors would be situated in such a manner as to allow the continued, unencumbered use of the driving range, tees and greens. See also Response to Comment UUU-4 below.

As currently proposed and as described in the revised Proposed Project description (see Chapter 2, Volume II of this FEIR), three LST structures, currently identified as structures “JA2/JB1,” “JB2,” and “JB3,” would be placed on the golf course.

Response to Comment UUU-3

Please refer to Response to Comment UUU-2 above regarding the nature of the potential impacts. Please refer to response to Comment UUU-4 below regarding information on the “laydown” areas.

Response to Comment UUU-4

The location of the laydown areas would be directly adjacent to each structure, with three structures being located partially or fully on Goose Creek Golf Club property at Tee 4, the southwest end of the driving range, and the northwest corner of the driving range. As currently proposed and as described in the revised Proposed Project description (see Chapter 2, Volume II of this FEIR), specific impacts would be temporary driving range and tee closures and site disturbance, such as vegetation removal, soil disturbance and compaction, golf cart path disturbance, parking space closures, and interference with maintenance and operations of the facility. Please refer to Response to Comment UUU-5 regarding hole access and disruption.

Response to Comment UUU-5

Please see Response to Comment UUU-2 on the duration of disruption. Temporary impacts would occur at the blue tee box at hole #4, as well as hole #6, and the far west end of the driving range. Temporary access roads would also be needed from the side entry of the golf course to the driving range, the length of the driving range, and from the end of the driving range to the tower location between holes #4 and #6. As stated in Response to Comment UUU-4, three LST structures, currently identified as structures “JA2/JB1,” “JB2,” and “JB3,” would be placed on the golf course. Structure JA2/JB1, the northern river crossing structure, would be located directly adjacent to the unmaintained river corridor south of Tee 4 and next to the existing transmission structure. Structure JB2 would be located on the extreme southwest corner of the driving range on the east side of the hedgerow. Structure JB3 would be located on the northwest corner of the driving range directly adjacent and south of the golf cart path, approximately where the sand trap is located. During construction, it is expected that the driving range and Holes 4 and 6 would be affected.

Response to Comment UUU-6

Grading at each site is expected to be minimal because the areas where the structures would be placed are relatively level and would require minimal, if any, grading. Vegetation removal would be limited to ground cover (turfgrass) removal and some isolated tree trimming where required to maintain adequate conductor and structure clearance. This could occur between Hole 8 and structure JA2/JB 1 and the south end of the driving range, between Tee 4 and Tee 9, and along the west edge of the driving range hedgerow.

Response to Comment UUU-7

Please also see Master Response #5 regarding the Lead Agency. The Lead Agency will work with the Goose Creek Golf Club owner’s representative in the development of construction documents and specifications that will include appropriate grading, drainage, and landscape finishing plans, and Mitigation Measures or Environmental Protection Elements. These plans and specifications will include detailed descriptions and drawings regarding finish grade preparation, seeding mix and purity, irrigation systems, weed control measures, construction monitoring, and implementation standards as agreed upon between the Lead Agency and Goose Creek Golf Club

prior to the restoration work to be performed by the contractor (or subcontractor). Disturbance would be minimized by flagging and fencing of work areas. Efforts would be made to restore landscape contours, ground cover, and landscape species, as appropriate, to pre-construction conditions to the extent feasible and practicable given the engineering requirements of the Proposed Project.

Response to Comment UUU-8

Immediately after erection of the structures and stringing, pulling, and tensioning of the wires, restoration work would begin. For grass areas, restoration time would be dependent on the season, seed mix, and environmental factors; restoration may take several weeks. In critical areas that have been disturbed, such as tees, fairways, and greens, more rapid restoration could occur using sod, reducing pre-construction conditions to a few weeks. Repair of parking areas, golf cart roads, and trails would occur immediately after construction, and could be restored in approximately one to two weeks. The location and implementation specifics of these operations would be detailed in the construction specifications and drawings.

Response to Comment UUU-9

For all of these construction equipment, materials and methods, it is expected that the primary effect to the golf course would be from the disturbance and elimination of surface vegetation, tree and shrub damage, the compaction of underlying soils, damage to the putting greens (engineered soils and drainage layers), and the damage to paved surfaces such as trails, golf cart paths, and parking areas. Temporary impacts would occur at the blue tee box at hole #4, as well as hole #6, and the far west end of the driving range. Each of these areas would require specifications detailing the material and methods of for restoration.

Response to Comment UUU-10

The DEIR indicates on page 3-309 that, once constructed, the Proposed Project would be a passive feature that, through careful siting of structure (LST and TSP) locations, would not result in long-term impacts. The recreational value of the golf course would not decrease as a result of construction and operation of the Proposed Project temporarily disrupting recreational activities. As stated in the DEIR, impacts would not be significant. With the implementation of MM REC-01, short-term temporary impacts associated with the construction and operation of the Proposed Project would be further reduced.

Response to Comment UUU-11

The RTRP would be carefully sited so that there would be minimal, short-term disturbances and no long-term, significant impacts to current recreational values. Recreational value would remain after construction is complete because use of the driving range, tees, fairways greens, and paths would continue essentially in the same manner as had occurred prior to the construction of the Proposed Project. There would be no alteration of driving angles, distances to greens, putting conditions, interference with or alteration of ball flight paths, foot or golf cart navigation, or any other operation critical to the recreational value of the course. Seven other subtransmission TSP structures are currently installed within or adjacent to tees, fairways, greens, and paths and situated in such a way as to not decrease the recreational value of the Goose Creek Golf Club operations.

The location of tees, fairways, greens, and paths was identified through aerial photography and the golf course layout available on the Goose Creek Golf Club website. The transmission line alignment and structures were placed paralleling the existing subtransmission line, and in an orientation so that no structures or conductors would obstruct the line of play for any hole.

Riverside Transmission Reliability Project**From:** Ellen Porter <ellenlporter@gmail.com>**Sent:** Monday, November 28, 2011 9:33 AM**To:** Riverside Transmission Reliability Project**Subject:** Riverside Transmission Reliability Project DEIR complaint

My name is Ellen Porter and I am a resident of Jurupa Valley, California. It has been brought to my attention - initially through a mailing I recieved at home from your city - that the City of Riverside Department of Water and Power wishes to increase its own electrical power-generating capacity by running a high-voltage transmission line through property along Interstate 15, which is the prime commercial property in Jurupa Valley. It has also been brought to my attention that no one not residing in the City of Riverside will derive any benefit from this.

I will support all efforts by the City of Jurupa Valley to stop this project, which could potentially bring economic devastation to our city, as it is newly incorpoated and is now depending on sales tax/property tax revenue from this property to offset a loss of \$6.2 million in other revenue it would have received prior to the California budget passed a few days before Jurupa Valley's July 1, 2011 incorporation.

VVV-1

I am aware the City of Jurupa Valley has submitted 96 pages of objections to the Draft Environmental Impact Report for this project. I have attended a City of Jurupa Valley council meeting regarding this, and am in agreement with everything in the city's formal objection.

I would also like to add one additional concern as formal comment to the DEIR, potentially not addressed in the City of Jurupa Valley's comments. I am aware of many residents in the Mira Loma portion of Jurupa Valley (the portion closest to Interstate 15) voted for incorporation primarily because of concerns that if Jurupa Valley did not form a city incorporating the area where this transmission line is now proposed, the City of Eastvale would attempt to annex it and encourage less desireable uses, primarily low-income housing. Incorporation has allowed the City of Jurupa Valley to prevent Eastvale from doing this. I believe Jurupa Valley should also have the right to stop Riverside from putting in the even more undesirable high-transmission lines, as Riveside does not have the ability of, nor interest in, supporting Mira Loma or other Jurupa Valley neighborhoods, such as mine in Jurupa Hills, with its own property tax and sales tax revenue.

Sincerely,

Ellen Porter

Comment Letter VVV: Ellen Porter**Response to Comment VVV-1**

Thank you for your comment; it has become part of the project record. Please note that the City of Riverside Public Utilities Department is proposing the Project. Please refer to Response to Comment Letter P regarding City of Jurupa Valley comments and the Lead Agency responses to those comments. Please see Master Response #7 regarding economic and social impacts and Master Response #14 on local benefits. Regarding the allegation by the commenter that the City of Jurupa Valley “should also have the right to stop Riverside...,” please refer to Master Response #8, Involvement of the City of Jurupa Valley, and Master Response #1, Comments on Non-Environmental Issues.

Riverside Transmission Reliability Project**From:** Foxravenhurst@aol.com**Sent:** Monday, November 28, 2011 2:38 PM**To:** Riverside Transmission Reliability Project**Subject:** Transmission lines

Dear Sirs,

As residents of the City of Jurupa Valley, we wish to strongly protest the projected routes for electrical transmission lines through our city. We are not to receive any benefits from these lines, but will be the recipients of lowered property values, scenic blight, environmental destruction, and possible health hazards to the residents of our city. If the towers are run through the Hidden Valley Wildlife Refuge, there will be much negative effect on the wildlife there, as well. That is a beautiful area - don't mess it up.

The route from Fontana south along the Santa Ana river to and through the City of Riverside should be the route adopted, not the one along the 15 fwy, which would interfere with our city's development plans for businesses, or along the Van Buren corridor, which will cause residents to suffer from both health hazards and lowered property values. Riverside wants these - then Riverside should put the towers in its own city space - not ours!

WWW-1

WWW-2

WWW-3

Very sincerely,

Fredda Fox and Victoria Kirkman,
City of Jurupa Valley residents

Comment Letter WWW: Fredda Fox and Victoria Kirkman**Response to Comment WWW-1**

Please see Master Response #14 regarding lack of local benefits of the Proposed Project. Please refer to Response to Comment ZZZ-10 regarding visual blight. Please refer to DEIR Section 3.2.7, Hazards and Hazardous Materials, and Section 3.2.13, Public Services and Utilities, which confirm that safety impacts will be made less than significant through project design and safety plans to be implemented during construction and operation of the Project.

Response to Comment WWW-2

Impacts on biological resources, including wildlife, in the Hidden Valley Wildlife Area are covered in Section 3.2.4 in the DEIR.

Response to Comment WWW-3

Please see Master Response #10b regarding the Eastern Route. See also Response to Comment WWW-1.

Riverside Transmission Reliability Project

From: Brian Schafer <ischabri@yahoo.com>

Sent: Monday, November 28, 2011 5:02 PM

To: Riverside Transmission Reliability Project

Subject: George Hanson, Project Manager:Riverside Transmission Reliability Project

Dear George,

I am not in favor of RPU/SCE routing the transmission lines through Jurupa.

1) Please explain in detail why the 15 freeway route is less adverse than the eastern route: please address the comparisons to the environmental aspects, commercial aspects, emf aspects and astheics.

XXX-1

2) Please explain why there was no collaboration with Jurupa officials elected or otherwise in determining the route selection.

XXX-2

3) Where is it written that RPU is the lead agency and our elected official (Supervisor Tavaglione) has no input in the decision making?

XXX-3

Brian Schafer

Jurupa Valley

ischabri@yahoo.com

Comment Letter XXX: Brian Schafer**Response to Comment XXX-1**

A summary comparison of Proposed Project alternatives carried forward for analysis in the DEIR was presented in Section 6.5 (see Table 6.5-1) of the DEIR. CEQA does not require the analysis of the commercial or EMF aspects of the Proposed Project alternatives. Please also see Master Responses #6, regarding EMF, and #7, regarding social and economic impacts. The aesthetic and other environmental aspects of the I-15 Alternative as compared to “the eastern route” are not presented in the analysis because eastern routes were not carried forward as alternatives. Please see Master Response #10b regarding the Eastern Route. The CEQA Guidelines state that an EIR “shall include sufficient information about *each alternative* to allow meaningful evaluation, analysis, and *comparison with the proposed project* [...] *only the ones that the lead agency determines could feasibly attain* most of the basic objectives of the project” (emphasis added; see §15126.6), and do not require the same analysis for alternatives considered but eliminated.

Response to Comment XXX-2

The City of Jurupa Valley was incorporated in July 2011, approximately one month prior to the DEIR being released for public review. The City of Riverside fully cooperated with the City of Jurupa Valley and kept residents fully apprised of the Proposed Project’s status. As part of the environmental review process developed for the Proposed Project, a public participation program was implemented as detailed in DEIR Chapter 7, incorporating various outreach methods, including agency contacts and agency and elected official briefings. Also please see Master Response #8 regarding the City of Jurupa Valley.

Response to Comment XXX-3

Please see Master Response #5 regarding the Lead Agency.

Riverside Transmission Reliability Project**From:** Brad Hancock <bhancock6062@gmail.com>**Sent:** Tuesday, November 29, 2011 9:14 PM**To:** Riverside Transmission Reliability Project**Subject:** RTRP

To whom it may concern, I am writing this in opposition to the proposed powerlines running through our new city. I love our neighbors to the south of us and have no problem with getting more power if need be. However I do strongly object with the current proposed route. Please consider the following objections. Your draft eir does not even mention us as the new city of Jurupa Valley. If these lines go through it will have serious consequences for us. To mention a few. Property value along the critical I 15 corridor will dramatically be effected. Few will want to live by these lines thus hurting potential home building and the revenue lost from just that will hurt badly. As a father I would not expose my children to any possible side effects, though I realize school is still out on this but I would not subject my family to any possible harm. Business would also shy away from the area for a few reasons I believe. Possible emf, no homes fewer customers, and the current landowners would have to deal with all of that decreasing the value of their property. Point blank that is not fair to those who bought and have held property here as an investment, that would be shameful to rob them of income. An odd thing, the residents of Jurupa Valley stand to gain nothing from these lines and we do not want them here. Please reconsider the easterly route which puts them where they belong, in your backyard not ours. Innocently enough I thought our voice in opposition would be enough for our neighbors to do the right thing, sadly not so we have to spend money and time to fight. Every public agency here in Jurupa Valley opposes the route, several community groups and the board of supervisors and most recently our new city council listening to our constituents vehemently oppose the route. I don't even want them underground, though would be a little easier bitter pill to swallow. Please consider my right to voice opposition and consider my concerns and those of the city of Jurupa Valley.

Thank you.

Brad Hancock. Jurupa Valley city coucilmember and resident

YYY-1

YYY-2

YYY-3

YYY-4

Comment Letter YYY: Brad Hancock**Response to Comment YYY-1**

Please see Master Response #8 regarding the City of Jurupa Valley.

Response to Comment YYY-2

Please see Master Response #7 regarding social and economic impacts. Please also see Master Response #6 regarding the potential effects of EMF.

Response to Comment YYY-3

Please see Master Response #14 regarding local benefits of the Proposed Project.

Response to Comment YYY-4

Please See Master Response #10b regarding the Eastern Route.

November 29, 2011

VIA FEDEX

George Hanson, Project Manager
Riverside Transmission Reliability Project
(RTRP)
City of Riverside, Public Utilities Department
3901 Orange Street
Riverside, California 92522

Re: **Riverside Transmission Reliability Project - Comments on Draft
Environmental Impact Report**

Dear Mr. Hanson:

We submit this letter to provide comments on the Draft Environmental Impact Report ("DEIR") prepared for the Riverside Transmission Reliability Project ("Project" or "RTRP") on behalf of the Vernola Family and the Sky Country East Investment Co./East LLC, both of whom own property that would be directly impacted by the proposed Project. As set forth below, the DEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA," Pub. Res. Code §§ 21000, *et seq.*) and the CEQA Guidelines (14 C.C.R. § 15000 *et seq.*) in numerous respects. Accordingly, we request that the City of Riverside ("City") prepare and recirculate a new draft EIR that addresses such issues. Unless the City does so, any approval of the Project will be unlawful.

ZZZ-1

1. **The DEIR Fails to Explain Why the California Public Utilities Commission is
Not the Lead Agency for the Project**

The "lead agency," for purposes of CEQA "means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment." (Pub. Resources Code § 21067.) The lead agency is required to determine whether an EIR is required for a project and to prepare such document. (CEQA Guidelines, § 15367.) "If the project is to be carried out by a nongovernmental person or entity, the lead agency shall be the public agency with the *greatest responsibility* for supervising or approving the project as a whole." (CEQA Guidelines, § 15051(b), *emph. added.*)

ZZZ-2

Here, the DEIR was prepared by the City of Riverside ("City") and indicates that the City is the lead agency for the Project. (*See* DEIR, p. ES-1.) As explained elsewhere in the DEIR, however, the City has virtually no responsibility for approving the project, which is to be carried out by a nongovernmental entity, *i.e.* Southern California Edison ("SCE"). (DEIR, pp. 6-88 ["no local discretionary permits or local plan consistency evaluations by Riverside County ALUC or

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the City of Riverside are required for SCE's proposed 230 kV transmission line.'], 6-89 [same].) In fact, the sole approval needed from the City is a ministerial grading permit. (See DEIR, p. 2-85, Table 2.9-1.)

The agency that actually has principal authority for approving the Project is the California Public Utilities Commission ("CPUC"). As set forth in the CPUC's General Order No 131-D:

No electric public utility shall begin construction in this state of any new electric generating plant having in aggregate a net capacity available at the busbar in excess of 50 megawatts (MW), or of the modification, alteration, or addition to an existing electric generating plant that results in a 50 MW or more net increase in the electric generating capacity available at the busbar of the existing plant, or of major electric transmission line facilities which are designed for immediate or eventual operation at 200 kV or more . . . without this Commission's having first found that said facilities are necessary to promote the safety, health, comfort, and convenience of the public, and that they are required by the public convenience and necessity.

(General Order No 131-D, Section III.A, p. 2.) The same order "clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction." (General Order No 131-D, Section XIV.B, pp. 13-14.) And, even more to the point, it further specifies that "[f]or all issues relating to the siting, design and construction of electric generating plant or transmission lines . . . or electric power lines or substations . . . ***the Commission will be the lead agency under CEQA***, unless a different designation has been negotiated between the Commission and another state agency consistent with CEQA Guidelines § 15501(d)." (General Order No 131-D, Section IXV, p. 14, *emph. added*.) Thus, it is clear that the CPUC, unlike the City, has significant discretionary approval authority over the Project and, consistent with such authority, is ordinarily the lead agency on projects involving the construction of substations and/or transmission lines. (See DEIR, p. 2-85, Table 2.9-1 [acknowledging that a Certificate of Public Convenience and Necessity is needed for "Project approval and construction of the 230 kV transmission line and substation.'].) Indeed, based upon a cursory review of the CPUC's website, it appears that the CPUC is the lead agency on numerous similar projects. (See <http://www.cpuc.ca.gov/PUC/energy/Environment/Current+Projects/>.)

In light of the above, it seems clear that the CPUC, not the City, is the proper lead agency for the Project and should have been responsible for preparing the DEIR. Since the City is not the proper lead agency for the Project, it cannot lawfully certify the EIR for the Project. (See

ZZZ-2

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Pub. Resources Code § 21082.1(c).) Consequently, responsibility for completing and certifying the DEIR should be transferred to the CPUC. At a minimum, if there is some basis by which the City believes it is the proper lead agency for the Project, the DEIR must be revised to fully explain that basis.

ZZZ-2

2. The DEIR's Alternatives Analysis is Legally Inadequate

The DEIR fails to fully and properly consider "undergrounding" the transmission lines as an alternative to the Project and likewise fails to sufficiently consider alternative routes for such transmission lines.

ZZZ-3

With respect to the undergrounding alternative, the DEIR admits that "undergrounding of the transmission line could potentially mitigate the effects on visual quality and character of the Santa Ana River corridor"-- an impact the DEIR concludes is significant and unavoidable -- and that undergrounding could reduce or eliminate "visual impacts to cultural resources, all while potentially providing an overall increase in reliability. (DEIR, pp. 6-31, 6-35.) Moreover, while the DEIR's Project Alternatives section strangely omits any discussion of how undergrounding would mitigate potential safety impacts caused by the Project's proximity to airports, elsewhere the DEIR indicates that the 69 kV transmission line structures will result in a significant and unavoidable impact by posing a potential hazard to air navigation, and that such impact could be reduced to less than significant by undergrounding. (DEIR, p. 3-201.) Nonetheless, the DEIR essentially rejects the undergrounding option out of hand, based upon the fact that it is "more expensive than the cost of typical overhead construction." (See DEIR, pp. 6-28 to 6-29, 6-40; see also 3-201 ["Economic considerations associated with undergrounding show that undergrounding is infeasible as a mitigation measure"].) Notwithstanding the fact that the DEIR asserts that undergrounding is "economically infeasible," it fails to provide any specific information regarding how much undergrounding would actually cost or otherwise to provide any data or calculations demonstrating that it would be infeasible to underground the transmission lines included in the project, either in whole or in part. (*Id.*)

As repeatedly explained by the courts, "[t]he fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." (*Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal. App. 4th 866, 883, citing *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 596, 599 and *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181.) Since the DEIR does not contain any such evidence, its rejection of the undergrounding alternative is improper.

Moreover, contrary to the DEIR's claim that undergrounding is infeasible, other similar projects have included undergrounding. For example, a recent Pacific Gas and Electric Company (PG&E) project known as the Jefferson-Martin 230 kV Transmission Line Project (for which

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CPUC was the lead agency) included 12.4 miles of undergrounded 230 kV transmission lines. (See Exhibit 1, Executive Summary of Final EIR for Jefferson-Martin 230 kV Transmission Line Project, p. ES-3.) There is no reason why undergrounding cannot similarly be done here.

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Likewise, the DEIR fails to adequately consider alternative routes for the transmission lines. The DEIR presents only a single transmission alignment alternative for the 230kV line (*i.e.* the “Van Buren Offset”), and fails to consider any other routes for the 69kV line. Thus, it fails to comply with CEQA’s directive to “describe a reasonable range of alternatives to the project, or to the location of the project.” (CEQA Guidelines, § 15126.6(a).)

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3. The DEIR Fails to Address Impacts Related to the Project’s Vicinity to the Chino Airport

The DEIR’s discussion of airports indicates that “[t]here are two airports within proximity to the RTRP: Flabob Airport and Riverside Municipal Airport,” but entirely fails to discuss the Project’s proximity to the Chino Airport, which is located only a few miles away from the proposed transmission lines. (See DEIR, pp. 3-185 to 3-186.) This oversight has the potential to result in serious public safety concerns. In fact, the CPUC recently ordered SCE to stop construction on a similar project after becoming aware that SCE had failed to comply with Federal Aviation Administration (“FAA”) regulations designed to avoid collisions, despite the fact that that project was much farther away from Chino Airport flight paths than the Project is. (See Exhibit 2, *Chino Hills celebrates commission’s ruling*, dailybulletin.com, October 20, 2011.)

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The Project includes 57 tubular steel poles (“TSPs”) as high as 170 feet and 24 lattice towers of up to 180 feet for the 230 kV Transmission Line, as well as somewhat shorter structures for the 69kV line. (DEIR, p. 2-14, Table 2.4.1.) Each of these structures could potentially create a hazard for aircraft. In fact, even without discussion of the Chino Airport, the DEIR recognizes that the 69kV line structures will create a significant and unavoidable impact, in that they exceed allowable heights and could pose a hazard to air navigation. (DEIR, pp. ES-10, 3-201.) Accordingly, the DEIR is required to address potential impacts related to the Project’s vicinity to the Chino Airport, and all mitigation measures required by FAA regulations must be implemented.

4. The DEIR’s Discussion of Land Use Impacts is Legally Inadequate

As acknowledged in the DEIR, Jurupa Area Plan Policy 7.13 discourages utility lines within the river corridor and requires that, if approved, such lines “shall be placed underground where feasible.” (DEIR, p. 3-242.) The DEIR claims the Project is consistent with this policy based on its assertion that undergrounding is “infeasible.” (*Id.*) But as discussed above, that assertion is based primarily on the fact that undergrounding is more expensive, without any actual evidence that the costs of undergrounding would “render it impractical to proceed with the

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project,” and is thus improper. (*See Center for Biological Diversity v. County of San Bernardino*, supra, 185 Cal. App. 4th at 883.) Since the DEIR relies on that faulty assertion in concluding that the Project is consistent with Jurupa Area Plan Policy 7.13, such consistency determination is likewise improper.

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In addition, as explained in the Jurupa Area Recreation and Park District’s (“JARPD”) November 18, 2011 comments on the DEIR, the DEIR fails to adequately consider the Project’s impacts on future development within the Project area (caused by the requirements that the proposed power lines must be both 50 feet from the freeway and 50 feet from housing units) and are inconsistent with both current development plans and the JARPD’s Trails Master Plan. (*See* November 18, 2011 Comments submitted by JARPD.)

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Similarly, the DEIR fails to consider other impacts that could result from the fact that the Project will preclude and/or discourage development within the Project area, including within the newly incorporated City of Jurupa Valley (“Jurupa Valley”). In this regard, the Project would entirely prevent development of a significant amount of acreage within its right of way. In addition, it would likely discourage development on adjacent properties, by decreasing the desirability and marketability of such property, *e.g.* as a result of the visual blight caused by the transmission lines. These economic impacts could, in turn, lead to significant environmental impacts, including a reduction in the availability of public services and blight. For example, the fiscal analysis prepared during the incorporation process projected significant residential and commercial development along the I-15 corridor within the next few years, and the city is counting on projected tax revenue related to that development to provide critical public services. (*See* Exhibit 3, Public Review Draft Comprehensive Fiscal Analysis, LAFCO/Winzler & Kelley, June 14, 2010.) Thus, by preventing the forecasted development, the Project has the potential to negatively impact the future provision of public services within Jurupa Valley.

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Furthermore, the DEIR admits that the Project is inconsistent with the Riverside County Airport Land Use Compatibility Plan (“RCALUCP”) and that such inconsistency will result in a significant impact, *i.e.* a hazard to air navigation. (DEIR, p. 3-201.) Nonetheless, the DEIR fails to fully analyze this issue and does not impose any binding mitigation measures to mitigate this serious potential safety impact.

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5. The DEIR’s Discussion of Aesthetic Impacts is Legally Inadequate

In order to see the significant adverse aesthetic impacts the Project would have, one need look no further than the photo simulations included in the DEIR, which illustrate only a very small portion of the 10 miles of new 230 kV transmission lines and 11 miles of new 69 kV subtransmission lines included in the Project. (*See* DEIR, pp. 3-23 to 3-49.) Notwithstanding the fact that its own simulations prove the contrary, the DEIR wrongly characterizes the Project’s aesthetic impacts as “incremental,” and concludes that the “majority of the visual resources currently experienced by the public would not be significantly impacted by the addition of the

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various components of the Proposed Project.” (DEIR, p. 3-53.) While the DEIR admits a potentially significant impact to a few “limited areas,” it wrongly fails to recognize the widespread visual blight that would be created by the Project, including in areas that are already developed like the I-15 corridor. This failure must be rectified, and appropriate mitigation must be required.

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Furthermore, as indicated above, even where the DEIR acknowledges “potentially significant” aesthetic impacts, the DEIR gives short shrift to the possibility of undergrounding all or a portion of the proposed transmission lines, despite its admission that doing so could reduce visual impacts to less than significant, and thus wrongly concludes that such impacts are “immitigable, and unavoidable.” (DEIR, p. 3-53.) The DEIR should be revised to more fully explore the possibility of undergrounding the proposed transmission lines.

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6. **The City Violated CEQA By Committing to the Project Before Preparing and Considering the EIR**

CEQA requires agencies to consider a project’s environmental impacts *before* “approving” or “carrying out” a project. (Pub. Res. Code § 21080(a); *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.) The term “approval” refers to an agency’s decision that “commits [it] to a definite course of action in regard to a project.” (CEQA Guidelines § 15352(a).) As explained by the California Supreme Court, in determining whether an agency has committed to a project:

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courts should look . . . to the surrounding circumstances to determine whether, as a practical matter, the agency *has committed itself to the project as a whole or to any particular features, so as to effectively preclude any alternatives* or mitigation measures that CEQA would otherwise require to be considered, *including the alternative of not going forward with the project.*”

(*Save Tara*, 45 Cal.4th at 139 (emphasis added).) Here, in 2006, the Riverside Public Utilities Department (“RPU”) considered two alternatives for meeting the City’s future energy needs, including specifically whether to: (1) “Add Capacity at Vista Substation” or (2) “Construct a Second Point of Energy Delivery Within the City,” and formally decided to proceed with one of those alternatives, by “[a]pprov[ing] the preferred option to build a new 220 kV source.” (January 20, 2006 Minutes of the City of Riverside Board of Public Utilities, p. 3.) At the same time, the City approved a \$1,000,000 contract for “Phase 1” of the project, including the preparation of environmental documents, while indicating that it intended to proceed with “Phase 2 work, including the detailed design, easement acquisition, material procurement, and construction management” after completion of Phase 1. (*Id.*) Accordingly, it is clear that the City violated CEQA by eliminating alternatives to the Project -- including a no project

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alternative and the possibility of expanding the Vista Substation -- and committing itself to the Project years before completing or even beginning its environmental review of the Project. (*See Save Tara*, 45 Cal.4th at 139.)

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7. **The Project's Description Fails to Include a Description of the Project's Economic Characteristics**

Among other things, an EIR's Project Description is specifically required to include "[a] general description of the project's technical, economic, and environmental characteristics." (CEQA Guidelines, § 15124(c).) Here, the DEIR fails to comply with this requirement, because it is devoid of any description of the Project's economic characteristics. In fact, the DEIR never even discloses the projected cost of the Project, other than to vaguely indicate that it is "in the hundreds of millions of dollars." (DEIR, p. 2-1.) Further, the DEIR fails provide facts allowing the Project to be compared with alternatives on an economic basis or to provide the data necessary to support any specific economic-based findings, including the DEIR's contention that undergrounding is economically infeasible. (*See* CEQA Guidelines, § 15091(a)(3) [forbidding an agency from approving a project that will have a significant impact without adopting a finding that "Specific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or project alternatives identified in the final EIR."].) Thus, the DEIR is fatally deficient in its failure to include any description of the Project's economic characteristics, and must be revised to include such a discussion.

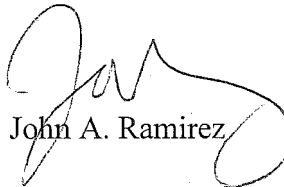
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Please contact me directly should you have further questions or concerns regarding the foregoing.

Yours truly,

RUTAN & TUCKER, LLP



John A. Ramirez

JAR:hd

Enclosure

cc: Mr. Rick Bondar (w/o enc.)
Mr. Anthony Vernola (w/o enc.)

Executive Summary

1. Introduction/Background

Pacific Gas and Electric Company (PG&E) filed an application (Application Number A.02-09-043) for a Certificate of Public Convenience and Necessity (CPCN) with the California Public Utilities Commission (CPUC) on September 30, 2002 for the 27-mile Proposed Jefferson-Martin 230 kV Transmission Line Project (Proposed Project). It involves rebuilding PG&E's existing Jefferson Substation to Martin Substation 60 kV double circuit power line. The new 60 kV/230 kV lines would be overhead along I-280 from Jefferson Substation to San Bruno Avenue, and then underground to the Martin Substation.

PG&E's stated objectives for the Proposed Project are fourfold: (1) to meet future electric demand and reliably serve the San Francisco and north San Mateo County areas under normal and reduced generation scenarios; (2) to comply with industry planning criteria of the California Independent System Operator (ISO) and the North American Electric Reliability Council (NERC); (3) to create a more diverse transmission system in the area, by providing a second independent major transmission line pathway in the area; and (4) to implement the ISO Board of Governor's April 2002 Resolution that approved the Jefferson-Martin Project for addition to the ISO-controlled grid. In order to meet these objectives, PG&E's is proposing to construct and initiate operation of the Jefferson-Martin Project by 2006.

The CPUC is the State lead agency, responsible for compliance with the California Environmental Quality Act (CEQA). A Draft Environmental Impact Report (EIR) ~~has been~~was prepared by the CPUC in compliance with CEQA Guidelines and published in July, 2003 with a 45-day comment period that ended on August 28, 2003. The Final EIR consists of three volumes and includes over 2,700 pages. Volume 1 (EIR) and Volume 2 (EIR Appendices, including the Alternatives Screening Report as Appendix 1) are completely re-printed from the Draft EIR. Changes made to the Draft EIR are marked in Volumes 1 and 2: inserted text is underlined and deleted text is shown in ~~strikeout~~. Both types of changes are indicated with a vertical line in the margin. Volume 3 consists of all comments on the Draft EIR and responses to comments. Over 800 pages of comments on the Draft EIR were submitted to the CPUC, including transcripts from the August 2003 Public Participation Hearings.

The Final EIR documents the evaluation of approximately 38 alternatives, including the No Project Alternative. Alternatives are described and screened for compliance with CEQA in Appendix 1, then summarized in EIR Section C. Alternatives that meet the CEQA criteria are analyzed along with the Proposed Project in 14 environmental issue areas in Section D of the EIR.

The EIR discloses the environmental impacts expected to result from the construction and operation of PG&E's Proposed Project and mitigation measures, which if adopted by the CPUC or other responsible agencies, could avoid or minimize significant environmental effects. In accordance with CEQA guidelines, the EIR also evaluates alternatives to the Proposed Project that could avoid or minimize the significant environmental effects. The EIR provides a comparison of the environmental effects of the Proposed Project and the alternatives, and identifies the Environmentally Superior Alternative.

The Jefferson-Martin Project EIR is an information document only; and does not make a recommendation regarding the approval or denial of the project. The purpose of the EIR is to inform the public on the environmental setting and impacts of the Proposed Project and alternatives. The EIR will be used by the CPUC in conducting the proceeding to determine whether to grant PG&E's requested CPCN.

This Executive Summary (ES) provides an overview of the Proposed Project and alternatives considered, and the environmental findings and mitigation measures of the EIR.

Changes Made to the Draft EIR. In response to comments on the Draft EIR, numerous changes have been made in the Final EIR. The following information has been added to or revised in this Final EIR:

1. Transition Stations Allowing Hybrid Alternatives. Two new transition station/tower alternatives (each described below) have been added to allow creation of hybrid route alternatives in the southern (overhead) segment. These alternatives are described in Appendix 1 (Section 4.3.1), and their impacts are analyzed in each issue area in Section D. These two new transition sites allow the development of hybrid routes among the Proposed Project, Route Option 1B, and Partial Underground Alternative, as follows:

- **The Golf Course Drive Transition Station Alternative** (near Hayne Road west of the I-280 Freeway) would allow either (a) the PG&E Route 1B Alternative to connect with the Partial Underground Alternative or the Proposed Project, or (b) the relocation of the Partial Underground Alternative 230 kV transition tower from the east side of the I-280 Freeway to the west side.
- **The Trousdale Drive Transition Tower Alternatives** (located west of the west end of Trousdale Drive at the I-280 Freeway) would allow either (a) the overhead portion of the Partial Underground Alternative to connect with the PG&E Underground Route Option 1B segment along Trousdale Drive, or (b) the overhead portion of the Proposed Project to connect with the PG&E Underground Route Option 1B segment along Trousdale Drive.

2. Glenview Drive Transition Tower Alternative. A new transition tower (located on Caltrans property west of and immediately adjacent to Glenview Drive about 1,500 feet south of the proposed transition tower) is described in Appendix 1 and is evaluated in Section D.

3. Partial Underground Alternative Modifications. Two transition towers/stations locations at the Partial Underground Alternative crossing of San Mateo Creek have been modified to reduce their environmental impacts. In addition, the transition tower near the Carolands Substation could be reduced in size with use of the Golf Course Drive Transition Station Alternative. These modifications (affecting Towers 6/36, 7/39, and 8/50) are described in Appendix 1 (Section 4.2.3) and their impacts are analyzed in Section D.

4. Consideration of New Alternatives. Three new alternatives suggested in Draft EIR comments are considered, but were eliminated from full EIR consideration: the 280 Corridor Concerned Citizens Group's Watershed Restoration Alternative, the San Mateo County Supervisors' Hill/Nevin Alternative, and the Caltrain ROW Alternative. Detailed descriptions of each alternative and the rationale for elimination are presented in Appendix 1, Sections 4.2.8, 4.2.9, and 4.3.11, respectively.

5. Revised Analysis and Mitigation Measures. Various text sections have been modified or clarified in response to comments. In addition, several mitigation measures have been modified for clarity or to ensure their feasibility (see various issue areas in Section D).

6. Conclusion Regarding Environmentally Superior Alternatives. Section E of the EIR presents a comparison of alternatives and defines the alternative that would create the fewest environmental impacts. The Final EIR includes new and updated analysis and revised mitigation measures, and as a result, the conclusion regarding the environmentally superior alternative has changed for the northern segment from that presented in the Draft EIR. In the southern portion of the project area,

the PG&E Route Option 1B is considered to be superior (as in the Draft EIR), and in the northern portion, both the Proposed Project underground route and the Modified Underground Existing 230 kV Collocation Alternative are identified as superior.

Summary of ~~Draft~~-Final EIR Conclusions. This EIR analyzes the environmental impacts of PG&E's Proposed Project as well as alternatives that were developed as a result of public and agency input during the scoping process. Analysis is presented for two alternatives to the southern (overhead) segment of the Proposed Project and five-four alternatives to the northern (underground) segment, as well as two-three alternatives to the proposed transition station site and two other transition station locations that allow creation of hybrid alternatives. In addition, the No Project Alternative is analyzed, as required by CEQA. As documented in detail in the Alternatives Screening Report (Appendix 1 to the ~~Draft~~-EIR), 19-26 additional alternatives were considered but eliminated from detailed consideration.

Based on comparison of the environmental impacts of the Proposed Project and alternatives, the Environmentally Superior Alternatives are-is identified. In the southern area, the PG&E Route Option 1B Alternative (an all-underground route that would be installed in paved roads) is considered to be environmentally superior. In the northern area, both the Proposed Project and the Modified Existing Underground 230 kV Alternative (also all-underground, but following a much shorter route east of the Proposed Project route) is-are found to be environmentally superior as they are similar in overall impacts but in different environmental issue areas. Six route options (changes to the original route) for the Modified Existing Underground 230 kV Alternative have been developed in order to reduce impacts identified in comments on the Draft EIR. Because ~~both~~-all routes are underground, no transition station is required.

CPUC Actions After Final EIR Publication. There is no comment period following issuance of the Final EIR. The CPUC will determine the adequacy of this Final EIR, and, if adequate, will certify the document as compliant with CEQA. After Public Participation Hearings to be held on December 8 and 9, 2003, Evidentiary Hearings will be held. The CPUC will issue a Decision on the proposed Jefferson-Martin Project, which will be announced and published concurrent with a scheduled CPUC Meeting. The final decision is expected in May 2004. Within 30 days after the Decision is issued by the CPUC, parties can apply for rehearing.

Contents of the Executive Summary. The following sections provide the reader with a brief description of the Proposed Project and alternatives (including alternatives analyzed in detail and those eliminated from detailed consideration), a summary of environmental impacts in each environmental issue area, a summary of the comparison of alternatives, and tables listing all impacts identified in the ~~Draft~~-EIR.

1.1 Proposed Project

Description of the Proposed Project

Figure ES-1 is an overview of the route of the transmission line proposed by PG&E. The major elements of PG&E's Proposed Project are:

- Installing a new 27-mile 230 kV transmission line — comprised of 14.7 miles of overhead line to be installed on a rebuild of PG&E's existing Jefferson-Martin 60 kV double-circuit transmission line, and 12.4 miles of new underground duct bank.
- Dismantling the existing Jefferson-Martin 60 kV double-circuit tower line and rebuilding the towers to enable the east side to operate at 60 kV and the west side at 230 kV.

- Constructing a new transition station near the intersection of San Bruno Avenue and Glenview Drive to transition from the overhead to underground transmission systems.
- Modifying the existing Jefferson and Martin Substations to accommodate the new 230 kV transmission line;
- Modifying the equipment at the existing San Mateo, Ralston, Millbrae, and Monta Vista Substations, and the Hillsdale Junction switching station.

The Proposed Project would be located in the County of San Mateo and would cross the towns of Hillsborough and Colma and the Cities of Brisbane, Daly City, San Bruno, and South San Francisco. The 14.7 miles of overhead 230 kV line would originate at the Jefferson Substation and terminate at a new transition station, proposed to be located at San Bruno Avenue and Glenview Drive. This part of the Proposed Project would parallel I-280 for much of this distance, and cross Peninsula Watershed Lands owned by the City and County of San Francisco (CCSF). The overhead portion of the project crosses Edgewood County Park and Natural Preserve (Edgewood Park), the Pulgas Ridge Open Space Natural Preserve (Pulgas Ridge Preserve), and passes near the San Mateo Highlands residential areas of unincorporated San Mateo County, and the Towns of Hillsborough, Burlingame, Millbrae, before entering the City of San Bruno. From the proposed transition station, the Proposed Project would be constructed underground for 12.4 miles in city streets, the San Francisco Bay Area Rapid Transit (BART) ROW, and the Guadalupe Canyon Parkway to the terminus of the line at the Martin Substation. The underground section of the Proposed Project routes along San Bruno Avenue and the BART ROW in the City of San Bruno, follows the BART ROW through the City of South San Francisco, and then routes along a number of city streets through the Town of Colma, Daly City, and Brisbane to the Martin Substation.

The proposed overhead 230 kV transmission line would be supported on lattice steel towers, which would replace the existing 69 kV line lattice structures. The underground 230 kV circuits would consist of three cross-linked, polyethylene-insulated (XLPE) solid-dielectric, copper-conductor cables, buried in a concrete-encased duct bank system.

Right-of-way requirements would vary for the overhead and underground sections of the proposed 230 kV transmission line project. PG&E is proposing to expand the existing 50-foot-wide ROW to 100 feet wide, where the overhead 230 kV transmission line would replace the existing 60 kV system. The underground section of line would require a trench two to three feet wide, and construction equipment would occupy at least one full traffic lane.

PG&E has proposed installation of a transition station near San Bruno Avenue and Glenview Drive to convert the overhead circuit to underground. The station would be approximately 80 feet by 100 feet in size, and enclosed by a masonry wall. Equipment would include ground grid and conduit system, a 230 kV dead-end structure, control building and underground vault.

Substation modifications are also proposed by PG&E at the existing Jefferson and Martin Substations to accommodate the new 230 kV transmission line, and equipment modifications are proposed at the existing San Mateo, Ralston, Millbrae and Monta Vista Substations, and the Hillsdale Junction switching station.

Figure ES-1a. Overview of Proposed Project, Southern Segment
For security reasons this figure is not included in the online version of the report.

Figure ES-1b. Overview of Proposed Project, Northern Segment
For security reasons this figure is not included in the online version of the report.

Environmental Setting of the Proposed Project

The Proposed Project is located on the San Francisco Peninsula, entirely within San Mateo Counties except for minor modifications to a Santa Clara County Substation.

Southern Segment. The overhead (southern) segment of the proposed alignment, illustrated on Figure ES-1a, would originate in and remain in undeveloped open space entirely within unincorporated San Mateo County. It would pass through a valley formed by the San Andreas Fault, and would cross the fault zone in two places: near Jefferson Substation and near the proposed transition station. To the west, the Cahill, Sawyer, and Sweeney Ridges rise to elevations of 1,100 to 1,300 feet above sea level. Along the eastern side of the route are the Buri Buri and Pulgas Ridges. Enclosed within these ridges are the Upper and Lower Crystal Springs Reservoirs and San Andreas Lake, all water storage facilities of the San Francisco Public Utilities Commission (SFPUC). The route parallels the Interstate 280 (I-280) corridor. This portion of San Mateo County is known for its scenic qualities and aesthetic attributes and I-280 is a State designated Scenic Highway.

Beginning at PG&E's existing Jefferson Substation, the route would pass immediately into Edgewood County Park, then crossing Edgewood Road it would be in a portion of the Pulgas Ridge Preserve. Edgewood County Park is home to unique biological habitat supporting populations of endangered butterflies because of its serpentine soils; these soils and plant assemblages are also found within SFPUC lands further north. Upon leaving the Preserve, the remainder of the overhead route segment (13.8 miles) then would be entirely within SFPUC Peninsula Watershed along I-280 and the reservoirs. While the overhead alignment would remain on SFPUC lands, it would pass immediately adjacent to single-family residential neighborhoods in the communities of San Mateo Highlands, Hillsborough, Burlingame, Millbrae, and San Bruno for approximately four miles. For approximately 1.2 miles it would be located on the west side of I-280, along the east side of the Crystal Springs Golf Course. It would then cross over to the east side of I-280 adjacent to a residential area in the City of Burlingame and then cross I-280 again to the west (all within the Peninsula Watershed), then proceed north to San Bruno Avenue. Just east of the intersection of San Bruno Avenue and Skyline Boulevard, the overhead route would transition to underground at a new transition station that would be enclosed by an eight-foot-high masonry wall, with a total area of approximately 80 feet by 100 feet in the City of San Bruno.

Northern Segment. The underground (northern) segment of the Proposed Project is illustrated on Figure ES-1b and would pass through the urban environments of a succession of peninsula cities or towns: San Bruno, South San Francisco, Colma, Daly City, and Brisbane. The underground alignment would pass through a continuously varying mix of land uses that includes single- and multi-family residences, commercial and office development, public uses, open space, schools, and a limited amount of light industrial and industrial development. Approximately three miles of the underground segment would be within the right-of-way over the recently completed BART tunnel in the Cities of San Bruno and South San Francisco. Within the Town of Colma, the alignment would pass numerous cemeteries. Between Daly City and Brisbane the proposed alignment would be installed within Guadalupe Canyon Parkway, passing through the San Bruno Mountain State and County Park, and then would turn into Bayshore Boulevard and into Martin Substation at the corner of Bayshore and Geneva Avenue.

1.2 Summary of Public Involvement Activities

Prior to release of the Draft EIR in July 2003, the CEQA process for the Jefferson-Martin 230 kV Transmission Line Project began with the CPUC's issuance of the Notice of Preparation of an EIR on January 20, 2003 along with an extensive scoping process.

- The NOP was mailed on January 20, 2003, to 1,914 individuals, groups and government agencies identified for the initial EIR mailing list, based on PG&E's list of property owners located within 300 feet of the project facilities, as well as groups and individuals with a vital interest in the Proposed Project compiled by the EIR Team. In addition, the NOP was sent to four federal agencies, 18 State agencies, four county departments, 22 city departments, and 19 special districts.
- Four scoping meetings were held on January 29 and February 4 and 6, 2003, prior to selection of alternatives and the preparation of the analysis documented in this EIR.
- An estimated 70 members of the public and representatives from organizations and government agencies attended the four CPUC scoping meetings. The CPUC and staff attended eight consultation meetings with agencies and local jurisdictions to discuss the Proposed Project and hear any comments or concerns.
- Approximately 230 letters and emails and 31 oral comments were received during the NOP scoping period (January 20 to February 27, 2003) from public agencies and private citizens. In April 2003, a comprehensive Scoping Report was issued and 81 copies were distributed, summarizing issues and concerns received from the public and various agencies and presenting copies of all written comments received. The Scoping Report has been made available for review at the 16 repositories and on the Internet, and mailed to agencies, parties on the CPUC's Service List, and individuals who requested copies.
- An EIR e-mail address was created along with a telephone hotline for project information, as well as an Internet site, used to post all the public environmental documents (including this DEIR) and to announce upcoming public meetings.

Immediately upon release of the Draft EIR, an intensive notification and public involvement effort was implemented, including the following activities:

- The Notice of Release (NOR) of the Draft EIR was mailed to 8,764 agencies, county and city departments, special districts, property owners, and occupants on or adjacent to PG&E's Proposed and the alternative routes in July 2003 at the time the Draft EIR was released.
- Copies of the full Draft EIR were sent to 117 interested parties and agencies and to 13 library repositories. Ninety-nine copies of the Executive Summary and 9 CD's with the text of the Draft EIR were also sent out. An additional approximately 110 copies of the ES and 25 copies of CD's with the text of the Draft EIR were distributed at the workshops and PPHs in July and August 2003.
- An announcement of the publication of the Draft EIR, including the project website address and the dates and times of the four Public Informational Meetings and four Public Participation Hearings, was printed in two area newspapers.
- Four Public Informal Workshops were held (two on July 29 and two on July 31, 2003)
- Four Public Participation Hearings (PPHs) were held by the Administrative Law Judge on August 12 and August 14, 2003
- The text of the Draft EIR was posted on the project website on the CPUC's Internet website (except for maps, which were not posted due to security reasons).

1.3 Areas of Controversy / Public Scoping Issues

Section 1.3.1 describes major issues raised during the scoping period, and Section 1.3.2 describes major comments made on the Draft EIR.

1.3.1 Scoping Issues and Comments

Private citizens and homeowners provided the majority of the comments during the Scoping process in January and February, 2003. In addition to private individuals, comments were received from the following organizations and government agencies:

- Highlands Community Association
- San Mateo County Trail Users Group
- Santa Clara Valley Audubon Society
- Committee for Green Foothills
- 280 Corridor Concern Citizens
- Friends of Edgewood Natural Preserve
- Sequoia Audubon Society
- Loma Prieta Chapter of the Sierra Club
- People for a Golden Gate National Recreation Area
- National Retail Partners
- City of San Bruno
- City of San Bruno Public Works
- Golden Gate National Recreation Area
- Peninsula Corridor Joint Powers Board
- County of San Mateo
- City of Burlingame
- City of Burlingame Public Works
- Town of Woodside
- South San Francisco Schools
- City of Daly City
- Daly City Public Works
- California Department of Parks and Recreation
- Bayshore Sanitary District
- Midpeninsula Regional Open Space District
- Highlands Recreation District
- San Francisco Public Utilities Commission
- Redwood City Planning and Redevelopment Agency

The issues raised during the public scoping process are described in detail in the Scoping Report (available on the CPUC's CEQA Project website), and are summarized below.

- **Human Environment.** The majority of public comments focused on the potential effect of the project on the human environment, most often expressing concerns with health risks arising from increased EMF emissions, visual and scenic impacts, and impacts to property values. Other common concerns expressed dealt with safety issues, noise, construction impacts, fire risk, interference with communication and electronic equipment, security, conflicts with planned uses, recreation impacts, and quality of life.
- **Natural Environment.** Comments from organizations, individuals, and government agencies addressed issues and concerns with the potential impacts that the project would have on the natural environment, particularly impacts to plants, wildlife, and habitats. Concerns were expressed that the project would affect (a) rare, threatened, endangered, and special status plant species, including serpentine assemblages, (b) federal and State protected wildlife species, and (c) sensitive habitats, especially serpentine habitats.
- **Purpose and Need.** Many comments from members of the public questioned the necessity of the project and expressed feelings that PG&E had not provided adequate justification for the project. The 280 Corridor Concerned Citizens and many other individuals indicated that the future demand for electricity in the Bay Area has been overstated, stating that PG&E's forecast is well above historical average recorded growth in peak loads and citing economic declines reducing energy consumption and artificial energy demand generated by power companies.
- **Alternatives.** Many comments from individuals and organizations and a number of government agencies suggested a variety of alternatives, including the No Project Alternative, local generation/distributed generation, demand reduction, alternative tower designs, and alternative routes.
- **Environmental Review and Decision Making Process.** A number of suggestions and comments were made regarding the adequacy of the environmental review and decision-making process. Individ-

uals and agencies addressed issues such as late NOP receipt, potential future expansion of the transmission line, alternatives described in the NOP, need for NEPA compliance, and the CPUC's review process. Other comments stated that without a full evaluation of the justification for the project to be included in the discussion of the No Project Alternative, the EIR would be incomplete.

1.3.2 Comments on the Draft EIR

A 45-day public comment period followed the issuance of the Draft EIR in July 2003. All comments received, as well as responses to each comment, are presented in Volume 3 of this Final EIR. The major issues raised in public comments are listed below.

General Comments

- Health effects of EMF, especially for the alternative routes, were not adequately addressed in Draft EIR.
- Project effects on property values were not adequately addressed.
- The project's impacts occur in an area that does not receive direct benefits from the project.
- Draft EIR does not adequately address the No Project Alternative.
- Comments stated opposition to the Proposed Project and support of either the Route Option 1B Alternative or the Partial Underground Alternative.

Southern SegmentThe existing 60 kV line should be collocated underground with the Route Option 1B Alternative.

- San Mateo County Supervisors Jerry Hill and Mike Nevin suggested an alternative route that would bypass the Trousdale Drive segment of the Route Option 1B Alternative and would be an all underground west of I-280, east of reservoirs alternative route to Sneath Lane Substation.
- 280 Corridor Concerned Citizens Group suggested a new alternative (the Watershed Restoration Alternative) that would install the 230 kV line underground in Route Option 1B Alternative and would also dismantle the existing 60 kV line.
- PG&E Route Option 1B Alternative and Proposed Project impacts are not adequately addressed for the Cities of Millbrae and Burlingame.
- The Proposed Project results in an expanded ROW in Edgewood Park and Pulgas Ridge Preserve, which were purchased in part with Land and Water Conservation Fund money. Thus, conversion of land to non-recreational use requires National Park Service approval.
- GGNRA states that the Proposed Project is not compatible with the Scenic and Recreation Easements and, therefore, cannot proceed without NPS approval.
- GGNRA and others state that NEPA compliance is required.
- CCSF prefers a temporary crossing on Crystal Springs Dam with the PG&E Route Option 1B Alternative until County bridge is re-built.
- Commenters suggested consideration of two additional transition stations at Trousdale Drive and Golf Course Drive to allow for the creation of hybrid alternatives.

Northern Segment

- The Modified Existing Underground 230 kV Alternative is not environmentally superior because it traverses private properties, city streets, areas of unstable soils, areas subject to flooding, and areas of known toxic contamination. It would impact traffic, hotels and offices, breach capped toxic sites, and generate potential exposure of sensitive receptors to toxics including childcare centers.
- The Caltrain ROW is the environmentally superior alternative and should be investigated as an EIR alternative.
- Daly City suggests collocation of existing 60 kV lines underground with new 230 kV line from Guadalupe Canyon Parkway into Martin Substation.
- City of San Bruno suggested consideration of an additional transition station site at Glenview Drive across from the city water tank.

2. Alternatives

Alternatives to PG&E's Proposed Project are identified and evaluated in accordance with CEQA Guidelines. CEQA Guidelines (Section 15126(a)) state:

An EIR shall describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.

CEQA Guidelines (Section 15364) define feasibility as:

. . . capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Alternatives to the Proposed Project were suggested during the scoping period (February-March 2003) by the general public, and federal, State and local agencies after PG&E filed its Application for a CPCN. Other alternatives were developed by EIR preparers, presented by PG&E in its PEA, or evaluated by the California Independent System Operator (ISO) in its Stakeholders process that has been studying the San Francisco and Peninsula electricity supply. In total, approximately 30 alternatives were identified that range from minor routing adjustments to PG&E's proposed 230 kV project location, to entirely different transmission line routes, to alternative energy technologies, as well as non-wires alternatives.

Alternatives to the Proposed Project were screened according to CEQA guidelines to determine those alternatives to carry forward for analysis in the EIR and alternatives to eliminate from detailed consideration. The alternatives were primarily evaluated according to: (1) whether they would meet most of the basic project objectives; (2) whether they would be feasible considering legal, regulatory and technical constraints; and (3) whether they have the potential to substantially lessen any of the significant effects of the Proposed Project. Other factors considered, in accordance with CEQA Guidelines (CEQA Guidelines Section 15126.6(f)), were site suitability, economic viability, availability of infrastructure, general plan consistency, other regulatory limitations, jurisdictional boundaries, and proponent's control over alternative sites. Economic factors or costs of the alternatives (beyond economically feasible) were not considered in the screening of alternatives since CEQA Guidelines require consideration of alternatives capable of eliminating or reducing significant environmental effects even though they may "impede to some degree the attainment of project objectives or would be more costly" (CEQA Guidelines Section 16126.6(b)).

The detailed results of the alternatives screening analysis are contained in Appendix 1 of the EIR (Alternatives Screening Report). A summary description of the alternatives considered and the results of screening are provided below. Figures ES-2a (rev) through ES-2c illustrate the geographic locations of all alternatives considered for EIR analysis.

2.1 Alternatives Fully Evaluated in the EIR

Transmission Line Route Alternatives – Southern Segment

PG&E Underground Route Option 1B

Alternative Description. This alternative is an all-underground option that would be entirely with roadways, following Cañada Road and Skyline Boulevard along the I-280 corridor, turning east into Trousdale ~~Boulevard-Drive~~ and then north into El Camino Real, rejoining the proposed route at El Camino Real and San Bruno Avenue. Options for crossing Crystal Springs Dam include an underwater cable around the dam, an overhead crossing of the dam, and several options for attaching the cable to the dam itself. A revised overhead crossing of the dam was suggested by PG&E in its comments on the Draft EIR; this is evaluated in the Final EIR.

Rationale for Full Analysis. Feasible and would meet all project objectives. Potential to reduce or avoid significant environmental impacts to visual, recreational, and biological resources, and to reduce seismic risk and EMF near residences.

Partial Underground Alternative

Alternative Description. This southern segment alternative follows most of the existing corridor and includes a combination of overhead and underground segments to minimize impacts on several sensitive areas. It includes two rerouted overhead segments (the first to avoid Edgewood Park and the Pulgas Ridge Preserve, and the second to avoid proximity to residences in the City of Burlingame). It also includes an underground segment between the Ralston and Carolands Substations to minimize impacts on adjacent residences in the San Mateo Highlands and the Town of Hillsborough, with an overhead crossing of San Mateo Creek. This alternative would eliminate two crossings of I-280 because it would remain west of the freeway north of Carolands Substation. In the Final EIR, modifications are evaluated to the locations of the transition towers/stations north and south of San Mateo Creek, and an additional transition station is considered at Golf Course Drive.

Rationale for Full Analysis. Eliminates the existing and proposed transmission line through Edgewood Park, which contains unique and valuable habitat, and the Pulgas Ridge Preserve. Eliminates two overhead crossings of I-280 and most visual impacts near residential areas. Feasible and meets all project objectives.

Figure ES-2a. Overview of All Alternatives, Southern Segment (rev)
For security reasons this figure is not included in the online version of the report.

Figure ES-2b. Overview of All Alternatives, Northern Segment (rev)
For security reasons this figure is not included in the online version of the report.

Figure ES-2c. Alternatives Outside of San Mateo County

For security reasons this figure is not included in the online version of the report.

Transmission Line Route Alternatives – Northern Segment

West of Skyline Boulevard Transition Station Alternative

Alternative Description. This alternative transition station would be located west of Skyline Boulevard, on the SFPUC Watershed Lands southwest of the corner of San Bruno Avenue and Skyline Boulevard. After the transmission line transitions from overhead to underground, the underground line could follow three different underground routes (all would be in roads): (a) north in Skyline Boulevard to San Bruno Avenue to join the Proposed Project route; (b) north Skyline Boulevard to Sneath Lane, east on Sneath to the BART ROW (or into Tanforan Drive if joining the Modified Existing 230 kV Underground Alternative); or (c) north on Skyline Boulevard for 2.1 miles to Westborough Boulevard, then turning east to either Junipero Serra Boulevard or the BART ROW.

Rationale for Full Analysis. Meets all of the stated objectives of the Proposed Project and is feasible. Because of greater distance within the A-P Zone, the transition station with any of the three routes has a greater potential for earthquake damage to the underground segment, but the seismic issues associated with this alternative are similar to those of the Proposed Project, so it is considered feasible.

Eliminates the visual and land use impacts of the proposed transition structure. Avoids conflict with the proposed trailhead-parking project. Avoids impacts to a planned residential development east of Glenview Drive, and is farther from sensitive land uses. Use of Sneath Lane or Westborough Boulevard would avoid the proposed grade separation project at Huntington Drive and San Bruno Avenue.

Sneath Lane Transition Station Alternative

Alternative Description. This alternative site would co-locate the new transition station next to an existing PG&E Sneath Lane Substation, 0.6 miles north of San Bruno Avenue. The same three underground route options could be here as with the West of Skyline Transition Station Alternative: the Proposed Project route down San Bruno Avenue, the Sneath Lane route, and the Westborough Boulevard route.

Rationale for Full Analysis. Meets all of the stated objectives of the Proposed Project and is considered feasible. Eliminates the visual impacts and land use conflicts associated with the proposed transition station site. Collocated adjacent to an existing utility substation. Use of Sneath Lane or Westborough Boulevard would avoid the proposed grade separation project at Huntington and San Bruno Avenue. Determined feasible but the same seismic issues as the West of Skyline Boulevard transition station due to the similar required crossing of the San Andreas Fault zone.

Glenview Drive Transition Tower Alternative

Alternative Description. This alternative transition tower would be located approximately 0.5 miles south of the proposed transition station on Glenview Drive west of an existing water tank owned by the City of San Bruno. It allows the same three underground route options to be used as with the West of Skyline Transition Station Alternative: the Proposed Project route down San Bruno Avenue, the Sneath Lane route, and the Westborough Boulevard route.

Rationale for Full Analysis. Meets all of the stated objectives of the Proposed Project and is considered feasible. Reduces the visual impacts and land use conflicts associated with the proposed transition station site. In addition, a transition tower at this location would be located east of the San Andreas Fault, which if used in conjunction with the proposed route would avoid an underground fault crossing, as opposed to the Sneath Lane and West of Skyline transition sites. Use of Sneath Lane or Westborough Boulevard would avoid the proposed grade separation project at Huntington and San Bruno Avenue, unless Cherry Avenue is used to connect with Sneath Lane.

Trousdale Drive Transition Tower Alternatives

Alternative Descriptions. Two different transition tower locations are considered, allowing either the Partial Underground Alternative or the Proposed Project to be connected with the Route Option 1B just west of the end of Trousdale Drive. For connection with the Partial Underground Alternative, the lines would transition underground approximately 1,100 feet west of Tower 10/70 on the west side of an existing SFPUC dirt access road. The route would travel east underground in the dirt and paved SFPUC utility access roads, past Tower 11/70 to the north end of Trousdale Drive. At that point the line would cross under I-280 and follow PG&E Route Option 1B east on Trousdale Drive and north on El Camino Real.

The second option under this alternative, which would allow connection of the Proposed Project to Route Option 1B Alternative, would be to simply replace Tower 11/70 with a transition station. The Proposed Project would transition underground at Tower 11/70 and follow the same route underground in the SFPUC paved access road north to Trousdale Drive where it would turn east and join the PG&E Route Option 1B Alternative on Trousdale Drive.

Rationale for Full Analysis. Both alternatives meet all of the stated objectives of the Proposed Project and are considered feasible. Use of Trousdale Drive would avoid the use of San Bruno Avenue between Skyline Drive and Huntington Drive. In addition, because it turns east south of San Bruno Avenue, it would avoid the visual and biological impacts of the Proposed Project in the I-280 corridor between Trousdale Drive and San Bruno Avenue. This route would also avoid visual concerns of San Bruno residents regarding the proposed transition station, as well as seismic concerns with a San Andreas Fault crossing at that same site.

Golf Course Drive Transition Station Alternative

Alternative Description. Similar to the Trousdale Drive Transition Tower Alternatives, this transition station alternative would allow creation of a hybrid alternative between the Proposed Project, the Partial Underground Alternative, and PG&E's Route Option 1B. It is immediately north of a Caltrans Park & Ride lot in open space land within the SFPUC Peninsula Watershed. This site would also allow the relocation of the 230 kV transition station for the Partial Underground Alternative to be relocated from the east side of the I-280 Freeway (at Tower 8/50) to the west side of the freeway, eliminating a significant visual impact. The Golf Course Drive Transition Station site would be located at the northeast quadrant of the three-way intersection of Golf Course Road, Golf Course Drive, and Skyline Boulevard, in unincorporated San Mateo County.

Rationale for Full Analysis. Meets all of the stated objectives of the Proposed Project and is considered feasible. Use of this alternative transition station with the Partial Underground Alternative would reduce the height and mass of the transition tower at Tower 8/50 because it would only be for the 60 kV line and would eliminate the freeway crossing for the 230 kV line (the 60 kV line would still have to cross over I-280). Due to its isolated location and screening by trees and landscaping that would be required as mitigation similar to the proposed transition station, construction of this alternative station would not result in significant visual impacts or disturbances or disrupted access to adjacent land uses.

Cherry Avenue Alternative

Alternative Description. This alternative route in the City of San Bruno would diverge from the Proposed Project route at the intersection of San Bruno Avenue and Cherry Avenue, follow Cherry Avenue to Sneath Lane, and continue to the BART ROW where it would rejoin the Proposed Project.

Rationale for Full Analysis. Meets the project objectives and is feasible. Avoids the proposed Huntington Drive grade separation project.

Modified Underground Existing 230 kV Collocation Alternative and New South San Francisco Segment

Alternative Description. This alternative would use a portion of the route of PG&E's existing underground 230 kV transmission line through San Bruno and Brisbane, but would follow a new route segment through South San Francisco and adjacent cities to avoid several very congested utility areas. Six route options (Route Options A through F) have been incorporated into this alternative to reduce potential impacts to land uses and transportation. Starting at San Bruno Avenue and Huntington Avenue, the route would follow San Bruno Avenue east; turn north into PG&E's 115 kV overhead line corridor just east of 7th Avenue; then turn into 7th Avenue, past I-380 where 7th Avenue becomes Shaw Road. It would proceed north on Shaw to Produce Avenue, turning east (crossing Highway 101) in Airport Boulevard, and north into Gateway Boulevard. Route Option A would avoid most of this segment of the alternative with a bore from Shaw Road that would cross under Highway 101 to Marco Way. Route Option A would continue along Marco Way to Airport Boulevard where it would proceed north to Gateway Boulevard and rejoin the original alternative.

Along Gateway Boulevard between East Grand Avenue and Oyster Point Parkway, this route would pass through the Homart Site, an area of about 4,000 feet of contaminated soils resulting from historic industrial development. From the end of Gateway Boulevard, the route would follow the eastern edge of the railroad ROW to Sierra Point Parkway, where it would cross Highway 101 into Van Waters and Rodgers Road (private), and join Bayshore Boulevard, continuing into the Martin Substation. Route Option E would avoid the vacant Chiltern Site parcel (which has contaminated sediments from previous industrial uses) by turning east on Oyster Point Boulevard to Veterans Boulevard, where the line would turn north proceeding within the Veterans Boulevard ROW to the edge of the UPRR. At this point Route Option E would re-join the originally described alternative.

The route would be within the limits of the closed and capped Sierra Point Landfill for about 1,600 feet south of Sierra Point Boulevard. There are two additional route options through the Sierra Point area: With Route Option B, the line could be installed in the parking lot just east of the railroad ROW, or with Route Option C, the line could go further east, following Shoreline Court north to Sierra Point Parkway. Route Option D would require the line to be installed on the east side of the commercial facilities along Van Waters Road to avoid impacts to the trucking operations, and Route Option F would require the line to continue north adjacent to the railroad tracks, past the north end of Van Waters and Rodgers Road, and then turn west into Bayshore Boulevard within 200 feet north of the intersection.

Rationale for Full Analysis. Meets project objectives and is feasible. Offers a reduction in traffic, noise, and air quality impacts associated with the Proposed Project in that it is ~~much~~ four miles shorter, and it avoids crossing San Bruno Mountain. Avoids construction impacts to six schools and about 120 residences in the Cities of San Bruno, South San Francisco, Colma, and Daly City. Construction through and near the contaminated sites can be safely completed using established procedures with which existing utilities were installed.

PG&E's Route Option 4B: East Market Street Alternative

Alternative Description. This short alternative would avoid the Hoffman and Orange Street segment of the Proposed Project by continuing north on Hillside (past Hoffman) into East Market Street, where it would rejoin the proposed route at Orange Street and East Market.

Rationale for Full Analysis. Meets all project objectives and is feasible. Reduces or avoids construction impacts and EMF concerns for residences along the proposed route. Short-term construction impacts along the busier streets would be mitigable with effective traffic control. Alternative streets are wider, allowing implementation of EMF mitigation by placing the line across the street from the school and/or by deeper burial of the line.

Junipero Serra Alternative

Alternative Description. This alternative would start at Skyline Boulevard and Westborough Boulevard in the City of South San Francisco, then turn north into Junipero Serra Boulevard into the Town of Colma, and east into Serramonte Boulevard to Hillside, where it would rejoin the Proposed Project route.

Rationale for Full Analysis. Meets all project objectives and is feasible. No space constraints associated with existing utilities in Town of Colma. Colma would likely be able to plan its phased road improvement project around this alternative. Passes one school, but would avoid impacts to Town of Colma newly paved roadways. Short-term construction impacts on Junipero Serra Boulevard and Serramonte Boulevard, but fewer construction effects than for the Proposed Project.

No Project Alternative

In addition to the route alternatives described above, the EIR evaluates the No Project Alternative, in accordance with CEQA requirements. CEQA Guidelines [Section 15126.6(e)], state that the No Project Alternative must include (a) the assumption that conditions at the time of the Notice of Preparation (i.e., baseline environmental conditions) would not be changed since the Proposed Project would not be installed, and (b) the events or actions that would be reasonably expected to occur in the foreseeable future if the project were not approved.

Under the No Project Alternative, other actions by PG&E or other entities would need to compensate for existing system limitations if the anticipated load growth occurs. If neither the Proposed Project nor any alternative were approved by the CPUC, and predicted load growth occurs, PG&E and the ISO would need to re-evaluate alternative courses of action that could be implemented to prevent-minimize electricity shortages in the San Francisco and Peninsula areas. This alternative includes the following components:

- **New generation** – There is significant uncertainty associated with approval and construction of new generation facilities in the CCSF, especially given the CCSF's stated opposition to the Potrero Power Plant Unit 7 Project and the Applicant's recent request for suspension of consideration of the application. However, but given the apparent CCSF support for installation of the Williams turbines (and given the ISO's indication that operation of these turbines, with other system improvements, would allow closure of HPPP Unit 4), it seems likely that these Williams turbines will be installed so they are considered as part of the No Project Alternative.
- **PG&E system upgrades** would occur, including rerating and upgrading of certain transmission lines, and installation of a new transformer would improve system reliability and service.

- **PG&E system improvements** would be made, including the conversion of San Mateo–Martin #4 from 60 kV to 115 kV and the installation of a Potrero-Hunters Point 115 kV underground cable.
- **System management and planning** – PG&E and the ISO would continue to implement an Interruptible Load Program (allowing the selective load dropping during peak load periods), demand-side management would be encouraged, and curtailment of electric service would be required in the worst-case demand growth scenarios.
- **Increased utilization of Special Protection Schemes (SPS)** – PG&E and ISO have implemented an SPS in San Mateo and are evaluating the implementation of an SPS in CCSF. Continued and increased reliance on SPS in the Peninsula and CCSF would be insufficient to provide compliance with reliability criteria. Nonetheless, if no other alternative is pursued, at a minimum continued and increased use of SPS on the Peninsula and CCSF is needed to provide for controlled involuntary load curtailment during “high load” operating conditions.

2.2 Alternatives Eliminated From Further Consideration

The alternatives listed below were evaluated for their potential to meet CEQA requirements but were ultimately eliminated from consideration in the EIR. Figures ES-2a (rev) and ES-2b (rev) depicts the location of each alternative addressed in this section. A more detailed description of each alternative and the rationale for its consideration and elimination is presented in Draft EIR Appendix 1, Alternatives Screening Report.

Transmission Line Route Alternatives — Southern Segment

PG&E’s 1B with Underground 60 kV Line

Alternative Description. The route of this alternative would be exactly the same as PG&E’s Route Option 1B (described above): underground in Cañada Road, Highway 92, Skyline Boulevard/Highway 35, Trousdale Drive and El Camino Real. However, in this alternative, the single-circuit 60 kV line would be undergrounded as well as the 230 kV line, so construction would include removing the existing 60 kV towers.

Rationale for Elimination. This alternative is in conflict with CEQA law due to the required relocation of the 60 kV circuit from the existing corridor to the separate underground ROW. This suggested alternative that would include placing both the proposed 230 kV line and the existing 60 kV line underground along a new alignment is not considered to be within CEQA’s required “reasonable range of alternatives,” and therefore cannot be evaluated for full analysis in the EIR. While undergrounding of only the proposed 230 kV line along an alternate route is a legitimate, potentially feasible alternative, the relocation of the existing 60 kV line to such a new route is not a permissible alternative under CEQA Guidelines. Legal standards require that there be an essential connection or relationship between an alternative and a legitimate lead agency interest dealing with a proposed project, and that an alternative be “roughly proportional” in nature and scope to the impacts of the Proposed Project. Since the impacts of the Proposed Project stem solely from construction of a new 230 kV line, and not from the existing 60 kV line, the relocation of the existing 60 kV line to a wholly new alignment cannot reasonably be required by the CPUC. The legal feasibility issues are defined in greater detail in Appendix 1. For these reasons, this alternative was not considered further in the screening process and is not considered for EIR analysis.

Alternatives to Trousdale Drive: Existing Millbrae 60 kV ROW Alternative

Alternative Description. This alternative would diverge from the Skyline corridor at about MP 11.6, following the existing overhead Millbrae 60 kV corridor in a narrow ROW through steep hillsides in residential areas and past several schools near Tioga Drive before traveling down the hill through open space and meeting Richmond Drive east to El Camino Real. The route would turn north onto El Camino Real and rejoin the proposed route at El Camino Real and San Bruno Avenue.

Rationale for Elimination. Construction of an underground transmission line in the existing 60 kV ROW is not considered feasible due to the narrow existing easement, engineering issues with the steep hillside, and the presence of immediately adjacent residential properties.

Alternatives to Trousdale Drive: SFPUC Water Facility ROW Alternative

Alternative Description. This route would follow the existing SFPUC water pipeline ROW from the Skyline corridor, through the Cities of Millbrae, San Bruno, and South San Francisco where it would join the proposed or an alternative alignment. This alternative would diverge from the Proposed Route at Tower 12/82, following the existing SFPUC water pipeline ROW north-northeast to San Bruno Avenue, Sneath Lane, Junipero Serra Boulevard, or Serramonte Boulevard.

Rationale for Elimination. Use of the SFPUC easement would not be allowed by the SFPUC so it is infeasible for regulatory/permitting reasons.

West of Existing Corridor, East of I-280 Alternative

Alternative Description. This 3.1-mile alternative from Ralston Substation to just north of Hayne Road would relocate both the 230 and 60 kV lines to the west to increase their distance from residences, remaining east of I-280 and on the SFPUC Peninsula Watershed.

Rationale for Elimination. The alternative would be infeasible because required permits could not be obtained within a reasonable period of time. Creates significant impacts to rare and valuable biological resources in sensitive serpentine grasslands, requiring Section 7 consultation and review. Conflicts with the SFPUC's Watershed Management Plan and the NPS' scenic and recreational easement.

West of Reservoirs Alternative

Alternative Description. This alternative would require construction of an underground 230 kV line or new 230 kV overhead towers to the west of the Crystal Springs Reservoirs and San Andreas Lake (on Peninsula Watershed lands), replacing nearly the entire southern segment of the proposed route. The 60 kV line would remain unchanged with this alternative.

Rationale for Elimination. Due to biological and cultural survey requirements, this alternative would not meet the objective of meeting electrical demand within the necessary timeframe of September 2005 or summer 2006. Establishes a new utility corridor in addition to the existing 60 kV line through undeveloped Watershed Lands, and conflicts with Watershed Management Plan WA6. Creates much greater impacts to biological, cultural, and visual resources.

Underwater Cable Alternative Segments to PG&E Route Option 1B

Alternative Description. PG&E proposed three possible route options for an Underwater Cable Alternative that would avoid crossing Crystal Springs Dam (and associated effects on biological and cultural resources). The first option would require about 3,000 feet of cable and is considered a feasible option to allow Route Option 1B to cross the dam. The second underwater cable option would be over 9,200

feet long, ending near the southern end of the Lower Crystal Springs Reservoir. The third option would use over 12,000 feet of cable, following Lower Crystal Springs Reservoir, boring through the old Crystal Springs Dam (supporting Highway 92) to Upper Crystal Springs Reservoir, then exiting the reservoir on the eastern shore after traveling about half of the reservoir's length. Once out of the reservoirs, each of these options would continue along the PG&E Route Option 1B Alternative route.

Rationale for Elimination. The second and third options are eliminated from detailed EIR analysis. Presents potential inconsistencies with the Peninsula Watershed Plan and Caltrans permitting concerns. Long-term reliability of the underwater cable at 230 kV is uncertain since this high a voltage has never before been installed. Long-term security of underwater cable splices at the depth of the reservoirs is not guaranteed, so it is not considered to be technically feasible at this time.

Watershed Restoration Alternative

Alternative Description. This alternative was presented by the 280 Corridor Concerned Citizens Group (280 Citizens) in which the 230 kV underground line would instead follow PG&E's Underground Route Option 1B Alternative route from Jefferson Substation to just south of Carolands Substation but much of the existing 60 kV line would be removed.

Approximately 12.4 miles of the existing double circuit 60 kV line would be removed and area now served by that system would be served from other 60 kV substations and a new 12 kV system. Ralston Substation would be served directly by the 230 kV circuit and new 230kV/12kV transformers would be installed. Watershed, Carolands, and Crystal Springs Substations would be served from new 12 kV distribution lines from Ralston Substation. These 12 kV lines would be installed completely underground, primarily following Skyline Boulevard/Cañada Road but also requiring construction through open space northwest of the Ralston Substation. An underground/overhead transition station would be required near Skyline Boulevard and Crystal Springs Road to allow connection to the Crystal Springs Substation.

Rationale for Elimination. This alternative may not be legally considered under CEQA due to the required removal of the 60 kV system, which would be untouched with implementation of the Route Option 1B underground alternative. In addition, it would create additional visual and biological impacts at the Ralston Substation, biological impacts from undergrounding the 12 kV line through sensitive habitat, and it would create reliability concerns resulting from elimination of a portion of the 60 kV system that serves all of San Mateo County. One component of the WRA, the suggested transition station at Golf Course Drive, is evaluated in this Final EIR as a means of creating a hybrid alternative among the Route Option 1B, the Partial Underground Alternatives, and the Proposed Project.

Hill/Nevin West of I-280, East of Reservoirs Alternative

Alternative Description. Using a general route description from San Mateo County Supervisors Jerry Hill and Mike Nevin as guidance, the Hill/Nevin West of I-280, East of Reservoirs Alternative was developed for purposes of analysis in this EIR. At Trousdale Drive, the line would deviate from PG&E Route Option 1B and turn west on Trousdale Drive for less than 400 feet, entering the SFPUC Watershed and continuing north, just west of the I-280 and Skyline Boulevard, in existing service roads and trails east of San Andreas Lake. The line would join Skyline Boulevard just south of Bryant Way in the City of San Bruno and continue along Skyline Boulevard to the Sneath Lane Transition Station Alternative.

Rationale for Elimination. Due to permitting requirements, this alternative would not achieve the objective of meeting electrical demand within the necessary timeframe of September 2005 or summer

2006. It would establish a new utility corridor through Watershed Lands, in addition to the existing 60 kV line in conflict with SFPUC policies. Though the route would reduce some visual, and construction impacts and EMF concerns from the Route Option 1B near residences on Trousdale Drive and El Camino Real, the Hill/Nevin West of I-280, East of Reservoirs Alternative would create much greater impacts to biological, hydrological, cultural, and recreational resources. Given the significant regulatory feasibility issues, as well as the additional environmental impacts, this alternative was eliminated from further analysis in this EIR.

Transmission Line Route Alternatives — Northern Segment

I-280 Northbound Ramp Alternative

Alternative Description. This underground alternative would diverge from the Proposed Project at the entrance/exit ramp of I-280 along San Bruno Avenue, proceed north adjacent to the northbound ramp to Sneath Lane, then east in Sneath Lane to the BART ROW where it would rejoin the proposed route within the City of San Bruno boundaries.

Rationale for Elimination. Significant regulatory feasibility issues in acquiring a variance from Caltrans and using the I-280 off-ramp. Does not lessen any significant impacts of the Proposed Project; it simply re-locates them from San Bruno Avenue to Sneath Lane.

PG&E's Route Option 2A, El Camino North Alternative

Alternative Description. This underground alternative would diverge from the proposed route at the intersection of El Camino Real and San Bruno Avenue, turning north in El Camino Real for about 3.7 miles to Lawndale/McLellan Drive, rejoining the proposed route at that corner.

Rationale for Elimination. Using El Camino Real, a heavily used commercial highway, would create substantially greater construction impacts than the Proposed Project, which follows the BART ROW.

PG&E's Route Option 3B, BART North Alternative

Alternative Description. This underground alternative would diverge from the Proposed Project route by staying in the BART ROW, rather than turning east into Lawndale/McLellan. It would remain in the BART ROW to Serramonte Boulevard, turning east to the corner of Serramonte and Hillside. It would reduce construction, traffic and EMF concerns along Hillside and Lawndale/McLellan,

Rationale for Elimination. This alternative would create greater overall significant impacts from construction and traffic impacts to commercial properties along Serramonte Boulevard. Disturbs the historic funeral home/cemetery located just east of El Camino Real in Colma. The Proposed Project impacts to El Camino High School can be mitigated by relocation of the proposed transmission line within McLellan Drive/Lawndale Boulevard.

Mission/El Camino Real to A Street Alternative

Alternative Description. This underground alternative route would follow Mission Road/El Camino Real from Serramonte to A Street, turn east onto A Street and north onto Hillside Boulevard to Market Street, turn east on Market Street and rejoin the proposed route at the intersection of Orange Street and East Market Street.

Rationale for Elimination. Moves the impacts to other streets where impacts would be the same or greater. A Street is very narrow and would result in location of the line in a residential area, creating construction traffic disturbance and EMF concerns.

San Bruno Mountain Collocation Alternative

Alternative Description. This alternative route would follow the same route as the Proposed Project over San Bruno Mountain along the western portion of Guadalupe Canyon Parkway but would diverge from the proposed route by turning north and following the existing overhead 60 kV utility corridor into the Martin Substation. This alternative would also require undergrounding the existing overhead power lines that traverse the northern face of San Bruno Mountain.

Rationale for Elimination. Similar to PG&E's 1B with Underground 60 kV Line described in Section C.5.2.1 above, this suggested alternative would not be legal under CEQA Guidelines. Placing both the proposed 230 kV line and the existing power lines underground in the power line easement over a portion of San Bruno Mountain is not considered to be within CEQA's required "reasonable range of alternatives" and therefore this cannot be evaluated in the EIR. The relocation of the existing lines (which have no relation to the Proposed Project) to an underground route as part of the Proposed Project is not a permissible alternative. See Appendix 1, Section 4 for a more in-depth discussion of the legal feasibility conclusion.

The Proposed Project involves the construction of a new 230 kV transmission line. The existing lines are already in place, and thus is part of the environmental setting against which environmental impacts are judged. The impacts of the Proposed Project do not include the effects of activities already occurring or facilities already in existence, such as the existing transmission and power lines. The 230 kV line could be installed over San Bruno Mountain without affecting the existing power and transmission lines in any way.

In explaining the "rule of reason" by which alternatives are selected for evaluation, CEQA Guidelines section 15126.6(f) states, "The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." Because "the project" includes only the 230 kV line, and the effects of the project are limited to the impacts associated with the proposed 230 kV line, appropriate alternatives must be limited to those that could avoid or lessen the effects of the 230 kV transmission line. CEQA does not permit the lead agency to try and "fix" or improve the existing environmental setting (i.e., in this situation, to relocate the existing overhead lines to an underground location) using a proposed change to the environment as a hook. This alternative was not analyzed or carried through the tiering analysis since it is not a permissible alternative under CEQA Guidelines.

Caltrain ROW Alternative

Alternative Description. This all-underground northern segment route could be used in conjunction with any of the southern segment alternative routes. If used in conjunction with PG&E Route Option 1B, the route would travel east in Trousdale Drive and connect to Caltrain ROW at Trousdale Drive, just east of El Camino Real, traveling north from there in the Caltrain ROW. If used in conjunction with the Proposed Project starting near San Bruno Avenue and Huntington Avenue, the transmission line would be within the Caltrain ROW for approximately four miles. The alternative would leave the Caltrain ROW at either the crossing of Van Waters and Rodgers Road or the point in the City of Brisbane where Bayshore Boulevard is immediately adjacent to the Caltrain ROW. At either of these points, in the City of Brisbane, this alternative would then follow the route of the Modified 230 kV Underground Alternative to the Martin Substation.

The Caltrain ROW between San Bruno Avenue and the Brisbane area currently has two tracks with two additional tracks being constructed in accordance with approved Caltrain expansion plans. Given the planned 4-track development, the distance between the centerline of the outermost track and the edge of

the ROW would vary between 3 and 30 feet on either side of the JPB ROW. In order for PG&E not to be affected by work restrictions that are required for railway safety, a 15-foot buffer space would have to be maintained between an active track and PG&E's workers. Therefore, even the areas with the greatest amount of space for transmission line work (30 feet) would provide only 15 feet of available space for trench installation and movement of PG&E construction vehicles without being within the restricted work areas.

Rationale for Elimination. This alternative would not meet two of the four project objectives. First, reliability could not be ensured due to required compliance with rail safety work rules near the active tracks. Given Caltrain's planned four-track expansion and the 80-foot width of much of the ROW, the transmission line would have to be installed within 15 feet of active rail lines along many parts of the Caltrain route segment, requiring compliance with restricted access rules which would inhibit PG&E's immediate response to line outages. Second, this alternative would likely fail to achieve the objective of meeting electric demand by September 2005 or summer 2006 due to the especially difficult and complicated construction required in the constrained ROW. In addition, there are two potentially significant technical feasibility concerns related to the Caltrain ROW Alternative: (a) lack of space in some portions of the ROW, (b) potential conflict with existing utilities, which includes potential interference between the line protection facilities and the railroad communication system and other utilities within the ROW.

Other Transmission Alternatives

San Mateo Substation to Martin Substation

Alternative Description. This alternative would consist of a new 230 kV underground cable constructed between San Mateo and Martin Substations following PG&E's existing 230 kV underground route near Highway 101. From the San Mateo Substation, it would cross the Coyote Point Recreation Area to the Highway 101 corridor, then parallel Highway 101 along Airport Boulevard/Old Bayshore Highway. It would be within El Camino Real for 1.3 miles, then turn east for two blocks and then north into San Antonio/Huntington Avenues to Herman Street, into Linden Avenue and Baden Avenue, then north into Bayshore Boulevard to the Martin Substation. At 14.3 miles, this alternative would have the shortest overall transmission line route of those considered.

Rationale for Elimination. No net reliability benefit because it still originated at the San Mateo Substation. Does not connect Jefferson Substation to Martin Substation; therefore it would not satisfy the fourth project objective. Feasibility concerns related to the availability of adequate space within the city streets, given that the existing 230 kV transmission line is already located there and there are also other underground utilities. Cultural resource impacts may be greater than for the Proposed Project, because areas nearer to the San Francisco Bay have greater sensitivity from past land uses. Potential for encountering contamination would be greater.

Moraga Substation to Potrero or Embarcadero Substations

Alternative Description. In this "cross-bay" alternative, an approximately 20-mile 230 kV circuit would be constructed to connect PG&E's Moraga and Potrero Substations using an existing overhead transmission corridor from Moraga Substation (in Contra Costa County) to Claremont Substation (Oakland) where the overhead route would transition to underground. From Claremont Substation the underground line would follow the following streets: Broadway, Shafter, Forest, Claremont, Telegraph, and 40th Street. It would then follow Emery Street and Peralta Street to 7th Street, which would be followed to the San Francisco Bay.

There are four options for crossing the San Francisco Bay: (a) run the cable through the BART service tunnel; (b) hang the cables from the Bay Bridge (new bridge in east half; existing bridge in west half); (c) install a submarine cable across the Bay; or (d) use a combination of hanging on the Bay Bridge and a submarine cable. Within the CCSF after the Bay crossing, the route would travel 3.3 miles south along The Embarcadero, turn west onto King Street, southwest onto 3rd Street, and south onto Illinois Street to the corner of 23rd Street. Potrero Substation is located at 23rd Street and Illinois Street. The option terminating at Embarcadero Substation would end at First and Folsom Streets.

Rationale for Elimination. PG&E has stated that it is not technically feasible to add another 230 kV line to the Embarcadero Substation, so this substation option was eliminated. The Moraga-Potrero Alternative would be regulatorily infeasible due to the likely inability to obtain permission to construct from BCDC, Caltrans, or BART (the three agencies with jurisdiction over bay crossing options) within a reasonable period of time. The following constraints were identified to the bay crossing options:

- **Submarine Cable Crossing.** The U.S. Army Corps of Engineers has stated that a bay crossing would be feasible according to its regulations but that installation would have to allow dredging operations. An electric cable installed across the San Francisco Bay would also require a permit from the Bay Conservation and Development Commission (BCDC), which must consider whether a feasible upland alternative exists to avoid a bay crossing. Because other alternatives clearly exist, the BCDC would be unlikely to permit a bay crossing in a reasonable period of time within the project objective time-frame (BCDC, 2003).
- **Bay Bridge Crossing.** If the Bay Bridge were used to support the line, the crossing would require that Caltrans grant an exception to its longitudinal encroachment policy, which is considered to be unlikely. Also, the timeline and coordination with the Bay Bridge Retrofit Project could conflict with this project.
- **Installation of Cable within Existing BART Tunnel.** According to BART staff, it would be technically possible to install a high voltage line in one of the BART tunnels, but there are serious BART concerns about loss of needed space in tunnels and about safety risks created.

Sobrante Substation to Potrero or Embarcadero Substations

Alternative Description. This route would start at PG&E's Sobrante Substation in Contra Costa County, traveling south for approximately 3.3 miles to join the Moraga line just north of the City of Orinda. From that point the route would turn west and would be identical to the Moraga route described above.

Rationale for Elimination. The feasibility concerns related to this alternative are the same as those for the Moraga to Potrero Alternative. Due to the infeasibility of the Bay crossing, this alternative was eliminated from full analysis in this EIR.

Jefferson to Various Substations

Alternative Description. The routes considered in this alternative would be the same as the Proposed Project through San Mateo County but would terminate north of Martin Substation in the CCSF. This alternative includes potential termination points at four PG&E Substations: Hunters Point Substation, Potrero Substation, Embarcadero Substation, Bayshore Substation, and Mission Substation. Only the Jefferson to Potrero/Hunters Point option is feasible because of space constraints.

Rationale for Elimination. Mission, Embarcadero, and Bayshore Substations are infeasible due to space constraints. None of the substations analyzed in this alternative would reduce or avoid significant impacts of the Proposed Project, but rather there would be increased construction disturbance due to the greater length of these routes.

Non-Wires Alternatives

New Generation Alternatives: Potrero Unit 7

Alternative Description. Mirant Corporation filed an Application for Certification (AFC) with the California Energy Commission (CEC) on May 31, 2000 for the proposed Potrero Unit 7 project, a 540 MW natural gas-fired, combined cycle power generating facility in San Francisco. CEC staff's Final Staff Assessment was completed in February 2002 and recommended that the Energy Commission license the Potrero Power Plant Unit 7 Project with mitigation that included replacement of the proposed once-through cooling system with an alternative cooling system and air quality mitigation to reduce local diesel emissions from buses and trucks. In May 2003, Mirant stated that it would file an AFC amendment to propose use of hybrid cooling and eliminate the previously proposed once-through cooling system. Other concerns about the effects of Potrero Unit 7 relate to public health, safety, and environmental justice due to visual impacts, emissions, and noise from operation of the power plant in an area of disproportionate minority population. In July 2003, Mirant Corporation filed for Chapter 11 bankruptcy protection. It is unclear whether this action will affect Potrero. On November 5, 2003, Mirant requested that the CEC suspend the Unit 7 proceeding.

Another option for new generation in the CCSF would be use of four 45 MW gas turbines to be provided to the CCSF by the Williams Energy Company. The City expects to file an Application for Certification with the CEC, the CEQA lead agency, by the end of 2003. The City expects the generators could be operational in 2005 (preliminary schedule).

Rationale for Elimination. The new generation alternatives have not been approved, and there is no guarantee that they will be approved. If approved, construction would take at least two years, so these alternatives could not meet the objective of meeting electric demand in 2005/2006. Also, construction of either power plant would likely allow retirement of the Hunters Point Power Plant, so the net benefit to the San Francisco Peninsula would be greatly reduced.

These power plant alternatives do not connect the Jefferson and Martin Substations, so they do not satisfy the fourth project objective. There are regulatory feasibility constraints to project(s) approval. While these constraints with Potrero Unit 7 have been primarily related to the previously proposed once-through cooling system, it remains to be seen what other issues may arise from evaluation of the new cooling system proposal. There may be siting constraints associated with placing the Williams turbines in the CCSF.

Renewable Resource Alternatives: Solar, Wind, and Tidal Technologies

Alternatives Description. The principal renewable electricity generation technologies are wind, solar, and tidal energy. In all cases, large amounts of land or underwater habit would be required to meet the project objectives. Transmission of the power generated by these technologies would also be required.

Rationale for Elimination. Except for increasing diversity, renewable resource alternatives do not meet the stated project objectives. There are reliability concerns with wind and solar technology because of the need for a consistent wind or solar source. The extensive land required to generate enough wind or solar electricity to meet demand is not available in the project area, and new transmission would be required from an out-of-area source, creating biological, visual, land use, and cultural impacts similar to those of the Proposed Project. Tidal technology is not yet a feasible technology on the scale required to replace the Jefferson-Martin project. There are substantial cost and regulatory hurdles to overcome before they can provide substantial amounts of power.

System Enhancement Alternatives: Distributed Generation and Demand-side Management

Alternatives Description. Distributed Generation (DG) is defined as “generation, storage, or demand-side management devices, measures, and/or technologies connected to the distribution level of the transportation and distribution grid, usually located at or near the intended place of use” and could include technologies including microturbines, internal combustion engines, combined heat and power (CHP) applications, fuel cells, photovoltaics and other solar energy systems, wind, landfill gas, digester gas and geothermal power generation technologies. To the extent that it is established, DG either can act to reduce the load on the PG&E system or can be applied as additional system generation.

Demand-side management programs are designed to reduce customer energy consumption. Regulatory requirements dictate that both supply-side and demand-side resource options should be considered in a utility's plan to acquire lowest cost resources. One goal of these programs is to reduce overall electricity use. Some programs also attempt to shift such energy use to off-peak periods.

Rationale for Elimination. DG would not provide a means for PG&E to meet its objectives for the project because of the comparatively small capacity of DG systems and the relatively high cost. A number of serious barriers, including technical issues, business practices, and regulatory policies, make interconnection to the electrical grid for small generators difficult. Broad use of distributed resources would likely require regulatory support and technological improvements. Lengthy local permitting processes would make it unlikely to construct sufficient quantities of DG within the timeframe required for the Proposed Project.

Integrated Resource Alternatives

Alternatives Description. An integrated resources alternative could be made up of several components, rather than consideration of only a single transmission line project. Taken together and if implemented, they would diversify the system and would add needed capacity. The components could include a combination of demand-side management, transmission system upgrades, development of solar power and other renewables, distributed generation, and new generating facilities or cogeneration facilities. This type of integrated resources planning is being implemented by the CCSF, with the combination of its Electricity Plan and the Williams turbines discussed above.

Rationale for Elimination. Despite aggressive planning efforts by the CCSF, even if implemented by the 2005 to 2006 timeframe, these options would not supply sufficient power (or energy savings) to allow elimination of the Jefferson-Martin Project. This alternative does not connect Jefferson Substation to Martin Substation, and therefore does not satisfy the fourth project objective. The configuration of the options implemented would determine overall effects of this alternative. Each of these components is technically feasible, and each could be implemented on a limited scale in CCSF and northern San Mateo County. However, each also has environmental and regulatory obstacles to their implementation. The combination of these alternatives would have no fewer obstacles than they would individually.

3. Environmental Impacts and Mitigation Measures

Impact Assessment Methodology. The analysis of environmental impacts is based upon the environmental setting applicable to each resource/issue and the manner in which the construction, operation and maintenance of the Proposed Project or alternatives would affect the environmental setting and related resource conditions. In accordance with CEQA requirements and guidelines, the impact assessment methodology also considers the following three topics: (1) the regulatory setting, and evaluates whether

the Proposed Project or alternatives would be consistent with adopted federal, State and local regulations and guidelines, (2) growth-inducing impacts, and (3) cumulative impacts. Regulatory compliance issues are discussed in each resource/issue area section. The EIR document is organized according to the following major issue area categories:

- Land Use
- Visual Resources
- Biological Resources
- Cultural Resources
- Geology, Soils, and Paleontology
- Hydrology and Water Quality
- Public Health & Safety
- Recreation
- Air Quality
- Noise
- Transportation & Traffic
- Socioeconomics
- Public Services & Utilities

In order to provide for a comprehensive and systematic evaluation of potential environmental consequences to the resource/issue areas, the environmental impact assessments for the Proposed Project and alternatives are based upon a classification system, with the following four associated definitions:

Class I: Significant impact; cannot be mitigated to a level that is not significant

Class II: Significant impact; can be mitigated to a level that is not significant

Class III: Adverse impact, less than significant

Class IV: Beneficial impacts

In a number of instances, PG&E has proposed measures to reduce impacts to potentially affected resources or areas. These types of actions are termed ‘Applicant-Proposed Measures’ in the EIR and are considered in the impact assessment as part of PG&E’s Proposed Project description. As such, these measures are different from CEQA mitigation measures, described below.

Mitigation Measures. The EIR describes feasible measures that could minimize significant adverse impacts (CEQA Guidelines Section 15226.4). Within each issue area, mitigation measures are recommended where environmental effects could be substantially minimized. Since some reviewing agencies require a demonstration of reduction of impacts to the maximum extent possible, mitigation measures have been identified for all classes of impacts (except beneficial impacts). The mitigation measures recommended by this study have been identified in the impact assessment sections of the EIR and are presented in Mitigation Monitoring Program tables at the end of the analysis for each resource/issue area.

The major findings of the EIR analysis are summarized below according to resource issue area. Regulatory issues pertinent to each resource are identified, along with a summary of the primary Class I (significant, unmitigable) and Class II (significant, mitigable) impacts that would be expected from the construction and operation of the Proposed Project. Comparative effects of the alternatives are also provided. Impact findings and mitigation measures for the Proposed Project and alternatives are summarized in Tables ES-4 and ES-5, at the end of this Executive Summary.

3.1 Land Use

3.1.1 Proposed Project

Overhead Segment. The analysis finds that the overhead portion of the Proposed Project would conflict with San Mateo County General Plan policies related to biological resources and visual quality, and would conflict with the County’s Tree Preservation Ordinance and Heritage Tree Ordinance, the SFPUC’s Watershed Plan, and the NPS easements. Within the Edgewood County Park and Pulgas Ridge Open

Space Preserve, the Proposed Project would require conversion of lands purchased with the Land and Water Conservation Fund out of recreational use, which would conflict with the Land and Water Conservation Fund Act and according to the NPS would require a permit for conversion of land for non-recreational use, along with any required permit conditions. The proposed transition station site in the City of San Bruno would also conflict with future development planned for that site. Other land use impacts would be related to construction disturbances because there is a potential for construction activities and staging areas to disrupt maintenance activities on SFPUC Watershed Lands or cause a temporary nuisance in nearby residential areas.

Mitigation measures identified in the analyses for Biological Resources would mitigate the impacts related to San Mateo County policy conflicts, but significant visual impacts would create policy conflicts. To mitigate the potential impact on SFPUC maintenance activities and nearby residences, PG&E would be required to coordinate construction activities on Watershed Lands with the SFPUC and provide advance notification of affected property owners of work. Other mitigation would provide a complaints coordinator, with procedures to be established for responding to complaints. For disrupted access, PG&E would be required to lay a crossing trench upon demand when alternative access is unavailable, and to provide alternative parking arrangements for businesses with off-street parking lots that would be blocked during construction. With these mitigation measures, these would be adverse but not significant land use impacts relating to an underground crossing of the San Andreas Fault creating a seismic and reliability risk.

Mitigating the conflict with the Land and Water Conservation Fund Act would require selecting a project alternative for the southernmost segment of the Proposed Project or requiring NPS approval with any attached conditions. The only approach available to mitigate the land use conflict created by the proposed transition station would be to select one of the alternative transition station locations. The proposed transition station site creates a significant and unmitigable impact.

Underground Segment. Construction disturbances would also occur to residences, businesses, and schools throughout the underground portion of the alignment. Trench construction could also create temporary disruptions in access to properties or require minor detours, though it is not anticipated that access would be precluded at any location. The mitigation measures identified for the overhead segment would be applicable to the underground segment. With the mitigation measures, the land use impacts for the underground segment would be reduced to a level that would not be significant.

3.1.2 Alternatives

Southern Segment Alternatives

Route Option 1B. This all-underground alternative segment would avoid conflicts with San Mateo County tree ordinances and visual quality policies and would substantially reduce the conflicts with the County's biological resources policies that are identified for the Proposed Project. It would also avoid the potential conflict with SFPUC maintenance activities because it would be located entirely within paved roadways. It could, however, conflict with Watershed Plan policies depending on the method of crossing the Crystal Springs Dam. Construction impacts would be greater than those of the Proposed Project because of the continuous trenching in roadways; however, much of this activity would not be near residences or other sensitive receptors. This alternative would eliminate the significant impact related to the transition station site since it would be entirely underground and would connect to the proposed route at El Camino Real and San Bruno Avenue. With measures similar to those identified for the Proposed Project, all other land use impacts could be reduced to a level that would be less than significant.

Partial Underground Alternative. The Partial Underground Alternative would reduce conflicts with local visual quality policies, but this benefit would be offset by greater biological impacts for the underground work. With measures similar to those identified for the Proposed Project, all land use impacts, except for the impact related to the proposed transition station, could be reduced to a level that would be less than significant. This alternative would not eliminate the significant visual and land use impacts related to the transition station site since, like the proposed route, it would extend to San Bruno Avenue and Skyline Boulevard. However, any of the three transition station alternatives (see below under Northern Segment and Transition Station Alternatives) would eliminate those impacts.

Transition Station Alternatives. Two transition station alternatives would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives:

- **Trousdale Drive Transition Tower Alternatives.** The two optional locations for the Trousdale Drive Transition Tower would be within SFPUC Peninsula Watershed Lands, in unincorporated San Mateo County. Because of the SFPUC jurisdiction, either location could result in policy conflict impacts with respect to County visual quality and biological resources policies and tree ordinances. With implementation of mitigation measures protecting sensitive habitat and trees, and measures for visual screening, the potentially significant land use impacts would be reduced to a level that would be less than significant.
- **Golf Course Drive Transition Station Alternative.** This transition station site would be located on an undeveloped site at the intersection of Hayne Road, Golf Course Drive, and Skyline Boulevard, in unincorporated San Mateo County. Construction of this alternative station would not result in disturbances or disrupted access to adjacent land uses because of its isolated location. This location could result in policy conflict impacts with respect to County visual quality policies and tree ordinances, but it would not result in biological resources policy conflicts. With implementation of recommended mitigation measures, all land use impacts could be reduced to a level that would be less than significant.

Northern Segment and Transition Station Alternatives

Because all of the Northern Area alternatives would be entirely underground, they would have the same types of impacts identified for the Proposed Project, with variations in degree of construction impacts. Because most of the northern segment alternatives were developed to avoid impacts to adjacent and established land uses, they would generally result in reduced construction impacts in comparison to the Proposed Project.

Three transition station alternatives could replace the proposed transition station:

- **West of Skyline Transition Station Alternative (with all route alignments).** The West of Skyline Transition Station would avoid the conflict with planned future development that was identified for the proposed transition station; however, impacts to Peninsula Watershed and San Mateo County policies related to biological resources and visual quality would occur, as would impacts related to tree ordinances. With measures identified for the Proposed Project, all land use impacts could be reduced to a level that would be less than significant.
- **Sneath Lane Transition Station Alternative (with all route alignments).** The Sneath Lane Transition Station would avoid the conflict with planned future development that was identified for the proposed transition station, and it would minimize impacts related to the land use compatibility because the transition station would be adjacent to the Sneath Lane Substation. With measures identified for the Proposed Project, all land use impacts could be reduced to a level that would be less than significant.

- **Glenview Drive Transition Tower Alternative.** The Glenview Drive Transition Tower site was recommended by the City of San Bruno to avoid the significant conflicts with planned future land uses at the location of the Proposed Project transition station. The Glenview Drive Transition Tower would be generally compatible with an adjacent public utility (water supply tank) and isolated from other neighboring uses. Because it would be compatible with surrounding land uses and with San Bruno General Plan policies, all land use impacts would be less than significant.

Cherry Avenue Alternative. By avoiding businesses that would otherwise be affected by disruptions or nuisances during construction, this alternative would minimize impacts to adjacent land uses. With mitigation, all land use impacts would be less than significant.

Modified Existing 230 kV Alternative. This alternative would result in ~~a new~~ land use impacts not identified for the Proposed Project, by disrupting the use of a large commercial long-term parking lot in South San Francisco used by air travelers flying out of San Francisco International Airport and disrupting access to hotels in South San Francisco. As mitigation, PG&E would need to compensate the parking lot owner for lost income, to mitigate this impact and PG&E would need to make arrangements with the affected hotels to provide them with continuous access through construction. The Modified Existing 230 kV alternative would also result in similar construction-related impacts to those identified for the Proposed Project, though it would result in an overall reduced degree of disturbance given that it is nearly four miles shorter than the Proposed Project's underground segment. With mitigation, all land use impacts would be less than significant. Several of the six route options considered for this alternative would further reduce land use impacts by avoiding the airport parking lot and minimizing disturbance to commercial activities and parking lots.

Route Option 4B: East Market Street Alternative. By avoiding residences that would otherwise be affected by disruptions or nuisances during construction, this alternative would minimize impacts to adjacent land uses. With mitigation, all land use impacts, including impacts to nearby schools, would be less than significant.

Junipero Serra Alternative. By avoiding a substantial number of properties that would otherwise be affected by disruptions or nuisances during construction, this alternative would minimize impacts to adjacent land uses. With mitigation, all land use impacts would be less than significant.

No Project Alternative

Construction of new generation and transmission system upgrades would create noise, dust, and traffic disturbance to nearby land uses. If electric service were curtailed, existing land uses (including residential, commercial, and industrial uses) would incur inconvenience, at the least, and possible financial losses with potential effects on future area growth.

3.2 Visual Resources

3.2.1 Proposed Project

Overhead Segment. The overhead segment of the Proposed Project would be located in highly scenic corridor along I-280, with extended views of the Coast Range and the SFPUC's water storage reservoirs. Visual impacts from transmission facilities represent long-term changes to the aesthetic environment where overhead facilities are proposed. Because there is an existing 60 kV power line in the corridor where the Proposed Project would be constructed, impacts are assessed in terms of the incremental increase in visual impact that would be created by the Proposed Project. Installation of the overhead portion of the Proposed Project would result in the long-term visibility of larger transmission

structures, increasing the industrial character to the existing landscape. Of the 18 key viewpoints that were established along the overhead portion of the Proposed Project, five would be exposed to significant, unmitigable visual changes. These significant impacts would occur at Edgewood County Park, from the I-280 southbound vista point, which has a panoramic view of the area, and from residential areas that line the eastern edge of the corridor (the San Mateo Highlands and areas of the Town of Hillsborough and City of Burlingame). In addition, the proposed transition station at the west end of San Bruno Avenue is identified as a significant visual impact due to its introduction of industrial character and prominent structures to a scenic corridor with nearby residential and recreational use.

Potentially significant visual changes are identified at 8 other key observation points. In these areas mitigation measures are recommended to would reduce impacts to less than significant levels. Mitigation measures include the identification of specific locations where the elimination and/or relocation of specific towers would reduce visibility of the transmission line, recommended painting of towers with appropriate colors that would blend with the immediate surroundings, and use of steel poles rather than lattice towers (as proposed by PG&E). Mitigation of construction impacts would be accomplished through screening of construction activities from nearby residences with temporary screening fencing. Mitigation in the form of additional vegetative screening is also recommended for the proposed transition station, although this mitigation would not eliminate the significant impact of the structure.

The Proposed Project would also cause short-term visual impacts associated with the visibility of project construction equipment, materials, and personnel as well as construction staging areas. However, due to the relatively short duration of project construction, these impacts would constitute adverse, but not significant visual impacts.

Underground Segment. The underground portion of the Proposed Project would be located beneath existing paved streets or transportation rights-of-way. No significant visual impacts are identified in this segment, and no mitigation measures are recommended.

3.2.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Route Option 1B would be entirely underground within paved roads, except for ~~one option for the~~ crossing of Crystal Springs Dam. While the original If an overhead crossing of Crystal Springs Dam would create significant visual impacts due to the installation of two new transition structures, is required, a modified overhead crossing option has been identified to eliminate potentially significant visual impacts. the two transition structures (one north and one south of the dam) would result in significant visual impacts because of their introduction of complex industrial features into the natural landscape around the dam. Vegetative screening is proposed as a measure to mitigate this impact but it would not be reduced to a level that would be less than significant. Implementation of the modified overhead crossing, however, would require only one transition structure in a location that would cause no adverse impacts. Proper vegetative screening would further reduce the visual impact of the modified overhead crossing.

Partial Underground Alternative. The Partial Underground Alternative would modify the proposed route to avoid visual and other impacts in four sensitive areas: in Edgewood Park and Pulgas Ridge Preserve, and adjacent to three residential areas (San Mateo Highlands, Town of Hillsborough, and Burlingame). This alternative would eliminate significant visual impacts in each of those four locations along the proposed route. However, it would also create new significant impacts by introducing new transmission towers and transition structures in four areas (along Cañada Road near Edgewood Road, at

the crossing of I-280 at the Carolands Substation, and at two of the four transition structure locations adjacent to the Town of Hillsborough). The locations of the two transition structures north and south of San Mateo Creek were modified in Final EIR mitigation measures as a result of comments on the Draft EIR. The transition tower originally located at Tower 6/37 has been relocated to just north of Tower 6/36, and the transition tower originally at the proposed location of Tower 7/39 has been relocated so it would be 100 feet north of its proposed location and at least 100 feet from any residence. However, the significant visual impacts created by the Partial Underground of the a Alternative would be more than offset by the beneficial removal of towers from Edgewood Park, the Pulgas Ridge Preserve, and the Burlingame residential area, as well as the undergrounding of the line adjacent to Hillsborough and San Mateo Highlands residences.

Transition Station Alternatives. Two transition station alternatives would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives:

- **Trousdale Drive Transition Tower Alternatives.** The two optional locations for the Trousdale Drive Transition Tower would introduce industrial features to the Watershed Lands, in a predominantly natural setting lacking such features. In either case, however, the tower would cause less than significant impacts because it would not be visible to the public because there is no public visual access to this area. With effective implementation of structure painting and landscaping, the impact would be further reduced.
- **Golf Course Drive Transition Station Alternative.** Although the freeway and overpass would be immediately adjacent to this alternative location of the transition station, between Golf Course Drive and the Hayne Road off-ramp, this location would be visible to motorists from the golf course and patrons of the golf course. The resulting visual impact would be potentially significant, but mitigable to less than significant levels with implementation of structure painting and the strategic planting of new trees. If this transition station alternative is implemented with the Partial Underground Alternative, it would eliminate a significant visual impact related to the transition structure near Carolands Substation.

Northern Segment and Transition Station Alternatives

Three transition station alternatives could replace the proposed transition station:

- **West of Skyline Transition Station Alternative.** The West of Skyline Transition Station would introduce a complex industrial feature adjacent to Skyline Boulevard and the San Andreas Trail, where there are no other industrial features except for the existing 60 kV transmission line. The resulting visual impact would be potentially significant, but mitigable to less than significant levels by installing vegetative screening for the lower portion of the facility, and by considering installation of a transition pole rather than a station.
- **Sneath Lane Transition Station Alternative.** The addition of the transition facilities next to the Sneath Lane Substation would add industrial features to an already industrial setting containing similar features, with limited public visual access. Effective implementation of screening and landscaping would further reduce the potential visual impact by ensuring that a majority of the complex industrial forms are screened from public view; the impact would be less than significant.
- **Glenview Drive Transition Tower Alternative.** Placement of the transition facilities in the tree-lined divider between Skyline Boulevard and Glenview Drive would allow the station to be obstructed from the vision of most motorists. The resulting visual impact would be adverse and less than significant. With effective implementation of structure painting and landscaping, the impact would be further reduced.

Underground Transmission Line Routes. There are six underground transmission line routes that are evaluated in the EIR (Sneath Lane, Westborough Boulevard, Cherry Avenue, Modified Existing 230 kV, Route Option 4B – East Market Street, and Junipero Serra). The underground routes would not be visible during project operation and no long-term visual impacts would occur. The only visual impact would be during construction when equipment and materials would be visible, especially at staging areas. However, all impacts would be short-term and less than significant.

No Project Alternative

To the extent that visual impacts would result from the upgrades to the PG&E transmission system, impacts would be adverse but less than significant. Installation of the four CCSF turbines may result in significant adverse visual impacts. However, given that the proposed locations for the turbines are more industrial and urban in character compared to the Proposed Project, it is anticipated that the resulting visual impacts would be less than those of the Proposed Project and easier to mitigate.

3.3 Biological Resources

3.3.1 Proposed Project

Overhead Segment. The overhead segment of the Proposed Project is located in a corridor with high biological sensitivity with the SFPUC Peninsula Watershed and serpentine grasslands. Activities related to the construction, operation, and maintenance of the Proposed Project may cause direct and indirect impacts to sensitive vegetation types and special status plant species. Impacts to Biological Resources would range from temporary to permanent in duration. The following impacts would result from the overhead segment of the Proposed Project:

- **Temporary and/or Permanent Loss of Sensitive Vegetation Communities.** The Proposed Project could result in permanent loss and/or temporary disturbance to sensitive plant communities and special status species. Specific issues considered under this impact topic include impacts of invasive species, wetlands and riparian vegetation effects, and effects to serpentine grasslands and special status species. Surface disturbance to non-sensitive and wide ranging plant communities (e.g., annual grassland plant communities) are generally considered less than significant, whereas surface disturbance to highly sensitive plant communities (e.g., serpentine grassland in the vicinity of Edge-wood Park and Preserve) would be considered a potentially significant impact, mitigable to less than significant levels even-with implementation of mitigation.
- **Loss of or Damage to Trees.** A limited number of trees would be permanently removed or trimmed to install the new tower footings.
- **Erosion and Sedimentation.** Erosion and sedimentation can temporarily or permanently damage vegetation communities by removing or substantially disrupting surface soil layers. Drainages, wetlands, and riparian areas could be substantially degraded by the accumulation of sediments and alteration of natural hydrologic characteristics.
- **Wildlife Habitat Removal.** Wildlife habitat removal includes activities such as: (1) ground surface grading and blading, (2) tree or shrub removal, (3) tree trimming, or (4) scraping of road surfaces that disturbs surface and subsurface soils. Each of these activities could effectively remove existing habitat, thereby reducing its availability to local wildlife populations.
- **Wildlife Disturbance from Human Presence.** Indirect impacts on wildlife could occur as a result of noise and increased human presence throughout the project area, with heaviest concentrations occurring during access to and construction at tower locations, during stringing of the line, and at construction staging and pulling areas.

- **Direct Wildlife Mortality.** Direct loss of small mammals, reptiles, and other less mobile species could result primarily from the use of construction vehicles during stringing of the line, and use of other construction or maintenance vehicles within the 100-foot ROW. Clearing, grading, excavating and/or burying habitats could also lead to mortality of small mammals, reptiles, and nesting birds with eggs or young.
- **Bird Electrocution and Tower/Line Collisions.** Bird electrocutions could occur at the Jefferson and Ralston Substations or with any low voltage power lines (less than 69 kV) associated with these substations, where conductors are closer together than 80 inches (the wingspan of the largest North American raptor or waterfowl). Bird collisions with power lines generally occur when: (1) a power line or other aerial structure transects a daily flight path used by a concentration of birds, and (2) migrants are traveling at reduced altitudes and encounter tall structures in their path. The potential for bird collisions with the Proposed Project's power lines or substation facilities occurs in all areas of the overhead transmission line, and is greatest in those locations that are near the open water and wetlands associated with Upper and Lower Crystal Springs Reservoirs and San Andreas Lake.
- **Habitat Removal or Disturbance of Special Status Wildlife Species.** Of 37 special status wildlife species identified as potentially occurring within the Proposed Project area, only 29 are considered to potentially be adversely impacted by the Proposed Project, due to the location of documented sightings, individual habitat requirements, and the species' nature and susceptibility to disturbance.

~~With the exception of surface disturbance to highly sensitive plant communities (e.g., serpentine grassland in the vicinity of Edgewood Park and Preserve,), which is a significant impact even with mitigation, all other~~ potentially significant impacts would be reduced to less than significant with implementation of mitigation. Mitigation measures are recommended to reduce impacts to wildlife, including requirements for pre-construction wildlife surveys, use of exclusion flagging or fencing to mark and protect sensitive wildlife habitat and other vegetation, implementing a Worker Environmental Awareness Program for construction crews, surveys for nesting raptors, and bird electrocution and collision protection requirements.

Mitigation measures present specific protective requirements for the following special status wildlife species: Edgewood Blind and Edgewood Park Microblind Harvestman, Bay Checkerspot Butterfly, Mission Blue Butterfly, San Bruno Elfin Butterfly, Callippe Silverspot Butterfly, Ricksecker's Water Scavenger Beetle, California Tiger Salamander, California Red-Legged Frog, San Francisco Garter Snake, Western Pond Turtle, nesting songbirds, raptor species, ~~special-status tree roosting bats (Pallid Bat, Long Eared Myotis, Long Legged Myotis), and the San Francisco Dusky-Footed Woodrat.~~

Underground Segment. The underground transmission line portion of the Proposed Project route is generally located within a heavily urbanized and developed area. With the exception of the disturbed non-native grassland along the BART ROW construction areas, no wildlife habitats would be directly affected by the underground portion of the alignment. Indirect impacts, including fugitive dust emissions, could occur to potentially suitable habitat for special status butterflies in the San Bruno Mountain area. This potential impact, however, will be mitigated to less than significant levels with implementation of dust and erosion control measures.

3.3.2 Alternatives

Southern Segment Alternatives

Route Option 1B - Underground. Most construction of this alternative would occur within paved roadways, no overhead towers would be constructed or removed, and no new conductors and fiber optic wires would present collision potential for birds. Therefore, this alternative would greatly reduce the effects of the Proposed Project on biological resources. There are several options presented to avoid sensitive

California red-legged frog (CRLF) habitat and associated vegetation on the Crystal Springs Dam. Among ~~five-six~~ options for crossing the dam, PG&E has suggested use of an approximately 3,000-foot underwater cable to bypass the dam and its population of CRLF. The cable would diverge from Cañada Road south and north of the dam and would be installed down the bank and into the lake. CPUC staff developed ~~a-the~~ sixth option of an overhead transmission line segment across San Mateo Creek. This overhead option would limit construction to existing roadways and would not impact any vegetation communities, except at two transition stations connecting conductors at the San Mateo Creek Gorge. While this alternative would likely result in permanent and temporary impacts to vegetation, surveys did not identify rare plants or sensitive plant communities and wildlife at these locations. In addition, PG&E has suggested a modified overhead crossing of San Mateo Creek east of the dam that would avoid impact to CRLF at the dam; impacts of this crossing would be less than those of the original overhead crossing. Effective application of the mitigation developed for vegetation and wildlife impacts resulting from the Proposed Project would reduce potential impacts of this alternative to less than significant levels.

Partial Underground Alternative. The overhead transmission line portions of this alternative would result in similar types of impacts and require the same mitigation as those described for the Proposed Project. Impacts would still occur in Edgewood Park, but from tower removal only (no new towers would be installed), ~~so the significant impact of the Proposed Project would not occur with this alternative.~~ An overhead portion of the alternative route would pass through an area known as “The Triangle” (bounded by Edgewood Road, Cañada Road, and Interstate 280), that contains sensitive plant species. With recommended mitigation to locate towers outside of sensitive habitat, impacts are mitigable to less than significant levels. The underground segments of the Partial Underground Alternative would result in trenching activities in areas that are known to support serpentine grassland habitat, adjacent to the residential areas of San Mateo Highlands and the Town of Hillsborough. The underground transmission line would be installed within existing dirt roads that parallel the existing 60 kV power line corridor, but temporary construction disturbance would extend into undisturbed areas east and west of the existing road. Temporary impacts to serpentine grasslands would result from removal of existing vegetation, and could result from vegetation trampling associated with foot and vehicular traffic. These temporary impacts to the serpentine grasslands would affect areas of special status species that are known to occur in this vicinity, including plants such as fragrant fritillary, fountain thistle, and Marin western flax, and wildlife such as the Bay checkerspot butterfly. Mitigation specific to this alternative would restrict the ROW in these sensitive areas to a 40-foot wide corridor, where possible, in order to reduce potential impacts to less than significant.

Trenching could result in permanent impacts to serpentine grasslands both within and adjacent to the areas being trenched by altering the existing soil conditions (i.e., soil composition and compaction) and the existing hydrology (i.e., existing surface and groundwater flow, erosion, sedimentation). Measures specific to reestablishing the pre-existing soil and vegetation conditions following trenching (e.g., proper compaction, topsoil replacement, revegetation with native seed mix, vegetation success monitoring) would be necessary to reduce these potential impacts to less than significant.

The Partial Underground Alternative also includes a route segment that would follow a new corridor west of I-280 in order to eliminate the existing and proposed towers from the area adjacent to residences in Burlingame. This alternative route segment would avoid serpentine grasslands, as well as move the route away from residences. However, the access to this alternative route segment is poor; and existing older dirt roads would need to be widened and improved, new tower sites developed, and conductor pull sites cleared. As a result, despite avoiding the serpentine area that would be affected by removal and construction of the four towers west of Burlingame, this alternative segment would create substantially greater disturbance.

The Partial Underground Alternative would require the conversion of Tower 6/37, just south of San Mateo Creek, to be an underground-to-overhead transition tower just south of the creek crossing. However, between Towers 6/36 and 6/37, there are many trees within the area that would be trenched for the underground line. Therefore, in order to minimize tree loss along this segment, a mitigation measure is recommended that modifies the location of the transition station to about 150 feet north of existing Tower 6/36; this would nearly eliminate tree loss in this area, resulting in an impact that is less than significant.

Transition Station Alternatives. Two transition station alternatives would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives:

- **Trousdale Drive Transition Tower Alternatives.** The transition station for the Partial Underground Alternative would be located in an area of non-native annual grassland, so no significant habitat impacts would occur. All mitigation measures recommended for the Proposed Project should be implemented in order to ensure that impacts would be less than significant.

The construction and operation of either of the Trousdale Drive Transition Tower sites would generally result in similar impacts as those described for the Proposed Project and the Partial Underground Alternative. Effective application of mitigation measures developed for vegetation and wildlife impacts resulting from the Proposed Project and West of Skyline Transition Station site would reduce these potential impacts to less than significant levels. The underground route from the Trousdale Drive Transition Towers would not result in any additional significant biological impacts since the routes would be within dirt and paved roads of the Watershed Lands, and then entirely in city streets, so would not likely impact vegetation or wildlife habitat.

- **Golf Course Drive Transition Station Alternative.** No impacts to sensitive habitats, wildlife or plant species are anticipated from construction at Golf Course Drive Transition Station site. Potential impacts resulting from the construction of a transition station at this site include impacts to ground-nesting birds and breeding birds and small animal mortality; however, most of these impacts would be considered less-than-significant. Implementation of mitigation requiring pre-construction ground-nesting bird surveys and wildlife protection measures during construction, would reduce any resulting significant impacts to a less than significant level.

Northern Segment and Transition Station Alternatives

Three transition station alternatives could replace the proposed transition station:

- **West of Skyline Transition Station Alternative.** The footprint of the West of Skyline Transition Station would permanently remove approximately 4,000 square feet of vegetation and wildlife habitat within the SFPUC watershed lands. The construction and operation of the West of Skyline Transition Station would generally result in similar impacts as those described for the Proposed Project, because construction would occur in the same ROW. The permanent removal of vegetation and wildlife habitat associated with construction would be considered a potentially significant impact if sensitive habitat or special status species are affected. As with the proposed transition station, electrical structures and ground wires at the alternative transition station could increase bird electrocution and collision-related mortalities. Effective application of mitigation measures would reduce these potential impacts to less than significant levels.
- **Sneath Lane Transition Station Alternative.** The Sneath Lane Transition Station would be placed on graded non-vegetated land adjacent to an existing substation (Sneath Lane Substation). The overhead and underground transmission line options associated with this alternative would be placed along existing and highly disturbed and non-vegetated roadways and in an area with existing power

line infrastructure. Due to the lack of vegetation and wildlife habitat and the high level of disturbances associated with this alternative, no impacts to biological resources are expected other than potential bird electrocution and collision impacts associated with the all transition station structures and conductors, including the proposed transition station. Effective implementation of mitigation for bird electrocution and collisions would reduce this potentially significant impact to less than significant.

- **Glenview Drive Transition Tower Alternative.** The construction and operation of the Glenview Drive Transition Tower would generally result in similar impacts as those described for the Proposed Project. Given the lack of habitat at the site, no impacts to vegetation are expected. However, due to the potential for wildlife impacts, pre-construction surveys should be completed. Similarly, electrical structures and ground wires at the transition station could increase bird electrocution and collision-related mortalities. Effective application of mitigation measures developed for vegetation and wildlife impacts resulting from the Proposed Project (Mitigation Measure B-1a through B-8b). The underground transmission line route from the Glenview Drive Transition Tower would not result in any additional biological impacts since the route would be in city streets and would not impact vegetation or wildlife habitat. Therefore, each of the route options is considered to have the same potential to impact biological resources.

Underground Transmission Line Routes. All of the northern segment alternatives would be placed underground in an urban/commercial setting within paved roadways, parking lots, the BART ROW, and/or adjacent to the UPRR ROW. The Modified Existing 230 kV Underground Alternative would cross a tributary of Colma Creek, and thus has potential to affect wetlands. Coordination with CDFG on the Stream Alteration Permit would be critical, and a directional drill or bored crossing would be required. In order to ensure that impacts are less than significant, PG&E would prepare and submit for CPUC and CDFG approval an HDD “frac-out” prevention and response plan. Beyond this tributary crossing, no impacts to biological resources are expected with the northern segment alternatives and no mitigation is proposed.

No Project Alternative

The components of the No Project Alternative would occur almost entirely within urban areas. Generation facilities would be placed at urban industrial sites where biological impacts would be minimal. The No Project Alternative includes the assumption that the San Mateo-Martin #4 reconductoring project would be completed, requiring construction across San Bruno Mountain in areas protected by the HCP. However, it is assumed that all biological impacts will be mitigated to less than significant levels through aggressive implementation of protective measures.

3.4 Cultural Resources

3.4.1 Proposed Project

~~Fifteen~~ Twenty-three cultural resources were identified in the vicinity of the Proposed Project area (defined as being within 200 feet of a project component). No evidence of surface or subsurface archaeological sites in the Proposed Project’s area of potential effect (APE), proposed for aboveground and underground construction (substations, towers, etc.) were identified as part of PG&E’s PEA.

Overhead Segment. The majority of identified historic or prehistoric resources in the vicinity of the project area are not located within the immediate boundaries of the Proposed Project overhead segment and no adverse impacts to known cultural resources are expected during the operation phase of the Proposed Project. Adverse impacts from construction activity would most likely result from encountering unanticipated cultural deposits. The following types of impacts to cultural resources were identified for the Proposed Project overhead segment:

- Inadvertent impacts may occur to known archaeological resources within and in the vicinity of the project area during construction and during activities associated with transportation, storage, and maintenance. One prehistoric archaeological site is believed to be located outside of the Project APE in the Carolands Substation to Transition Station though the site boundaries are unclear from site documentation. The area from MP 12.9–14.1 is designated as an Archaeological High-Probability Area due to the potential for encountering identified cultural resources or previously undetected cultural resources in this area. Implementation of Mitigation will ensure that impacts are less than significant.
- Impacts could also result from inadvertent or malicious vandalism or unauthorized collection of cultural resources on the surface of sites.
- Unknown and potentially significant cultural resources could exist within overhead and underground segments of the Proposed Project. Destruction of potentially significant cultural resources without mitigation would be a significant impact.

Mitigation measures are designed to address potential adverse effects on both known cultural resources, and unanticipated cultural resources during the construction phase of the Proposed Project. Mitigation measures include avoidance of cultural resources, training of construction personnel, construction monitoring, and the implementation of a Cultural Resource Treatment Plan. No mitigation is necessary for the operation phase of the Proposed Project.

No cultural resources were identified in the vicinity of the proposed transition station.

Underground Segment. Types of impacts to cultural resources would be same as described above for the overhead segment. However, a greater number of known cultural resources are within or near the project area of the underground segment, along San Bruno Avenue and the BART ROW. The eastern portion of San Bruno Avenue is considered an Archaeological High-Probability Area due to the potential for encountering cultural resources associated with an identified prehistoric site and/or previously undetected cultural resources in this area. One prehistoric archaeological site is located outside of the project APE in the vicinity of the project area, though the site boundaries are unclear from site documentation.

Three watercourse crossings (Colma Creek, Twelve Mile Creek, and an unnamed drainage near Spruce Avenue), and designated portions of the BART ROW are considered to be Archaeological High-Probability Areas. With respect to the BART ROW APE, a historic stone railroad bridge, ~~one-two~~ prehistoric sites, and four historic properties are located in this part of the study area. One prehistoric site is located just outside of the APE. Similar to the overhead segment, impacts to cultural resources along the underground segment would be less than significant with mitigation.

3.4.2 Alternatives

Archival research and field surveys resulted in the identification of ~~21-28~~ surface or subsurface archaeological sites or historic properties within 0.25 miles of alternative project routes, including two previously unrecorded prehistoric sites discovered during field survey. ~~Eight-Thirteen~~ cultural resources were identified within 200 feet of alternative routes.

Southern Segment Alternatives

Route Option 1B. The number of potential impacts to cultural resources is higher with PG&E Route Option 1B in comparison with the Proposed Project. PG&E Route Option 1B would avoid one prehistoric site and one water crossing and, with the original or modified overhead crossing of Crystal Springs Dam, could avoid effects to the a-historic dam itself. ~~H-~~however, this alternative would pass in closer proximity to eight prehistoric sites that would be otherwise avoided by the Proposed Project. The probability of encountering archaeological deposits associated with known and unanticipated prehistoric

resources is considered to be very high in the vicinity of the intersection of Trousdale and El Camino Real along both streets.

Crystal Springs Dam is an historic resource listed in the California Inventory of Historic Resources. The SFPUC has determined that installation of the cables on or around the dam (using one of several possible options presented by PG&E) would be feasible. Any method that involves the direct attachment of a cable to the dam, or would involve potential alterations to the setting of the dam has the potential to cause damage to or diminish the significance of an important historic resource. This could result in its integrity being diminished, and affect its potential eligibility to the CRHR, a potentially significant impact, mitigable to less than significant levels. An additional Mitigation Measure is incorporated in the EIR to ensure that the all impacts of this alternative are less than significant.

Partial Underground Alternative. Potential impacts from construction of the Partial Underground Alternative would be similar to those for the Proposed Project in the areas where the two routes overlap. The Partial Underground Alternative would also involve the crossing of four watercourses, all designated as Archaeological High-Probability Areas. This alternative would involve increased soil disturbance compared to the proposed route due to trenching associated with placing the transmission underground north of Highway 92, and through the relocation of the existing overhead lines near Edgewood Park and between San Andreas Lake and Lower Crystal Springs Reservoir. There is a resulting greater risk of encountering and adversely affecting previously unknown cultural resources with the Partial Underground Alternative compared to the Proposed Project. Implementation of Mitigation Measures would ensure that any impacts are less than significant.

Transition Station Alternatives. Two transition station alternatives (at Trousdale Drive and Golf Course Drive) would allow creation of hybrid alternatives among the Proposed Project and the two Southern Segment alternatives. There are no previously identified cultural resources in either location. Construction activities associated with building the Trousdale Drive Transition Towers could expose previously undetected cultural resources. Implementation of mitigation will ensure that any impacts are less than significant.

Northern Segment and Transition Station Alternatives

Three transition station alternatives could replace the proposed transition station:

- **West of Skyline Transition Station Alternative.** No cultural resources have been identified in the area of the West of Skyline Transition Station. Construction activities associated with transition station modification may expose previously undetected cultural resources. Implementation of mitigation measures generally described in the overhead segment discussion above will ensure that impacts are less than significant.
- **Sneath Lane Transition Station Alternative.** There are no previously identified cultural resources in either location. Construction activities associated with building the Sneath Lane Transition Station could expose previously undetected cultural resources. Implementation of mitigation will ensure that any impacts are less than significant.
- **Glenview Drive Transition Tower Alternative.** No cultural resources have been identified in the area of the Glenview Drive Transition Tower. Construction activities associated with the transition tower may expose previously undetected cultural resources. Implementation of mitigation measures generally described in the overhead segment discussion above would ensure that impacts are less than significant.

Underground Transmission Line Routes. The Cherry Avenue Alternative is in an area considered to be an Archaeological High-Probability Area due to the proximity of recorded sites in the area, and the potential for finding previously unknown cultural resources near San Bruno Creek and the former Bay shore. Use of Sneath Lane would also have increased potential effects on cultural resources, because it would pass in closer proximity to Golden Gate National Cemetery, prehistoric sites along San Bruno Creek, and one historic site near the intersection of Sneath Lane and Cherry Avenue. All other northern segment alternatives would have similar or fewer impacts on identified cultural resources. As mentioned above, construction activities could expose previously undetected cultural resources, however, mitigation measures would reduce potential impacts to less than significant levels.

No Project Alternative

Under the No Project Alternative, no adverse impacts to cultural resources would be expected from interruptible load programs, demand-side management, or curtailment of electric service. Adverse impacts to cultural resources could occur during earth disturbance associated with construction or modification of PG&E system upgrades and installation of new generation. Negative impacts to known or unanticipated cultural resources from these construction activities without mitigation could be significant. However, most projects require CEQA compliance, so protection of cultural resources would be required prior to construction.

3.5 Geology, Soils, and Paleontology

3.5.1 Proposed Project

Overhead Segment. This segment of the proposed route lies parallel to the San Andreas Fault and within one mile of the main active fault trace. The northern end of the segment crosses over the surface trace of the 1906 rupture in two places. U.S. Geological Survey (USGS) and other scientists conclude that there is a 62 percent probability of at least one magnitude 6.7 or greater quake, capable of causing widespread damage, striking the San Francisco Bay region before 2032. In the event of an earthquake along the San Andreas Fault adjacent to the project, this entire segment would be subject to severe groundshaking and near-field effects such as amplified ground motions in particular areas. In addition, the transmission towers in the vicinity of the fault crossings would be subject to the hazard of surface fault rupture, potentially causing damage or failure of tower structures. Impacts associated with overhead active fault crossings can be mitigated to less than significant levels because overhead lines are able to distribute fault displacements over a comparatively long span. Recommended mitigation requires fault crossings to be as close to perpendicular as possible and to place towers as far as feasible outside the area of the mapped fault traces.

In addition to impacts associated with fault rupture, a range of other potentially significant impacts could occur during construction. These impacts include soft or loose soils along the alignment that could affect tower foundations or excavation stability, slope instability caused by grading or fill, discovery of paleontological resources, and exposure of naturally occurring asbestos fibers. Other geologic hazards that could affect the project include strong groundshaking, seismically induced ground failure or liquefaction, and slope instability. Mitigation for these impacts would be accomplished through conducting geotechnical surveys, studies, and investigations that would define the best design to protect against geotechnical hazards, consulting a paleontologist, and implementing standard engineering methods for problematic and corrosive soils.

The proposed transition station site is located immediately adjacent between 100 to 250 feet east of to two the main active traces of the San Andreas Fault. ~~Because of the possible large offsets of up to 20 feet (the west side of the fault would move north relative to the east side) that could occur along these active traces, structures and equipment associated with the proposed transition station would unavoidably~~

~~be susceptible to impacts from surface fault rupture. Though it is likely that future rupture on the San Andreas Fault will follow the most active trace, over 100 feet away from the proposed transition station site, it is possible that a new splay or trace could develop at or near the proposed site. Fault rupture impacts to the proposed transition station would be less than significant with implementation of mitigation requiring that PG&E follow standard design codes for facilities in seismic zones. significant and not mitigable to a level that is less than significant.~~

Underground Segment. The types of impacts and mitigation measures discussed for the overhead segment would also apply to the underground segment of the Proposed Project. ~~However, one significant difference in impacts between the overhead and underground line portions of the project is that a portion of the underground line would cross traces of the active San Andreas Fault, a significant and unavoidable impact in the vicinity of the proposed transition station.~~ The underground line would ~~also~~ cross the trace of the potentially active Serra Fault; however, this fault is much less likely to rupture than the San Andreas Fault, ~~which is located over 100 feet east of the proposed eastern extent of the underground line. and~~ impacts are considered to be less than significant with mitigation that requires the fault crossing to be as close to perpendicular as possible to minimize the distance of the fault crossing. ~~In addition, the mitigation measure requires cable vaults on either side of the fault shall be oversized, leaving as much slack as possible in the cables.~~

3.5.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Route Option 1B would require construction of an almost entirely underground transmission line, resulting in a greater likelihood of construction impacts related to geology, soils and paleontological resources similar to those described above for the overhead line. ~~Project facilities along the this alternative alignment would be subject to surface fault rupture at crossings of active Cañada trace of the San Andreas Fault and the potentially active trace of the Serra Fault along Trousdale Drive. Fault rupture hazards associated with the active trace could not be mitigated to less than significant levels without an overhead fault crossing. However, mitigation that includes engineering requirements for underground cable crossings of faults is recommended to reduce impacts to the extent feasible. However, there would be no significant and unavoidable impacts associated with alternative, because it would avoid the San Andreas Fault crossing near the proposed transition station. Although this underground route alternative would be subject to surface fault rupture at crossings of potentially active traces of the San Andreas Fault, because this fault trace is considered potentially active rather than active, impacts are assessed as mitigable to less than significant levels.~~

Partial Underground Alternative. This alternative would primarily follow the proposed route and impacts to geology, soils and paleontological resources would be similar to those defined for the Proposed Project. In addition, this alignment would be subject to surface fault rupture at crossings of ~~potentially~~ active fault traces ~~(Cañada trace of the San Andreas Fault)~~. Because the ~~Cañada traces~~ would be crossed by an overhead line, the impact would be less than significant because the overhead lines would be able to distribute the fault displacement and mitigation would require that the crossings be as close to perpendicular to the fault as possible to make the segment cross the shortest distance within an active fault zone. ~~of the San Andreas Fault is considered potentially active rather than active, mitigation would reduce this impact to less than significant levels.~~

Transition Station Alternatives. Two transition station alternatives would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. There are no active faults or other sensitive geologic conditions on or immediately adjacent to the Trousdale Drive Transition Tower sites or the Golf Course Drive Transition Station site.

Northern Segment and Transition Station Alternatives

The Northern Segment Alternatives would all involve potentially significant, but mitigable impacts similar to those described above for the proposed overhead route segment. The discussions below focus on the most important geologic issue: the crossings of active faults.

Alternative Transition Stations. Three transition station alternatives could replace the proposed transition station. Similar to the proposed transition site, the sites for the West of Skyline and Sneath Lane alternative transition stations **and the Glenview Drive Transition Tower Alternative** would be located on or immediately adjacent to the active traces of the San Andreas Fault and within the Alquist-Priolo fault hazard zone. Connections from both alternative transition stations to all three potential underground route options (Sneath Lane, Westborough Boulevard, and the proposed route) would have to cross active traces of the San Andreas Fault. **The Glenview Drive Transition Tower would connect with the proposed route without crossing the active fault trace, but connections to the Sneath Lane and Westborough Boulevard routes would cross active faults.** The underground transmission lines leaving these **alternative** transition station sites, **with the exception of the proposed route leaving the Glenview Drive Alternative Transition Tower,** would be subject to fault rupture, a significant and unmitigable impact.

Junipero Serra Alternative. The buried transmission line along this alternative alignment would also be subject to significant and unavoidable fault rupture impacts associated with the underground line within Skyline Boulevard, which parallels the active traces of the San Andreas Fault. The route would cross the fault zone in Westborough Boulevard just east of Skyline Boulevard.

Other Underground Alternative Routes. There would be no significant and unmitigable impacts associated with the other underground alternative routes (Cherry Avenue, East Market Street, or the Modified 230 kV Underground ROW). The Cherry Avenue Alternative and East Market Street Alternative would not cross any fault traces and although the Modified 230 kV Underground ROW Alternative would cross one fault (Hillside Fault), the fault is not considered active or potentially active and crossing it would result in less than significant impacts.

No Project Alternative

The No Project Alternative scenario would result in the installation of new generation in the CCSF, and in improvements to existing utility systems. The utility system improvements would create only minor impacts to the geology and soil in the areas where upgrades of existing systems take place. New generation facilities would require analysis of geologic and seismic impacts, consideration of appropriate soils and foundations, and specific facility design to minimize damage in earthquakes or strong groundshaking.

3.6 Hydrology and Water Quality

3.6.1 Proposed Project

Overhead Segment. Most impacts to hydrology and water quality associated with the overhead segment of the proposed project would be assessed to be potentially significant, but mitigable to less than significant levels and would occur during the construction phase. These impacts would include: impacts from soil erosion and sedimentation from construction activity and access roads; potential degradation of surface or groundwater quality through (a) spill of potentially harmful materials used in construction, (b) accidental releases of oil from substations or the transition station or (c) water quality degradation through project-related excavation of contaminated soil or groundwater; and encroachments into a floodplain or watercourse by substations, transfer station, or power poles. An operational potentially significant impact identified is the potential release of oil at substations, switchyards, and tap locations.

Mitigation measures are proposed to reduce all potential impacts to less than significant, including ensuring compliance with the Peninsula Watershed Plan through review and approvals of project features by the San Francisco Public Utilities Commission; placing aboveground project features outside the flow path of watercourses; and (3) burying the underground portion of the line below the estimated 100-year depth of scour for streams.

Impacts associated with the aboveground segment that are found to be less than significant and that do not require mitigation measures are increased runoff from new impervious areas, and construction in a potential dam inundation area.

Underground Segment. Impacts associated with underground construction work would include most of the impacts described above for the aboveground segment, plus exposure of the underground cable to damage through stream scour and erosion and interruption of groundwater flow or modification of groundwater depths during construction of the underground cable. These impacts are potentially significant, but mitigable to less than significant levels with implementation of mitigation measures that require the transmission line burial depth to be extended below the estimated 100-year depth of scour for the subject streams and the characterization of groundwater hydrology and the development of specific means to minimize the impact on groundwater hydrology.

3.6.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Impacts for Route Option 1B would generally be similar to those for the Proposed Project because they would occur in the same watersheds and would affect the same water crossings. However, the risk of water contamination is substantially greater with Route Option 1B due to the much longer length of excavation, particularly within the Peninsula Watershed Lands. Implementation of recommended mitigation would ensure that impacts to surface and groundwater would be less than significant.

Partial Underground Alternative. Because this alternative would follow a similar route to the Proposed Project, impacts of this alternative are expected to be the same as those of the Proposed Project. However, because this alternative includes several miles of underground transmission line construction within unpaved areas (adjacent to the San Mateo Highlands and the Town of Hillsborough), there is a greater potential for erosion and sedimentation to affect water quality within the Peninsula Watershed. Implementation of recommended mitigation would be critical especially for the underground segments, and would ensure that all impacts would be less than significant.

Transition Station Alternatives. Two transition station alternatives would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives:

- **Trousdale Drive Transition Tower Alternatives.** These alternative transition towers would both be in locations that could drain to San Andreas Lake within the Peninsula Watershed, but impacts at the towers would be less than significant with implementation of recommended mitigation measures.
- **Golf Course Drive Transition Station Alternative.** The site is located approximately 2,000 feet east of Lower Crystal Springs Reservoir. There are no water crossings in the immediate vicinity of the site. Mitigation would reduce all potential impacts to less than significant levels.

Northern Segment and Transition Station Alternatives

Three transition station alternatives could replace the proposed transition station:

- **West of Skyline Transition Station Alternative.** The West of Skyline station would be located on currently undisturbed land adjacent to the San Andreas Trail, so would require grading and more extensive construction disturbance. Implementation of mitigation for erosion and sedimentation control would be important to ensure that impacts to water quality in the Peninsula Watershed would not be significant.
- **Sneath Lane Transition Station Alternative.** The Sneath Lane transition station would be located adjacent to the existing Sneath Lane Substation on an already graded and graveled area. Construction disturbance would be similar to that at the proposed transition station site, and mitigation would reduce impacts to less than significant levels.
- **Glenview Drive Transition Tower Alternative.** The Glenview Drive Transmission Tower site would be located on a disturbed site in a developed area. Construction disturbance would be similar to that at the proposed transition station site, and mitigation would ensure that impacts would be less than significant.

Underground Transmission Line Routes. All underground transmission line routes in the northern area would have similar impacts since they would be constructed in paved roadways. There is some variation among alternatives in the number of surface waterways crossed, but no significant differences in impact would result. The impacts of these underground alternatives would generally be similar to those of the Proposed Project in its underground segment, and the same mitigation measures would apply to ensure that impacts are less than significant.

No Project Alternative

The construction of most PG&E system improvements would likely have minimal water resources impacts because very little ground disturbance would likely be required. The Potrero-Hunters Point 115 kV underground cable could create greater erosion and sedimentation impacts, but if installed in conjunction with a light rail project, impacts related to the power line alone would be minimal. The installation of new turbine generators in the CCSF would likely occur in industrial areas, but general construction activities associated with installation of the new turbines could contaminate surface and groundwater if appropriate protective measures were not taken.

3.7 Public Health and Safety

Two separate issues are addressed under public health and safety: hazardous materials and contamination, and electric and magnetic field (EMF) related issues.

3.7.1 Hazardous Materials and Environmental Contamination

Proposed Project

Overhead Segment. Because the southern segment of the proposed route would pass through mostly undeveloped areas, there are only four documented contaminated sites and all are leaking underground storage tanks from gas stations. The few sites that are known are in the vicinity of the transition station. Given the location of the proposed transmission towers (on SFPUC Peninsula Watershed lands), it is unlikely that contamination would be encountered during construction. However, three mitigation measures are recommended, to supplement measures that PG&E has proposed, that define investigation and treatment requirements for contaminants discovered during construction. With

mitigation, contamination encountered during construction would be properly removed and transported; all impacts would be less than significant.

Underground Segment. This segment of the proposed route passes through commercial and light industrial areas. There are ~~37 nearly 40~~ contaminated sites within a quarter mile of the route that are listed with various local, State, and federal contamination oversight agencies. Similar to the overhead segment, contaminated soil or groundwater encountered during construction would be removed and transported to approved disposal areas, and no significant impacts would occur.

Alternatives

Southern Segment Alternatives

Route Option 1B. It is unlikely that contamination would be encountered within the Watershed Lands or Cañada Road ROW, or at any of the optional crossings of Crystal Springs Dam. This all-underground alternative route would pass within a quarter mile of 22 recorded contaminated sites (all in the El Camino Real segment). The density of sites makes effective implementation of mitigation especially important on this route, but with mitigation, no significant impacts would result.

Partial Underground Alternative. This alternative would follow a similar route as the Proposed Project's overhead segment. The areas where this alternative diverges from the proposed route are in undeveloped areas where no recorded sites exist. Few impacts are expected, and if unanticipated sites are discovered mitigation will ensure that impacts are less than significant.

Transition Station Alternatives. Two transition station alternatives (Trousdale Drive and Golf Course Drive) would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. No contaminated sites are identified near any of the identified locations, and mitigation measures would ensure proper handling of unanticipated contamination discovered during construction.

Northern Segment and Transition Station Alternatives

Because all of the Northern Area alternatives would be entirely underground, they would have the same types of impacts identified for the Proposed Project, with variations in degree of construction impacts. No new impacts were identified for any of these route alternatives or the associated transition station alternatives. No contaminated sites were identified near the two alternative transition stations. A few sites exist along Sneath Lane near El Camino Real.

The Modified Existing 230 kV Underground route has the greatest likelihood of encountering contaminants, because this route ~~through industrial areas~~ would pass through industrial and commercial areas within a quarter mile of up to 3332 recorded sites depending on the route selected (Mitigation Measure T-9a would require use of El Camino Real, Sneath Lane, and Tanforan Avenue to replace San Bruno Avenue, 7th Avenue, and a portion of Shaw Road). Two of these sites would not be avoided by this alternative (the Homart Site along about 4,000 feet of Gateway and Oyster Point Boulevards and up to 1,600 feet through the closed and capped Sierra Point Landfill), but standard construction mitigation and engineering practices are identified to ensure that impacts to health and safety would be less than significant. Six route options are identified for this alternative in South San Francisco and Brisbane. Route Option E is recommended because it would avoid the contaminated Brownfield area (Chiltern site) on the north side of Oyster Point Boulevard. While this construction would be more expensive than an equivalent segment of the proposed route and would require coordination to obtain permits, ~~However, as for the Proposed Project's underground segment,~~ implementation of ~~standard-recommended~~ mitigation ~~recommended-specified~~ in the EIR that has also been

applied to other existing utilities in the area would ensure that no health or safety impacts from construction through or disposal of contaminants would occur.

No Project Alternative

The No Project Alternative scenario that is related to energy management would not have any effect of environmental contamination. Installation of new generation facilities (four gas turbines proposed by the CCSF) could potentially result in excavation of contaminated soil and/or groundwater, resulting exposure of workers and the public to hazardous materials. Locations for the new turbines could have existing soil or groundwater contamination, which would be encountered during construction excavation. In addition, the planned removal of the Hunters Point Power Plant would require follow-up evaluation of the site for contamination. The amounts and types of contaminated soil and groundwater are difficult to anticipate without further evaluation of proposed new turbine locations, therefore comparison of the impacts of environmental contamination for the new generation facilities and the Proposed Project is difficult.

3.7.2 EMF Issues

Recognizing that there is a great deal of public interest and concern regarding potential health effects from exposure to electric and magnetic fields (EMFs) from power lines, the EIR provides information regarding EMF associated with electric utility facilities and the potential effects of the Proposed Project related to public health and safety. Potential health effects from exposure to *electric fields* from power lines (effect produced by the existence of an electric charge, such as an electron, ion, or proton, in the volume of space or medium that surrounds it) are typically not of concern since electric fields are effectively shielded by materials such as trees, walls, etc., therefore, the majority of the following information related to EMF focuses primarily on exposure to *magnetic fields* (invisible fields created by moving charges) from power lines. However, the EIR does not consider magnetic fields in the context of CEQA and determination of environmental impact. This is because (a) there is no agreement among scientists that EMF does create a potential health risk, and (b) there are no defined or adopted CEQA standards for defining health risk from EMF. As a result, EMF information is presented for the benefit of the public and decisionmakers.

After several decades of study regarding potential public health risks from exposure to power line EMF, research results remains inconclusive. Several national and international panels have conducted reviews of data from multiple studies and state that there is not sufficient evidence to conclude that EMF causes cancer. Most recently the International Agency for Research on Cancer (IARC) and the California Department of Health Services (DHS) both classified EMF as a *possible* carcinogen. The information included in EIR quantifies existing EMF exposures within the community - these exposures are widespread and cover a very broad range of field intensities and duration. In the Jefferson-Martin Project area, the magnetic field levels for the existing 60 kV line range from 3 to 8 milliGauss (mG) at a distance of 50 feet from the line. Field levels are estimated to range from 8 to 27 mG for the rebuilt 230 kV/60 kV line (the Proposed Project) at a distance of 50 feet from the line.

Presently there are no applicable regulations related to EMF levels from power lines. However, the California Public Utilities Commission has implemented a decision (D.93-11-013) requiring utilities to incorporate "low-cost" or "no-cost" measures for managing EMF from power lines up to approximately 4% of total project cost. Using the 4% benchmark, PG&E has incorporated low-cost and no-cost measures to reduce magnetic field levels near schools along the proposed route (including deeper burial of underground lines and changing phase configuration). There are additional potential measures for reducing magnetic fields, mostly beyond the no-cost/low-cost parameters (including increasing distance from conductors, reducing conductor spacing, and minimizing current), which are described for the benefit of the public and decision makers in reviewing the Proposed Project.

Proposed Project

Overhead Segment. As described above, magnetic field levels are estimated to range from 8 to 27 mG for the Proposed Project at a distance of 50 feet from the line. Near the Carolands Substation, where the Proposed Project would be immediately adjacent to or within property boundaries, magnetic field levels within residential property boundaries would be 28 to 33 mG.

Underground Segment. Magnetic field levels are estimated to range from 15 to 70 mG for motorists on roadways in which the transmission line is buried, and levels would range from 0.5 mG to 15 mG for pedestrians on sidewalks, depending on the location of the underground line as defined by PG&E.

Alternatives

Southern Segment Alternatives

Route Option 1B. This all-underground alternative route would result in field levels ranging from 70 mG directly above the buried line to 15 mG at 15 feet from the line and 2 to 4 mG at property lines along Skyline Boulevard and Trousdale Drive, which are between 30 and 50 feet from the center of these roadways.

Partial Underground Alternative. This alternative would result in field levels similar to those for the overhead segment, where the line would be overhead. Field levels are estimated to range from less than 1 mG at property lines in San Mateo Highlands to approximately 5 mG at property lines near transition towers and 22 mG for the nearest property line in the Town of Hillsborough. The nearest property lines in the San Mateo Highlands range from 70 to 80 feet from the existing line, so the magnetic field would be less than 1 mG. In Hillsborough, one residential parcel on Black Mountain Road currently has a 60 kV tower immediately adjacent to it and with this alternative the magnetic field of the underground segment at the property line would be about 22 mG.

East Market Street Alternative. This alternative route would avoid the residential streets of Hoffman and Orange Streets, requiring construction in an additional segment of Hillside Boulevard and East Market Street. The route would pass residential properties and two schools, but along wider streets than the proposed route segments so magnetic field levels would be lower (approximately 3 mG).

Modified Underground Existing 230 kV Alternative. This alternative route would pass through primarily commercial and industrial areas, with a few residences in the southernmost route segment. Along San Bruno Avenue, magnetic fields at property lines would be about 4 mG, and on 7th Avenue (north of Walnut) from 6 to 9 mG. At the property lines of hotels along Airport and Gateway Boulevards (including the setback of about 100 feet from the road) the magnetic field would be 0.3 mG.

Alternative Transition Stations/Towers. Overhead lines dominate the magnetic field at transition towers. Therefore the magnetic field at property lines nearest to the transition station at Tower 6/36 would be about 4 mG (at 80 feet) and at Tower 7/39 (relocated as required in mitigation) the field would be about 5 mG (at 100 feet). The underground side of the transition towers at Tower 6/36 and 7/39 would have a magnetic field of

Northern Segment Alternatives

Because all of the Northern Area alternatives would be entirely underground, they would have the field levels similar to those identified for the Proposed Project.

No Project Alternative

The No Project Alternative scenario would result in a continuation of the existing conditions in the Southern Segment of the project area. As stated above, the magnetic field levels for the existing 60 kV line range from 3 to 8 mG at a distance of 50 feet from the line.

3.8 Recreation

3.8.1 Proposed Project

Overhead Segment. The overhead segment of the Proposed Project would result in potentially significant impacts on recreation resources because the project would conflict with applicable recreation plans, policies, or regulations of the Peninsula Watershed Master Plan, the San Mateo County General Plan, and the Edgewater Park and Natural Preserve Master Plan. Construction activities would reduce the aesthetic value of the recreational facilities and resources as a result of the dust, noise, and traffic congestion produced by these activities and could impair views from parks, trails, and vista points. Construction activities could also result in temporary trail closures and disrupt or restrict access to different park areas or trails. New permanent towers could impair views in some locations, permanently degrading the recreational value of some areas.

Mitigation measures that would reduce the impact of construction on recreational resources include those developed for Land Use, Visual Resources, and Transportation and Traffic. The recreation mitigation for construction impacts requires PG&E to schedule activities to avoid construction around recreation areas during weekends and holidays and post notification of trail or access closures in advance. The increased height and new placement of the transmission lines and towers in Edgewater Park could lead to impacts that would significantly degrade the recreational experience of using the park, resulting in an impact that would be significant and unmitigable. All other recreation impacts would be reduced to a less than significant level with the identified mitigation measures.

Underground Segment. Construction of the underground segment of the Proposed Project could conflict with policies of the San Bruno Mountain State and County Park Master Plan. Mitigation for this impact involves developing a construction plan for work in the park. With mitigation, this impact would be reduced to a less than significant level.

3.8.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Route Option 1B would result in more intense disruption of recreation uses during construction as compared to the Proposed Project, and the option of the overhead crossing of Crystal Springs Dam would create a significant impact by degrading the recreational experience at Crystal Springs Dam and along the Cañada Road Bikeway. Although Route Option 1B would avoid impacts to Edgewood County Park and Preserve, the recreation impact at Crystal Springs Dam would not be mitigable if the originally-defined overhead crossing of the dam were used. Impacts related to the dam crossing would be avoided by use of the modified overhead crossing of the dam, an underwater cable around the dam, or attaching the cable to the face of the dam. With measures identified for the Proposed Project, all other recreation impacts could be reduced to a level that would be less than significant.

Partial Underground Alternative. The Partial Underground Alternative would similarly avoid impacts to Edgewood County Park and Preserve and the Pulgas Ridge Open Space Preserve, but would also impact bike lanes and hiking trails along its alignment, similar to the Proposed Project, but not to

the level of severity as described for Route Option 1B. All recreation impacts resulting from this alternative could be mitigated to less than significant levels.

Transition Station Alternatives. Two transition station alternatives would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives:

- **Trousdale Drive Transition Tower Alternatives.** Sawyer Camp Trail, Skyline Bikeway, and Trousdale Bikeway are all screened from the Trousdale Drive Transition Tower sites by trees, roads, and intervening terrain. Construction of a transition tower at these sites would have no impact on recreational resources. With measures identified for the Proposed Project, all recreation impacts could be reduced to a level that would be less than significant.
- **Golf Course Drive Transition Station Alternative.** Construction at this location could affect recreation uses of the Crystal Springs Golf Course and Skyline Frontage Bikeway during the construction period. The reduction in aesthetic value as a result of construction activities and the dust, noise, and traffic congestion produced by these activities would diminish the recreation experience at these facilities. However, as construction activities would be off the roadway and would not restrict nor preclude access to either of these facilities, the impacts would be considered adverse, but less than significant. Also, the Golf Course Transition Station would result in a much smaller transition tower at Tower 8/50 near the Carolands Substation because that transition tower would only be for the 60 kV line, eliminating a significant visual impact that would also affect recreationists.

Northern Segment and Transition Station Alternatives

Depending on the route alignment selected, various community parks could be affected or avoided as the route travels through northern San Mateo County. The various alternatives could impact the different recreational uses below.

Three transition station alternatives could replace the proposed transition station:

- **West of Skyline Transition Station Alternative (with all route alignments).** The West of Skyline Transition Station would have a greater impact on existing recreation resources due to its location adjacent to the San Andreas Trail. After construction, the West of Skyline Transition Station would also permanently and adversely affect existing recreational facilities because it would place a permanent industrial structure immediately adjacent to the San Andreas Trail.

The Sneath Lane Underground Alternative route would avoid impacts to the San Andreas Trail and avoid recreation uses along the BART ROW, such as Bayshore Circle Park and the Herman Tot Lot. The Westborough Underground Alternative would avoid impacts along the BART ROW to Bayshore Circle Park, the Herman Tot Lot, and Orange Memorial Park, in addition to the San Andreas Trail. Construction activities would, however, additionally affect Westborough Park and the California Golf Club of San Francisco. With measures identified for the proposed project, all recreation impacts, including the impact of the transition station adjacent to the San Andreas Trail, could be reduced to a level that would be less than significant.

- **Sneath Lane Transition Station Alternative (with all route alignments).** The Sneath Lane Transition Station would not cause any recreation impact. Construction activities along Skyline Boulevard for the Proposed Project route alignment could affect the San Andreas Trail, but only for a short period. All other route alignments would affect the community parks above. With measures identified for the proposed project, all recreation impacts could be reduced to a level that would be less than significant.

- **Glenview Drive Transition Tower Alternative.** Both Buckeye Park and Glenview Park are screened from the Glenview Drive Transition Tower by trees, residences, and other intervening uses, such as San Bruno Avenue and a commercial area between Glenview Park and the Glenview Drive site. There would be views of the site from the San Andreas Trail, but construction of the transition site at this site would have no direct impact on recreational resources. With measures identified for the Proposed Project, no significant recreation impacts would result.

Cherry Avenue Alternative. Impacts and mitigation measures identified for the Proposed Project would remain applicable to this alternative, except Commodore Park in San Bruno would also be affected by disturbance during construction. With mitigation, all recreation impacts would be less than significant.

Modified Existing 230 kV Alternative. The Modified Existing 230 kV alternative would also result in construction-related impacts, though by avoiding community parks and San Bruno Mountain, it would result in a substantially reduced degree of disturbance. The Modified Existing 230 kV alternative route avoids potentially significant impacts to San Bruno Mountain State and County Park during construction, but would result in impacts to bikeways in other locations, such as along Bayshore Boulevard. With mitigation, all recreation impacts would be less than significant.

Route Option 4B: East Market Street Alternative. Impacts and mitigation measures identified for the Proposed Project would remain applicable to this alternative. With mitigation, all recreation impacts would be less than significant.

Junipero Serra Alternative. By avoiding the Hillside Boulevard Bikeway that would otherwise be affected by disturbance during construction, this alternative would minimize recreation impacts. With mitigation, all recreation impacts would be less than significant.

No Project Alternative

Under the No Project Alternatives, few recreational resources would be affected. The San Mateo–Martin #4 reconductoring project would cross San Bruno Mountain, but activities would be restricted to the existing transmission corridor and compliance with the HCP would be required. The construction and operation of new generation facilities in CCSF would likely be in industrial areas and so would have a low potential to impact recreational resources or facilities.

3.9 Air Quality

3.9.1 Proposed Project

The project would generate localized pollutant emissions from the construction equipment over the entire construction duration, 13 months for the overhead segment and 12 months for the underground segment. Vehicular emissions associated with maintenance and repair of the transmission line would be the only long-term sources of emissions during the operational phase of the project.

Overhead Segment. Dust emissions would be caused by construction activities especially during site preparation and installing structure foundations, when travel would occur on unpaved roads and surfaces that would create fugitive dust. Use of construction equipment and emissions from motor vehicles would also adversely affect air quality because mobilization of the workforce and materials for construction would emit pollutants that could contribute to existing elevated concentrations of PM₁₀ or ozone in the region. Implementation of the Applicant Proposed Measures along with Bay Area Air Quality Management District recommendations would control dust emissions, and PG&E would reduce

equipment emissions by encouraging carpooling and limiting vehicle idling time. These strategies are included in the mitigation measures that would reduce these potentially significant air quality impacts to less than significant levels.

The soils within the project area require special consideration for air quality impacts. Construction activity that involves travel on serpentinite soils or disturbing serpentinite surfaces can lead to airborne emissions of dusts that contain the mineral asbestos. The extent of the serpentinite rock is limited mainly to areas near the Jefferson Substation, the Ralston Substation, and San Bruno Mountain. The Governor's Office of Planning and Research and the California Air Resources Board have each established recommendations and requirements that would minimize the likelihood of this material becoming airborne, which would reduce the potential health hazards. Implementation of the appropriate recommendations and requirements would reduce this impact to a less than significant level.

Underground Segment. Along the underground segment, dust emissions and equipment exhaust emissions would locally affect air quality. The concern about encountering serpentinite soils would also apply to portions of the underground transmission line work on San Bruno Mountain because serpentinite rock may be encountered there. Mitigation measures to control emissions in a manner consistent with Bay Area Air Quality Management District and California Air Resources Board recommendations would remain relevant to the underground segment. Implementing the recommended mitigation measures would reduce all air quality impacts to a less than significant level.

3.9.2 Alternatives

The air quality impacts for each alternative would vary depending on their likelihood of creating a nuisance during construction, especially related to the proximity of sensitive receptors. In general, all alternatives would cause similar air quality impacts, which means that the mitigation measures for the Proposed Project would remain appropriate regardless of alternative.

Southern Segment Alternatives

Route Option 1B. Route Option 1B would involve a substantial amount of underground work near residences in Hillsborough and Burlingame, which would be more likely to cause a nuisance during construction. With mitigation, the air quality impacts would be less than significant.

Partial Underground Alternative. The Partial Underground Alternative would reduce the likelihood of a construction nuisance compared to Route Option 1B, but would still increase underground work near residences in the San Mateo Highlands and Hillsborough when compared to the Proposed Project, which would be more likely to cause a nuisance during construction. With mitigation, the air quality impacts would be less than significant.

Transition Station Alternatives. Two transition station alternatives (Trousdale Drive and Golf Course Drive) would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. Air quality impacts would be less than significant for any location, as defined for the Proposed Project above.

Northern Segment and Transition Station Alternatives

There are ~~two~~three transition station or tower alternatives and multiple underground transmission line route alternatives. Each would require construction work near a variety of uses that would be sensitive to air pollutants including residences, schools, parks, and hospitals. The emissions ~~between~~among the ~~each~~alternatives would not be substantially different, and the differences in air quality impacts depend

on whether sensitive land uses would be encountered along the alternative routes. In comparison with the Proposed Project's underground segment, the Modified Existing 230 kV alternative would somewhat decrease the number of residences and would not affect any schools encountered along the route, which would substantially reduce the likelihood of a nuisance. Affected residences would be avoided with use of Mitigation Measure T-9a, which would avoid conflict with the grade separation project at Huntington Avenue. Regardless of the transition station and underground alternatives, with mitigation, all air quality impacts would be less than significant.

No Project Alternative

Without the Proposed Project, PG&E could be forced to upgrade other existing facilities or add new transmission and generation capacity elsewhere to compensate for existing system limitations and anticipated future loads. Construction of any alternative PG&E facilities would occur in the San Francisco Bay Area air basin and construction activities related to new transmission or generation facilities would cause potentially significant air quality impacts related to dust and exhaust emissions. If new generation facilities would be needed, the air quality impacts caused by any new power plant could be significant.

3.10 Noise and Vibration

3.10.1 Proposed Project

Overhead Segment. Construction of the overhead segment would require short-term use of cranes, augers, compressors, air tampers, generators, trucks, and other equipment. Helicopters would also be needed to transport construction materials, remove and install new towers, and to string the conductors for the overhead line. Night work could be necessary to cross I-280. Pile driving would be needed only at the San Mateo and Martin Substations. During the anticipated 13 months necessary to construct the transmission line, transition station, and substation modifications, the intermittent construction noise and vibration impacts from the Proposed Project would be potentially significant. Proper noise suppression techniques and coordination of activities with property owners and occupants would reduce the construction noise and vibration impacts to less than significant levels.

Once operational, noise from the overhead transmission line would occur from corona discharge and minor inspection or maintenance activities. Corona noise would not cause a significant impact because it would not generally exceed ambient noise levels, and inspection and maintenance along the overhead route would not change substantially when compared to the existing conditions.

Underground Segment. Construction of the underground segment would require short-term use of backhoes, boring equipment, dump trucks, mobile cranes, haul trucks, and street sweepers, and night work would probably be necessary in several areas where daytime traffic cannot be rerouted. During the anticipated 12 months necessary to construct the underground line, the intermittent noise and vibration impacts would be potentially significant. With proper noise suppression techniques and coordination of activities with property owners and occupants, construction noise and vibration impacts would be reduced to less than significant levels.

Improvements related to the Proposed Project would permanently increase noise levels at the Martin Substation and contribute to noise that presently does not conform with the local guidelines. Because of the excessive noise in the existing conditions around the Martin Substation, operation of the project would not noticeably change noise levels there. Impacts would be potentially significant, but mitigable to less than significant levels.

3.10.2 Alternatives

The noise and vibration impacts for each alternative would vary depending on their likelihood of creating a nuisance during construction, especially related to the proximity of sensitive receptors. In general, all alternatives would cause similar noise and vibration impacts, which means that the mitigation measures for the Proposed Project would remain appropriate regardless of alternative.

Southern Segment Alternatives

Route Option 1B. Route Option 1B would involve a substantial amount of underground work near residences in Hillsborough and Burlingame, which would be more likely to cause a nuisance during construction. With mitigation, the noise and vibration impacts would be less than significant.

Partial Underground Alternative. The Partial Underground Alternative would reduce the likelihood of a construction nuisance compared to Route Option 1B, but would still increase underground work near residences in the San Mateo Highlands and Hillsborough when compared to the Proposed Project, which would be more likely to cause a nuisance during construction. With mitigation, the noise and vibration impacts would be less than significant.

Transition Station Alternatives. Two transition station alternatives (Trousdale Drive and Golf Course Drive) would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. Noise impacts would be less than significant for any location, given their locations distant from any sensitive receptors.

Northern Segment and Transition Station Alternatives

There are ~~two~~ three transition station or tower alternatives and multiple underground transmission line route alternatives. Each would require construction work near a variety of uses that would be sensitive to noise and vibration including residences, schools, and parks. The impacts ~~between each~~ among the alternatives would not be substantially different, and the differences in noise or vibration impacts depend on whether sensitive land uses would be encountered along the alternative routes. The Modified Existing 230 kV alternative with the mitigation reroute defined in Mitigation Measure T-9a would ~~somewhat eliminate effects on~~ decrease the number of residences and schools encountered along the route, which would substantially reduce the likelihood of a nuisance. Regardless of the transition station and underground alternatives, with mitigation, all noise and vibration impacts would be less than significant.

No Project Alternative

The No Project Alternative includes installing new generation capacity in the City and County of San Francisco or nearby to compensate for existing transmission system limitations and anticipated loads. New generation would need to comply with local noise ordinances and the CEC licensing process, which would be likely to reduce noise impacts to a less than significant level. Other possible scenarios under the No Project Alternative (such as conservation or curtailment of electrical service) would not result in any new noise impact.

3.11 Transportation & Traffic

3.11.1 Proposed Project

Overhead Segment. Overhead line construction activities would have minimal impacts to area traffic or roadways because the route is in an existing easement and most access would be from undeveloped areas. Construction would require temporary lane and road closures (including closure of I-280), especially

during use of helicopters and while stringing conductors across the freeway. Impacts would require implementation of mitigation measures requiring preparation of Transportation Management Plans, management of road closures, and provision of access to emergency vehicles. Implementation of mitigation measures would reduce all significant impacts to less than significant levels.

Underground Segment. All of the impacts described for the overhead segment of the project would also occur along the underground segment of the Proposed Project, but because much of the underground segment would be constructed in roadways, impacts on traffic and transportation would be more severe. These potentially significant impacts would be mitigated by implementation measures that require the development of a Transportation Management Plan, restriction of lane closures, and provisions to adequately repair roads damaged during construction. Other mitigation measures recommended to reduce transportation/traffic related construction impacts would require maintenance of property access, coordination to ensure emergency service access during construction, and avoidance of the City of San Bruno's Grade Separation Project by a reroute. The following short-term impacts would occur during construction: obstacles to pedestrian and bicycle circulation and safety, short-term elimination of parking spaces, and disruption of public transit operations. PG&E's proposed Applicant Proposed Measures would also be required and monitored for appropriate implementation.

3.11.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Route Option 1B would be constructed within Cañada Road, Skyline Boulevard, and other roads, so would have greater impacts to traffic than the proposed overhead segment. The types of impacts are described above for the Proposed Project's underground segment; all mitigation defined there would also apply to this alternative. This alternative would create an additional impact: the potential conflict with a planned San Mateo County Bridge Replacement Project at the Crystal Springs Dam. Mitigation is recommended to ensure that PG&E coordinates with the County to minimize effects on the bridge project. Also, Route Option 1B would require construction in El Camino Real, a heavily traveled major highway through the Peninsula. Construction disturbance would be short-term and less than significant with mitigation, but it would still cause traffic disruption greater than other alternatives. This alternative would also allow avoidance of the San Bruno Avenue/Huntington Avenue grade separation project with implementation of the reroute recommended for the Proposed Project.

Partial Underground Alternative. Traffic and transportation impacts of this alternative would be the same as those of the Proposed Project, because the routes are similar and no additional roadways would be affected.

Transition Station Alternatives. Two transition station alternatives (Trousdale Drive and Golf Course Drive) would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. Traffic impacts would be less than significant for any location.

Northern Segment and Transition Station Alternatives

Transition Station Alternatives. ~~Neither the Sneath Lane or West of Skyline~~ None of the Transition Station or Tower alternatives themselves would create traffic impacts. However, ~~all of~~ the routes leaving or arriving to these transition stations or towers would travel underground within or across ~~Skyline Boulevard~~ active roadways, where short-term traffic impacts would be disruptive. Also, the Sneath Lane and Westborough Boulevard underground routes from the West of Skyline Transition Station both have the potential to conflict with ~~the City of San Bruno's~~ Caltrans' plans to widen Skyline Boulevard between the vicinity of San Bruno Avenue and Sneath Lane. ~~Because the City has not yet secured funding for the~~

However, this road-widening project is on Caltrans' 25-year plan, but not on its current 10-year plan, its future implementation is speculative at this time so construction of the underground routes or the Glenview Drive Transition Tower Alternative would not conflict with future Caltrans construction. In addition, this use of this site within the Caltrans ROW for a transition tower would not conflict with the potential future road widening project.

Northern Segment Route Alternatives. The northern segment alternatives, because they would all be underground, would all have similar impacts to those of the Proposed Project's underground segment. All impacts would be mitigable to less than significant levels; the variation in impact would depend on the length of construction within high-traffic roadways.

Six route options for the Modified Existing 230 kV Underground ROW Alternative are considered; implementation of Route Option A would eliminate construction in Produce Avenue and at the Airport Boulevard undercrossing. For construction along Gateway Boulevard and other roadways in commercial and industrial areas, recommended mitigation requiring coordination with local jurisdictions would result in less than significant impacts. All impacts to Northern Segment Alternatives would be short-term and less than significant with implementation of mitigation recommended for the Proposed Project.

No Project Alternative

The No Project Alternative scenario includes utility upgrades and construction of new generation within the CCSF, resulting in potential impacts to traffic and transportation during construction. Specific potential impacts would have to be assessed at the time other projects were proposed. In the short-term, improvements would be made to the existing electrical supply system, which would result in minor temporary traffic impacts at each construction site.

3.12 Socioeconomics

3.12.1 Proposed Project

Overhead Segment. The two primary impact issues considered for Socioeconomics is whether the Proposed Project and alternatives would induce demand for labor or displace people or existing housing. The Proposed Project is designed to accommodate the electric transmission infrastructure needs required by a growing population in the Bay Area. While the project will require a sizable labor force (approximately 100 to 200 crew members) to complete installation of the overhead transmission line over the course of 13 months, a large labor force exists in the Bay Area to accommodate the labor needs of the project. It is not expected that the project would require more workers than could be found in the Bay Area and require people to relocate to the region. As the labor force for the project could be drawn from Bay Area residents, the project would not likely cause a displacement of people or housing. The purpose of the project is to respond to increases in the growth of Bay Area populations by increasing the reliability of the region's electric transmission system. As such, it is not expected that this project would cause population in the area to increase. Because the project is not expected to result in any significant socioeconomic impacts, no socioeconomic mitigation measures have been recommended.

Underground Segment. Underground construction would require a total of approximately 50 more workers than the overhead segment over a period of 12 months. Similar to the discussion of the overhead segment, the project is not expected to result in any significant socioeconomic impacts and no socioeconomic mitigation measures have been recommended.

3.12.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Route Option 1B would be slightly longer than the Proposed Project and so would require additional labor and would also require additional labor to inspect a second, separate utility corridor from the existing 60 kV transmission line corridor. More labor would be required than for the Proposed Project, but the effects would still be less than significant.

Partial Underground Alternative. The Partial Underground Alternative is approximately one mile longer than the proposed route and would require additional construction due to trenching for the underground portions of this alternative. More labor would be required than for the Proposed Project, but the effects would still be less than significant.

Transition Station Alternatives. Two transition station alternatives (Golf Course Drive and Trousdale Drive) would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. Impacts would be similar to those of Proposed Project construction; no significant impacts would occur.

Northern Segment and Transition Station Alternatives

Transition Station/Tower Alternatives. The West of Skyline and Sneath Lane Transition Station Alternatives and the Glenview Drive Transition Tower Alternative would be similar or smaller in size and nature to the proposed transition station. Therefore, the environmental impacts associated with construction and operation would be the same as similar to those associated with the Proposed Project.

Underground Transmission Line Routes. While the socioeconomic impacts resulting from the alternatives are largely the same as those identified for the Proposed Project, due to differences in the lengths of alternatives, some alternatives will require more or less workers over different periods than the Proposed Project.

No Project Alternative

The transmission upgrades and new generation included in the No Project Alternative scenario would require construction, potentially adding to the area's workforce for short periods of time. However, the No Project Alternative would result in no population growth. Impacts to labor and housing as a result of the No Project Alternative would also be less than significant.

3.13 Public Services & Utilities

3.13.1 Proposed Project

Overhead Segment. Impact issues include the potential for utility system disruptions, public service system disruptions, and project-required utility demands. Impacts associated with utility disruptions are considered significant, but mitigable or were found to be adverse, but less than significant requiring no mitigation. Project construction in the overhead segment would have the potential to disrupt utility systems along the route and restrict access for emergency vehicles or to public facilities, and would also require water or generate waste or wastewater that would need to be accommodated by local facilities. Excavation for installation of transmission towers and overhead lines could require that utilities in an area be temporarily interrupted while construction occurs in an area. Similarly, unplanned, accidental disruptions of utilities could occur during excavation. In either of these cases, this interruption of services could severely disrupt utilities and hinder activities along the project route. Construction along roads and across highways

could also restrict access for emergency vehicles or could block entrances to public facilities such as schools, hospitals, or parks.

These construction activities would also require water for dust suppression and street cleaning and would generate waste in the form of steel from the towers that will be removed, concrete from tower foundations, and soil from excavation. Water required for the project would be a relatively insignificant amount compared to the Bay Area's existing water supply, and the waste generated would largely be recycled in local facilities. Materials that could not be recycled and would be disposed of in landfills also make up a small amount compared to the total waste accommodated by local landfills.

Mitigation measures have been developed to reduce the impacts to utility systems and resulting from access restrictions. Two mitigation measures have been designed to address impacts to utility systems: one for planned utility interruptions and one for unplanned, accidental disruptions. The first mitigation measure requires that PG&E notify the public when a planned service interruption will occur. The second mitigation measure requires that PG&E submit its construction plans with the finalized route alignment for review by the appropriate jurisdictions. Two mitigation measures have been developed in other sections that address the issues of restricted access for emergency vehicles and to public facilities. In Section D.12 (Transportation and Traffic), a mitigation measure has been developed requiring PG&E to create an Emergency Vehicle Access Plan to ensure that emergency vehicles will not be impeded by the project. In Section D.9 (Recreation), a mitigation measure was developed which requires PG&E to avoid construction in front of access points to public recreational facilities during weekends and holidays, and also requires public notification of construction at these locations two weeks in advance.

Underground Segment. As with the overhead segment, project construction in the underground segment would have the potential to disrupt utility systems along the route and restrict access for emergency vehicles or to public facilities, and would also require water or generate waste or wastewater that would need to be accommodated by local facilities. Trenching for the underground segment or installation of the underground transmission duct banks could require that utilities in an area be temporarily interrupted while construction occurs in an area. Similarly, unplanned, accidental disruptions of utilities could occur during excavation or trenching. In either of these cases, this interruption of services could severely disrupt utilities and hinder activities along the project route. Construction along roads and across highways could also restrict access for emergency vehicles or could block entrances to public facilities such as schools, hospitals, or parks. These construction activities would also require water for dust suppression and street cleaning and would generate waste in the form of asphalt from streets and soil from excavation. Water required for the project would be a relatively insignificant amount compared to the Bay Area's existing water supply, and the waste generated would largely be recycled in local facilities. Materials that could not be recycled and would be disposed of in landfills also make up a small amount compared to the total waste accommodated by local landfills.

Mitigation measures, mentioned in the overhead segment discussion above, have been developed to reduce the impacts to utility systems and resulting from access restrictions to less than significant. In addition, a third mitigation measure requires PG&E to evaluate the potential for the underground transmission line to increase corrosion on existing utilities and to eliminate any risk that may occur.

3.13.2 Alternatives

Southern Segment Alternatives

Route Option 1B. Route Option 1B, with large portions of the alignment trenched underground in roads, would have a significantly higher potential for disrupting utilities and restricting traffic access. However, similar mitigation to the Proposed Project would ensure that impacts are reduced to less than significant levels.

Partial Underground Alternative. The Partial Underground Alternative would have a higher potential for utility disruptions due to trenching along parts of the alignment, but would have fewer impacts due to access restrictions because it has fewer road crossings. It would require similar mitigation to the Proposed Project to ensure that impacts are reduced to less than significant levels.

Transition Station Alternatives. Two transition station alternatives (Trousdale Drive and Golf Course Drive) would allow creation of hybrid alternatives among the Proposed Project and the two southern area alternatives. No utility impacts are expected at any of these sites.

Northern Segment and Transition Station Alternatives

There are three alternatives to the proposed transition station site:

- **West of Skyline Transition Station Alternative.** There would be no substantial differences in impacts between the proposed transition station and the West of Skyline Boulevard transition station. Mitigation similar to the Proposed Project would ensure that impacts are reduced to less than significant levels.
- **Sneath Lane Transition Station Alternative.** The Sneath Lane Transition Station Alternative would also largely be the same as the Proposed Project, but because the station would be adjacent to PG&E's existing Sneath Substation, the Applicant would likely have knowledge of the utilities in the immediate vicinity, lowering the risks of accidental utility disruption impacts. The mitigation measures recommended for the Proposed Project would reduce any impacts to less than significant.
- **Glenview Drive Transition Tower Alternative.** There would be no substantial differences in impacts between the proposed transition station and the Glenview Drive Transition Tower. However, the potential for accidental disruption of utilities at the Glenview Drive Transition Tower site is higher than for the proposed site because the site's proximity to the City of San Bruno water tank. Mitigation similar to the Proposed Project would ensure that impacts are reduced to less than significant levels.

Underground Transmission Line Routes. The public service system and utility impacts of the alternatives are largely of the same type and magnitude as described for the Proposed Project, and all would require similar mitigation to ensure that impacts are reduced to less than significant levels. Length differences, location of public service providers, and existing utilities in roadways affect the potential for utility disruption impacts and the degree of access restriction that would result from construction and maintenance operations of the alternatives compared to the Proposed Project. With all of the northern segment alternatives, mitigation similar to the Proposed Project would ensure that public service and utilities impacts are reduced to less than significant levels.

No Project Alternative

Under the No Project Alternative scenario, new generation, load-dropping, and demand-side management could reduce the potential for utility disruption impacts and increase the reliability of the power supply, but the potential for utility disruption would remain. In this alternative, curtailment of electric

service in the form of rolling blackouts could occur, with priority service continuing to be supplied to essential services. Impacts would be significant. As essential services would not be interrupted, however, impacts to public facilities and emergency vehicle access would be adverse, but less than significant.

4. Summary Comparison of the Proposed Project and Alternatives

4.1 Methodology

CEQA requires identification of an environmentally superior alternative if the No Project Alternative is found to have least impacts, but does not provide specific direction regarding the methodology of alternatives comparison. Each project must be evaluated for the issues and impacts that are most important; this will vary depending on the project type and the environmental setting. Issue areas that are generally given more weight in comparing alternatives are those with long-term impacts (e.g., visual impacts and permanent loss of habitat or loss of use of recreational facilities). Impacts associated with construction (i.e., temporary or short-term) or those that are easily mitigable to less than significant levels are considered to be less important.

The methodology used to compare alternatives in this EIR started with identification of alternatives. Based on alternatives suggested during scoping, an intensive evaluation process was completed that resulted in the determination that the EIR would analyze two transmission line alternatives in the southern segment, five transmission line alternatives in the northern segment, two alternative transition stations to allow creation of hybrid alternatives, and ~~two~~three alternative transition station locations in the San Bruno area. A No Project Alternative was also identified. While ~~19-26~~ other alternatives were evaluated, they did not meet CEQA criteria for analysis (as defined in Section 2 above). The second step required assessment of the environmental impacts of the Proposed Project and the alternatives. The third step was the comparison of the impacts of each alternative to those of the Proposed Project to determine the environmentally superior alternative. The environmentally superior alternative was then compared to the No Project Alternative.

Although this comparison focuses on the most important issue areas (e.g., land use, visual resources, biological resources, and recreation, with geology also a concern in fault zones), determining an environmentally superior alternative is difficult because of the many factors that must be balanced. While the EIR identifies an environmentally superior alternative, it is possible that the ultimate decision-makers could balance the importance of each impact area differently and reach a different conclusion.

4.2 Summary of Significant (Class I) Unmitigable Impacts

Southern Segment. Table ES-1 lists the significant impacts in the southern (overhead) segment of the Proposed Project. In this segment, the Proposed Project would create significant (Class I) impacts in visual resources at five key viewpoints, from Edgewood Park in the south to the I-280 crossing just south of Trousdale Drive. In addition, significant unmitigable impacts were identified for recreation and biological resources, both because of the high value of Edgewood Park habitat and recreational experiences.

PG&E's Underground Route Option 1B would eliminate all significant visual impacts identified for the Proposed Project's southern segment. It would create two significant impacts (visual and recreation resources) if an overhead crossing of Crystal Springs Dam is used, but no significant impacts would result with the use of an underwater cable around the dam. This alternative would also eliminate the impacts associated with the transition station, since the entire project would be underground.

The Partial Underground Alternative would also eliminate all of the Proposed Projects' significant impacts. However, it would create two new significant visual impacts (along Cañada Road near Edgewood Road, and at the I-280 crossing south of Carolands Substation).

Transition Station Alternatives. The Proposed Project would require a transition station where the overhead southern segment would connect to the underground line. Two transition station alternatives are considered: the West of Skyline Transition Station and the Sneath Lane Transition Station. As illustrated in Table ES-1, the proposed transition station would have significant (Class I) visual impacts and conflict with planned future development at the site. In addition, the potential for rupture of the San Andreas Fault creates a significant (Class I) impact at the transition station. The West of Skyline and Sneath Lane Transition Station Alternatives would both eliminate the significant visual and land use impacts of the proposed site, and would retain the same impact related to the fault crossing.

Northern Segment. No significant and unmitigable (Class I) impacts were identified for the northern (underground) segment of the Proposed Project. One of the five alternatives (Junipero Serra Alternative) has a significant impact that results from an extended distance of underground transmission line within the San Andreas Fault zone.

4.3 Environmentally Superior Alternative

Southern Segment. Table ES-2 summarizes the comparison of the Proposed Project with the two southern segment alternatives. Either of the Southern Segment alternatives (PG&E Route Option 1B and Partial Underground Alternative) would eliminate multiple permanent and significant visual impacts of the Proposed Project. Comparing the Route Option 1B Alternative with the Partial Underground Alternative indicates that the potentially significant impacts to visual, cultural, biological, and recreation resources could be avoided by selecting the Route Option 1B Alternative with either the revised overhead crossing of the dam or a submarine cable for crossing the Crystal Springs Dam. The Partial Underground Alternative is less desirable because of significant unmitigable visual impacts (along Cañada Road near Edgewood Road, at two-one transition structure locations, and at the I-280 crossing south of Carolands Substation). Route Option 1B with the revised overhead crossing of the dam, the top of the dam, or the a submarine cable is the preferred alternative because it minimizes permanent impacts to the most relevant areas of land use, visual resources, and biology.

Table ES-1. Southern Segment & Transition Station: Summary of Significant Unmitigable (Class I) Impacts by Alternative

Alternative	Significant Impacts (Class I)
Proposed Project, Overhead Segment	V-2, V-3, V-9, V-12, V-13, and L-3: Key Viewpoints at Edgewood County Park, Interstate 280 Southbound, Lexington Avenue, Black Mountain Road, and north of the Carolands Substation B-1: Temporary and permanent loss of sensitive vegetation communities; serpentine grassland R-3: Operation-Related Impacts to Edgewood County Park and Preserve
Proposed Project, Transition Station	L-6: Conflict with planned future development at transition station site ^a V-20: Substantial introduction of industrial character, structural prominence, and view blockage when viewed from Skyline Boulevard, San Bruno Avenue, and the Sky Crest Center ^a G-8: Surface fault rupture at crossings of active and potentially active fault traces; proposed transition station

Table ES-1. Southern Segment & Transition Station: Summary of Significant Unmitigable (Class I) Impacts by Alternative

Alternative	Significant Impacts (Class I)
Class I Impacts Eliminated or Created by Alternative to Overhead Segment and Alternative Transition Stations	
PG&E Underground Route Option 1B	<p>Eliminates V-2, V-3, V-9, V-12, V-13, B-1, and R-3</p> <p>Eliminates Proposed Project transition station impacts: L-6 (conflict with future development), V-20 (visual impact of transition station), and G-8 (active fault crossing)</p> <p>V-22: Visual Impact of overhead crossing of Crystal Springs Dam^b [Revised overhead crossing of the dam has no significant unmitigable impacts]</p> <p>R-3: Recreation/Operation Related Impacts to Crystal Springs Dam^b</p>
Partial Underground Alternative	<p>Eliminates V-2, V-3, V-9, V-12, V-13, B-1, and R-3.</p> <p>V-23: Visual impact at Cañada Road between I-280 and Edgewood Road</p> <p>V-24: Visual impacts from transition stations at Tower 7/39</p> <p>V-25: Visual impact at crossing of I-280 at Tower 8/50 and Crystal Springs Golf Course</p>
Sneath Lane, and West of Skyline, and Glenview Drive Transition Stations	<p>Eliminate Proposed Project Transition Station Impacts L-6 and V-20.</p> <p>G-8: Surface fault rupture at crossings of active and potentially active fault traces</p>

^a Relocation of the transition station with the Transition Station Alternatives or selection of Route Option 1B for the southern segment could avoid these Class I impacts.

~~^b Avoiding the dam by using an underwater cable would avoid these Class I impacts.~~

Table ES-2. Proposed Project vs. PG&E Underground Route Option 1B and Partial Underground Alternative

Issue Area	Proposed Project, Overhead Segment	PG&E Route Option 1B	Partial Underground Alternative
Land Use	Most likely to cause permanent conflicts with adopted biology and visual quality policies	Preferred because no transition station is needed and fewer policy conflicts would occur.	Likely to cause some permanent policy conflicts, although reduces impacts to open spaces
Visual Resources	Greatest permanent visual impacts along I-280 and residential areas	Preferred , although with overhead crossing of Crystal Springs Dam would permanently introduce transition stations (avoided if a submarine cable is used)	Greater permanent visual impacts along Crystal Springs Golf Course, although eliminates visual impacts for residential areas east of I-280
Biological Resources	Most construction in sensitive areas and increased permanent disruption of sensitive areas	Preferred because construction would be in roadways, minimizing habitat disturbance	Underground construction in a sensitive area, although would eliminate new towers and permanent disruptions within Edgewood Park and the Pulgas Ridge Preserve and adjacent to Burlingame
Cultural Resources	Preferred because ground disturbance would be least	Most potential for construction at historic Crystal Springs Dam and along Trousdale Drive and most risk from underground construction, but impacts near the dam could be avoided with a submarine cable	Requires underground construction that would increase the risk of encountering previously unknown cultural resources
Geology	High exposure to San Andreas Fault	Preferred because it avoids San Andreas Fault crossing near San Bruno Avenue	High exposure to San Andreas Fault
Hydrology and Water Quality	Preferred because construction disturbance would be least	More construction work across watercourses, although minimal disturbance to Peninsula Watershed	More construction work across watercourses and near San Andreas Lake
Public Health and Safety	Preferred because route is in undeveloped areas with minimal existing contamination	Most likely to encounter contaminated areas during underground construction	More likely to encounter contaminated areas during underground construction
Recreation	Permanent degradation of recreation at Edgewood County Park and Preserve	Permanent degradation of recreational experience with overhead crossing of Crystal Springs Dam (avoided with a submarine cable); longest duration of construction disruption in Cañada Road	Preferred because construction and operation would avoid highest-use recreation areas
Air Quality	Preferred because construction disturbance would be least	Longest duration of construction and underground work	Longer duration of construction and underground work
Noise and Vibration	Preferred because construction disturbance would be least	Longest duration of construction and underground work	Longer duration of construction and underground work
Transportation and Traffic	Preferred because construction would affect fewest roadways	Most construction in roadways	Some construction along roadways
Socioeconomics	No preference	No preference	No preference
Public Services and Utilities	Preferred because of low likelihood of disrupting utilities during construction	Most likely to disrupt services during underground work	More likely to disrupt services during underground work

Transition Station. The proposed transition would permanently conflict with planned land uses for recreational purposes and degrade visual resources. These impacts could be avoided with any of the three either-alternative transition station sites, but the Glenview Drive Transition Tower Alternative Sneath Lane Transition Station with the Sneath Lane Underground Route would be preferred because it would simultaneously minimize land use, visual, seismic, and recreation impacts due to its location in a less visible area, adjacent to an existing City of San Bruno water tank and east of the main trace of the San Andreas Faultsubstation. Table ES-3 summarizes the comparison of the transition stations.

Table ES-3. Comparison of Three Transition Station Alternatives

Issue Area	Proposed Project Transition Station	West of Skyline Boulevard Transition Station	Sneath Lane Transition Station	Glenview Drive Transition Tower
Land Use	Most likely to cause permanent policy conflicts and conflicts with land use designation and planned development	Could cause conflicts for policies for biological resources or tree ordinances during construction	Preferred because of existing compatible adjacent land use (substation)	<u>Utility land use compatible with adjacent water tank site</u>
Visual	Most visually prominent location with permanent public exposure	More visually prominent because site is not adjacent to existing development	Preferred because of adjacent industrial facility (substation)	<u>More prominent than Sneath Lane but preferred over proposed and West of Skyline because of adjacent industrial facility (water tank)</u>
Biology	Preferred , because station site is disturbed and unvegetated	Station site is presently undisturbed and vegetated	Although station site is disturbed and unvegetated, additional overhead towers would be needed to reach Sneath Lane, increasing permanent bird collision hazards	<u>Preferred, because station site is disturbed and unvegetated</u>
Cultural	Preferred because least underground construction would be required	More underground construction work needed for connections	More underground construction work needed for connections	<u>Minimal underground construction required</u>
Geology	Preferred because site is west of main San Andreas Fault trace	Permanently exposed to seismic hazards by being located directly on active traces of San Andreas Fault	Permanently exposed to seismic hazards by being located west of active traces of San Andreas Fault	<u>Preferred because site is east of main San Andreas Fault trace</u>
Hydrology and Water Quality	Preferred because construction in Watershed would be minimized	More construction work occurs in the Peninsula Watershed	Additional construction work would be needed in the Peninsula Watershed to reach Sneath Lane	<u>Preferred because construction in Watershed would be minimized</u>
Public Health	Construction could encounter contaminated areas <u>within 0.25 miles of site but none are recorded from two closed gas stations across the street</u>	Preferred because of few known contaminated sites	Construction work occurs near residential area; 3 contaminated sites identified.	<u>Preferred because of few known contaminated sites</u>

Table ES-3. Comparison of Three Transition Station Alternatives

Issue Area	Proposed Project Transition Station	West of Skyline Boulevard Transition Station	Sneath Lane Transition Station	Glenview Drive Transition Tower
Recreation	Permanently precludes use of site for trailhead parking	Introduces permanent industrial structure adjacent to San Andreas Trail	Preferred because no recreational facilities would be affected	<u>No recreational facilities directly affected; visible from San Andreas Trail</u>
Air Quality	Construction work occurs near homes	Preferred because construction would be farthest from receptors	Construction work occurs near school and homes	<u>Construction work occurs near one apartment building</u>
Noise and Vibration	Construction work occurs near homes	Preferred because construction would be farthest from receptors	Construction work occurs near school and homes	<u>Construction work occurs near one apartment building</u>
Transportation and Traffic	No preference	No preference	No preference	<u>No preference; site is outside of potential Hwy 35 expansion area</u>
Socioeconomics	No preference	No preference	No preference	<u>No preference</u>
Public Services and Utilities	No preference	No preference	No preference	<u>No preference</u>

Northern Segment. The comparison for the northern segment is between the Proposed Project vs. the Modified Underground Existing 230 kV Collocation Alternative. As stated above, the Proposed Project would not cause any significant, unavoidable impacts in the underground segment. As also discussed above, the preferred alternative for the southern segment is Route Option 1B. Selecting that alternative would avoid multiple significant, unmitigable impacts including impacts related to the proposed transition station. The northern end of the Route Option 1B is at the intersection of El Camino Real and San Bruno Avenue in the City of San Bruno. From this location, two alternatives could not be used (the Junipero Serra and Cherry Avenue Alternatives). However, the Proposed Project, Route Option 4B, and the Modified Underground Existing 230 kV Collocation Alternative would each be available.

Table ES-4 illustrates that while the collocation alternative (with Route Options A, D, E, and F) can avoid short-term, construction-related impacts to many residential areas, recreational facilities, schools, and transportation corridors, this alternative would also create greater impacts in other areas because of construction through contaminated areas, and the potential for greater impacts to cultural and water resources. However, neither the Proposed Project nor the collocation alternative would create any significant unmitigable impacts. Therefore, on balance, both the Proposed Project and the Modified Underground Existing 230 kV Collocation Alternative are considered to be the environmentally superior alternatives for the northern segment since neither route shows a significant environmental benefit over the other. Other factors, such as cost and timing of need, will be considered in the CPUC's general proceeding, and can be used along with the environmental information presented in this EIR to make the ultimate determination regarding which route (if any) is to be approved. No Statement of Overriding Considerations would be required for this segment.

~~The collocation alternative is substantially shorter (with approximately 3.7 fewer miles of underground construction than the proposed underground route) and can avoid short term, construction related impacts to many residential areas, recreational facilities, and important transportation corridors. Potential construction-related impacts related to cultural resources and public health under this alternative would be reduced by mitigation identified in this EIR. This route would also minimize impacts to residential, recreational, and transportation uses in northern San Mateo County. No other alternative to the Proposed Project would minimize~~

~~the short-term, construction-related impacts as effectively. Therefore, the environmentally superior alternative for the northern segment is the Modified Underground Existing 230 kV Collocation Alternative. Table ES-4 summarizes the comparison of this alternative with the Proposed Project route.~~

Table ES-4. Proposed Project vs. Modified Underground Existing 230 kV Collocation Alternative

Issue Area	Proposed Project, Underground Route	Modified Underground Existing 230 kV Collocation Alternative
Land Use	At least 6 months of construction adjacent to 120 residences (in 3 areas) and several apartment buildings and 5 schools.	Preferred because construction would not affect very few residences or and no schools <u>with use of mitigation reroute (T-9a)</u>
Visual	No preference	No preference
Biology	No preference	No preference
Cultural	Preferred because fewer cultural resources are anticipated	Requires more work in Bay Shore area and near prehistoric resources east of San Bruno Mountain during construction
Geology	Requires more excavation into native undisturbed soils and potentially fossil-bearing rock during construction	Preferred because of soil conditions
Hydrology and Water Quality	Preferred because of distance to Bay for sedimentation impacts	Requires directional drilling in streams near San Francisco Bay during construction
Public Health	Preferred because of fewer known contaminated sites; only one site likely to affect construction	High likelihood of encountering contaminated soils and groundwater during construction through and near 3 leaking underground tanks and two Brownfield sites, as well as construction through capped landfill.
Recreation	Forces construction work in Hillside Blvd Bikeway and work near many other recreational facilities, especially in San Bruno Mountain State and County Park	Preferred because of fewer recreational facilities affected
Air Quality	Requires more construction work in residential areas	Preferred because construction would be farthest from receptors
Noise and Vibration	At least 6 months of construction adjacent to 120 residences and several apartment buildings and 5 schools.	Preferred because construction would not affect very few residences or and no schools <u>with use of mitigation reroute (T-9a)</u>
Transportation and Traffic	Requires 7.8 miles of construction in roads	Preferred – 4.8 miles of construction in roads
Socioeconomics	No preference	No preference
Public Services and Utilities	More potential for temporarily restricted access to public facilities (schools, parks, and hospitals) during construction	Preferred because of fewer public facilities

Conclusion. Based on the analysis summarized above, the environmentally superior alternative is illustrated in Figure ES-3 and comprises Route Option 1B with mitigation and ~~the optional submarine cable~~ one of several crossings of-at-the Crystal Springs Dam in conjunction with either the Proposed Project's underground segment or the Modified Underground Existing 230 kV Collocation Alternative with mitigation. The route in the area where these northern and southern segments would connect (at San Bruno Avenue and El Camino Real) could be modified with implementation of Mitigation Measure T-9a, which presents a route option continuing north on El Camino Real past San Bruno Avenue, then turning east on Sneath Lane/Tanforan Drive. ~~The environmentally superior alternative would be approximately 25 miles long, as compared with approximately 27 miles for the proposed route.~~

4.4 Environmentally Superior Alternative_s vs. No Project Alternative

The Environmentally Superior Alternative_s would be located entirely underground and in areas with few impacts on residences or other sensitive land uses. Long-term impacts would be minimal. In comparison, the most significant impact of the No Project Alternative is its likelihood of creating long-term air emissions and noise impacts. In addition, the No Project Alternative has the potential to result in electric service disruption. Overall, the Environmentally Superior Alternative_s, as illustrated on Figure ES-3, is are preferred over the No Project Alternative.

5. Impact Summary Tables

Table ES-5 and ES-6 on the following pages summarize all identified impacts of the Proposed Project (Table ES-5) and alternatives (Table ES-6). For each impact, the following information is presented: impact number and title, impact class (Class I, II, III, or IV), applicable mitigation measure, and residual impact (whether significant or less than significant).

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Figure ES-3. Environmentally Superior Alternatives (rev)

For security reasons this figure is not included in the online version of the report.

Table ES-5. Summary of Impacts and Mitigation for the Proposed Project

Impact	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Land Use			
L-1: Conflict with biological resources policies	Class II	Mitigation Measures B-1b, B-1c, B-3a, and B-3b (below)	Less than significant
L-2: Conflict with county tree ordinances	Class II	Mitigation Measure B-2b (below)	Less than significant
L-3: Conflict with county visual quality policies	Class I	Mitigation Measures V-1a to V-20b (below)	Significant
L-4: Construction nuisances or disturbances to residents, businesses or sensitive land uses	Class II/III	L-4a: Provide construction notification <u>and minimize construction disturbance</u> L-4b: Provide public liaison person and toll-free information hotline L-4c: Provide compensation to displaced residents	Less than significant
L-5: Interference with SFPUC maintenance activities	Class II	L-5a: Coordinate with SFPUC within Peninsula Watershed	Less than significant
L-6: Conflict with planned future development <u>at proposed transition station site</u>	Class I	<u>None</u> L-6a: <u>Design proposed transition station per request of City of San Bruno</u>	Significant
L-7: Disrupted access to businesses and residences	Class III	L-7a: Provide continuous access to properties L-7b: Coordinate with businesses	Less than significant
<u>L-9: Conflict with the LWCF</u>	<u>Class III</u>	<u>None (Implementation of either the Partial Underground Alternative or PG&E's Route Option 1B would eliminate this impact)</u>	<u>Less than significant</u>
Visual Resources			
V-1: Visibility of construction activities and equipment	Class III	V-1a: Reduce visibility of construction activities and equipment	Less than significant
V-2: Key Viewpoint 1 – Edgewood County Park	Class I	None	Significant
V-3: Key Viewpoint 2 – Interstate 280 Southbound	Class I	None	Significant
V-4: Key Viewpoint 3 – Interstate 280 Northbound	Class III	None	Less than significant
V-5: Key Viewpoint 4 – Cañada Road at Filoli Center	Class II	V-5a: Eliminate Tower 2/13	Less than significant
V-6: Key Viewpoint 5 – I-280 Southbound Vista Point	Class III	V-6a: Paint towers with appropriate colors	Less than significant
V-7: Key Viewpoint 6 – Cañada Road	Class III	Mitigation Measure V-8a (below)	Less than significant
V-8: Key Viewpoint 7 – I-280 Southbound at SR 92	Class II	V-8a: Relocate Towers between 3/18 and Tower 4/25 Mitigation Measure V-6a (above)	Less than significant
V-9: Key Viewpoint 8 – Lexington Avenue	Class I	V-9a: Eliminate Towers 5/29, 5/31 and 6/33	Significant
V-10: Key Viewpoint 9 – Crystal Springs Rest Area	Class II	V-10a: Eliminate Tower 7/40	Less than significant
V-11: Key Viewpoint 10 – Interstate 280 Southbound	Class III	Mitigation Measure V-10a (above)	Less than significant
V-12: Key Viewpoint 11 – Black Mountain Road	Class I	V-12a: Eliminate Towers 7/42, 7/45, and 8/47	Significant
V-13: Carolands Substation to transition station	Class I	V-13a: Eliminate Towers 10/64 and 10/66	Significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

Table ES-5. Summary of Impacts and Mitigation for the Proposed Project

Impact	Impact Class ^a	Mitigation Measure(s)	Residual Impact
V-14: Key Viewpoint 12 – Crystal Springs Golf Course	Class II	V-14a: Eliminate Towers 9/56, 9/58, and 9/60 Mitigation Measure V-6a (above)	Less than significant
V-15: Key Viewpoint 13 – I-280 Northbound	Class II	V-15a: Reduce views of proposed Tower 10/69 Relocate the proposed Towers 10/68 to 10/69 V-15b: Use steel poles from Tower 10/69 to 14/95 Mitigation Measure V-6a (above)	Less than significant
V-16: Key Viewpoint 14 – Sawyer Camp Trail	Class II	V-16a: Relocate Tower 11/75 away from Sawyer Camp Trail Mitigation Measures V-6a and V-15b (above)	Less than significant
V-17: Key Viewpoint 15 – San Andreas Trail	Class II	V-17a: Relocate Tower 13/84 V-17b: Eliminate proposed Towers 12/80 and 12/82 Mitigation Measures V-6a and V-15b (above)	Less than significant
V-18: Key Viewpoint 16 – Sweeney Ridge / Bay Discovery Site	Class III	Mitigation Measures V-6a (above) and V-19a (below)	Less than significant
V-19: Key Viewpoint 17 – Skyline Boulevard Northbound	Class II	V-19a: Eliminate Towers 13/89, 14/91, 14/92, and 14/94 Mitigation Measures V-6a and V-15b (above)	Less than significant
V-20: Key Viewpoint 18 – Transition Station / San Bruno Avenue	Class I	V-20a: Provide detailed plan for landscaping the transition station or structures V-20b: Provide detailed transition station design evaluation	Significant
V-21: Visual impact of modifications to substations, switchyards, and taps	Class III	Mitigation Measures V-1a through V-20a (above)	Less than significant
Biological Resources			
B-1: Temporary and permanent loss of sensitive vegetation communities	Class I (to serpentine grassland); Class II	B-1a: Perform wetlands delineation and avoidance B-1b: Provide restoration/compensation for vegetation losses B-1c: Protect serpentine grasslands and Edgewood Park B-1d: Perform pre-construction surveys and provide monitors B-1e: Complete rare plant surveys B-1f: Protect sensitive habitats during construction B-1g: Implement weed control B-1h: Negotiate compensation for loss of significant plant communities B-1i: Implement worker education	Less than significant
B-2: Loss or damage to trees	Class II	B-2a: Compensate for tree loss	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

Table ES-5. Summary of Impacts and Mitigation for the Proposed Project

Impact	Impact Class^a	Mitigation Measure(s)	Residual Impact
B-3: Erosion and sedimentation	Class II	B-3a: Complete restoration after construction Mitigation Measure B-1b	Less than significant
B-4: Wildlife habitat removal	Class III	Mitigation Measure B-1b (above)	Less than significant
B-5: Direct wildlife mortality	Class II/III	B-5a: Protect wildlife during construction	Less than significant
B-6: Wildlife disturbance from human presence	Class II	Mitigation Measures B-1c, B-1e, B-1f, B-1i, B-5a, B-8a	Less than significant
B-7: Bird electrocution and tower/line collisions	Class II/III	B-7a: Minimize bird electrocution and collision	Less than significant
B-8: Habitat removal or disturbance of special status wildlife species	Class II	B-8a: Protection for special status species B-8b: Consultation with resource agencies Mitigation Measures B-1a through B-7a	Less than significant
Cultural Resources			
C-1: Construction operations have the potential to affect known archaeological resources	Class II	C-1a: Avoid Environmentally Sensitive Areas (ESAs) C-1b: Develop Cultural Resources Treatment Plan (CRTP) C-1c: Conduct construction monitoring	Less than significant
C-2: Previously undetected cultural resources may be damaged or destroyed during project construction	Class II	Mitigation Measures C-1b and C-1c (above)	Less than significant
C-3: Construction operations have the potential to impact site P-41-390	Class II	C-3a: Evaluate historic bridge	Less than significant
Geology, Soils, and Paleontology			
G-1: Soft or loose soils along alignment may affect tower foundations and footings, excavation stability, and access to construction areas	Class II	G-1a: Perform geotechnical studies	Less than significant
G-2: Excavation, grading, or fill placement during construction activities could cause slope instability	Class II	G-2a: Protect against slope instability	Less than significant
G-3: Paleontologic resources may be destroyed by construction activities	Class II	G-3a: Consult a paleontologist	Less than significant
G-4: Naturally occurring asbestos fibers may be encountered and become airborne through construction activities	Class II	Mitigation Measure A-3a (below)	Less than significant
G-5: Strong groundshaking from local and regional seismic sources	Class II	G-5a: Reduce effects of groundshaking	Less than significant
G-6: Seismically induced ground failures including liquefaction, lateral spreading, seismic slope instability, and ground-cracking	Class II	G-6a: Conduct geotechnical investigations for liquefaction and slope instability	Less than significant
G-7: Slope instability including landslides, earth flows, and debris flows	Class II	G-7a: Conduct geotechnical surveys for landslides	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

Table ES-5. Summary of Impacts and Mitigation for the Proposed Project

Impact	Impact Class ^a	Mitigation Measure(s)	Residual Impact
G-8: Surface fault rupture at crossings of active and potentially active fault traces	Class I (for proposed transition station); Class II	G-8a: Minimize project structures within active fault zone	Less than significant
G-9: Expansive, soft, loose and/or compressible soils	Class II	G-9a: Implement standard engineering methods for problematic soils	Less than significant
G-10: Project may impact access to mineral resources	Class III	None	Less than significant
G-11: Corrosive soils	Class II	G-11a: Implement standard engineering methods for corrosive soils	Less than significant
Hydrology and Water Quality			
H-1: Soil erosion and sedimentation from construction activity and access roads	Class II	H-1a: Control erosion and sedimentation	Less than significant
H-2: Degradation of surface or groundwater quality through spill of potentially harmful materials used in construction	Class II	H-2a: Control hazardous substances	Less than significant
H-3: Increased runoff from new impervious areas	Class III	None	Less than significant
H-4: Encroachment into a floodplain or watercourse by other permanent aboveground project features	Class II	H-4a: Prevent flood damage	Less than significant
H-5: Construction in a potential dam inundation area	Class III	None	Less than significant
H-6: Water quality degradation through project-related excavation	Class II	Mitigation Measure H-2a (above) Mitigation Measure HAZ-3a (below)	Less than significant
H-7: Water quality degradation caused by accidental releases of oil from substations or transition station	Class II (for Substations, Switchyards, and Taps); Class III	H-7a: Protect against operational oil releases	Less than significant
H-8: Exposure of the underground cable to damage through stream scour and erosion	Class II	H-8a: Prevent scour and erosion	Less than significant
H-9: Interruption of groundwater flow or modification of groundwater depths during construction of underground transmission line	Class II	H-9a: Reduce construction effects on groundwater	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

Table ES-5. Summary of Impacts and Mitigation for the Proposed Project

Impact	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Public Health and Safety			
HAZ-1: Potential hazardous substance spills during construction	Class II	Mitigation Measure H-2a (above)	Less than significant
HAZ-2: Excavation could result in mobilization of existing contamination	Class II	HAZ-2a: Conduct Phase II investigations	Less than significant
HAZ-3: Previously unknown contamination could be encountered during construction	Class II	HAZ-3a: Conduct construction soil and groundwater sampling and testing HAZ-3b: Observe exposed soil for contamination	Less than significant
HAZ-4: Release of hazardous materials during operation at transition station or substations	Class II	HAZ-4a: Document compliance	Less than significant
PS-1: Radio and television interference	Class II	PS-1a: Limit the conductor surface electric gradient PS-1b: Document complaints and responsive action	Less than significant
PS-2: Induced currents and shock hazards in joint use corridors	Class II	PS-2a: Reduce effects of induced currents and shocks	Less than significant
PS-3: Effects on cardiac pacemakers	Class III	None	Less than significant
PS-4: Wind, earthquake, and fire hazards	Class III	None	Less than significant
Recreation			
R-1: Increased use of recreational resources	No impact	None	Less than significant No impact
R-2: Construction disturbance at recreation facilities	Class II/III	R-2a: Avoid peak use periods and notify on-site R-2b: Review and approve construction plan for San Bruno Mountain State and County Park Mitigation Measures V-1a, L-4a, L-4b, L-7a, and T-1a	Less than significant
R-3: Operation-related effects on recreational facilities impacts	Class I (Edgewood County Park and Preserve); Class II/III	Mitigation Measures V-5a, V-6a, V-8a, V-14a, V-15b, V-16a, V-17a, and V-19a, and L-6a (above)	Less than significant
Air Quality			
A-1: Construction activities would create dust emissions	Class II	A-1a: Control dust emissions	Less than significant
A-2: Construction equipment would generate exhaust emissions	Class II	A-2a: Control exhaust emissions	Less than significant
A-3: Construction activity could encounter naturally occurring asbestos	Class II	A-3a: Implement Asbestos Dust Mitigation Plan	Less than significant
A-4: Operational air quality impacts associated with maintenance and inspections	Class III	None	Less than significant
A-5: Substation and switchyard work could encounter asbestos-containing materials	Class III	None	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

Table ES-5. Summary of Impacts and Mitigation for the Proposed Project

Impact	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Noise and Vibration			
N-1: Construction activities would temporarily increase local noise levels	Class II	Mitigation Measures L-4a and L-4b (above)	Less than significant
N-2: Ground-borne vibration could cause a temporary nuisance during construction	Class II	Mitigation Measures L-4a and L-4b (above)	Less than significant
N-3: Corona noise from operation of the overhead transmission line	Class III	None	Less than significant
N-4: Noise from inspection and maintenance activities	Class III	None	Less than significant
N-5: Noise from operation of the Martin Substation with modifications	Class III	None	Less than significant
Transportation and Traffic			
T-1: Temporary road and lane closures	Class II	T-1a: Prepare Transportation Management Plans T-1b: Restrict lane closures	Less than significant
T-2: Traffic generated by construction	Class III	None	Less than significant
T-3: Physical impacts to roads and sidewalks ROWs	Class II	T-3a: Repair damaged roadways ROWs	Less than significant
T-4: Restricted access to properties	Class II	Mitigation Measures L-7a and L-7b (above)	Less than significant
T-5: Interference with pedestrian/bicycle circulation and safety	Class III	None	Less than significant
T-6: Construction interference with emergency response	Class II	T-6a: Ensure emergency response access	Less than significant
T-7: Loss of parking	Class III	None	Less than significant
T-8: Disruption of public transit	Class III	None	Less than significant
T-9: Conflict with planned transportation projects	Class II	T-9a: Avoid grade separation T-9b: Coordinate with San Mateo County's bridge replacement project plans	Less than significant
Socioeconomics			
S-1: Induce demand for labor	Class III	None	Less than significant
S-2: Displacement of people or existing housing	Class III	None	Less than significant
Public Services and Utilities			
U-1: Utility system disruptions	Class II	U-1a: Notify utility service interruption U-1b: Protect underground utilities U-1c: Protect utilities against corrosion	Less than significant
U-2: Public service system disruption	Class II (for underground); Class III	Mitigation Measures R-3a and T-6a None	Less than significant
U-3: Project-required utility demands	Class III	None	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Land Use				
L-1: Conflict with biological resources policies	1B, PU, WS, SL, <u>TD</u>	Class II	Mitigation Measures B-1b , B-1c , B-3a , and B-3b (below)	Less than significant
L-2: Conflict with county tree ordinances	PU, WS, SL, <u>TD</u> , <u>GC</u>	Class II	Mitigation Measure B-2b (below)	Less than significant
L-3: Conflict with county visual quality policies	PU, WS, SL, <u>TD</u> , <u>GC</u>	Class I for PU; Class II	Mitigation Measures V-1a to V-20b (below)	Significant
L-4: Construction noise, dust, and odor impacts on residents, businesses or sensitive land uses	All	Class III	L-4a: Provide construction notification <u>and minimize construction disturbance</u> L-4b: Provide public liaison person and toll-free information hotline L-4c: Provide compensation to displaced residents L-4d: <u>Maximize distance from residences</u> (Modified Existing Underground 230 kV Alternative)	Less than significant
L-5: Interference with SFPUC maintenance activities	PU, WS, SL	Class II	L-5a: Coordinate with SFPUC within Peninsula Watershed	Less than significant
L-7: Disrupted access to businesses and residences	All	Class III	L-7a: Provide continuous access to properties L-7b: Coordinate with businesses L-7c: <u>Provide continuous access to hotels</u> (Modified Existing Underground 230 kV Alternative)	Less than significant
L-8: Disruption of commercial parking lot (Modified Existing Underground 230 kV Alternative)	ME	Class III	L-8a: Compensate parking lot operator	Less than significant
Visual Resources				
V-1: Visibility of construction activities and equipment	All	Class III	V-1a: Reduce visibility of construction activities and equipment	Less than significant
V-5: Key Viewpoint 4 – Cañada Road at Filoli Center	PU	Class II	V-5a: Eliminate Tower 2/13	Less than significant
V-6: Key Viewpoint 5 – I-280 Southbound Vista Point	PU	Class III	V-6a: Paint towers with appropriate colors	Less than significant
V-7: Key Viewpoint 6 – Cañada Road	PU	Class III	Mitigation Measure V-8a (below)	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
V-8: Key Viewpoint 7 – I-280 Southbound at SR 92	PU	Class II	V-8a: Relocate Towers between 3/18 and 4/25 Mitigation Measure V-6a (above)	Less than significant
V-15: Key Viewpoint 13 – I-280 Northbound	PU	Class II	V-15a: Reduce Views of Proposed Tower 10/69 Relocate the proposed Towers 10/68 to 10/69 V-15b: Use steel poles from Tower 10/69 to 14/95 Mitigation Measure V-6a (above)	Less than significant
V-16: Key Viewpoint 14 – Sawyer Camp Trail	PU	Class II	V-16a: Relocate Tower 11/75 away from Sawyer Camp Trail Mitigation Measures V-6a and V-15b (above)	Less than significant
V-17: Key Viewpoint 15 – San Andreas Trail	PU	Class II	V-17a: Relocate Tower 13/84 V-17b: Eliminate proposed Towers 12/80 and 12/82 Mitigation Measures V-6a and V-15b (above)	Less than significant
V-18: Key Viewpoint 16 – Sweeney Ridge / Bay Discovery Site	PU	Class III	Mitigation Measures V-6a and V-19a	Less than significant
V-19: Key Viewpoint 17 – Skyline Boulevard Northbound	PU	Class II	V-19a: Eliminate Towers 13/89, 14/91, 14/92, and 14/94 Mitigation Measures V-6a and V-15b (above)	Less than significant
V-20: Key Viewpoint 18 – Transition Station / San Bruno Avenue	PU, 1B, GD, TD, GC	Class I/II/III	V-20a: Transition station landscaping V-20b: Evaluate transition station design	Significant
V-21: Visual impact of modifications to substations, switchyards, and taps	1B, PU	Class III	Mitigation Measures V-1a through V-20a	Less than significant
V-22: Introduction of complex industrial features into landscapes generally natural in appearance and lacking such features Overhead crossing of Crystal Springs Dam	1B	Class I/III	Mitigation Measure V-20a and V-20b (above)	Less than s Significant
V-23: New towers along Cañada Road between I-280 and Edgewood Road	PU	Class I	None	Significant
V-24: Visual impacts from transition stations Transition towers for Partial Underground Alternative	PU	Class I (for Tower 7/39); Class III (for Tower 6/36)	V-24a: Relocate Transition Tower 7/39 Mitigation Measure V-20a (above)	Significant
V-25: Crossing of I-280 at Tower 8/50 and Crystal Springs Golf Courses south of Carolands Substation	PU	Class I	None Mitigation Measure V-15a (above)	Significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
V-26: North of Crystal Springs Golf Course and New route segment west of I-280	PU	Class III	Mitigation Measure V-6a (above)	Less than significant
V-27: West of Skyline Transition Station/-Alternative (near Tower 14/93)West of Skyline Boulevard	WS	Class II	V-27a: Conduct <u>West of Skyline</u> Transition Station siting study Mitigation Measures V-6a and V-20a (above)	Less than significant
V-28: Sneath Lane Transition Station with all underground route options	SL	Class III	Mitigation Measures V-1a, V-6a, V-20a, and V-20b (above)	Less than significant
V-29: Glenview Drive Transition Tower	<u>GD</u>	<u>Class III</u>	Mitigation Measures V-1a, V-6a, and V-20a (above)	<u>Less than significant</u>
V-30: Trousdale Drive Transition Towers – Partial Underground Alternative	<u>TD</u>	<u>Class III</u>	Mitigation Measures V-1a, V-6a, and V-20a (above)	<u>Less than significant</u>
V-31: Trousdale Drive Transition Tower - Proposed Project Tower 11/70	<u>TD</u>	<u>Class III</u>	Mitigation Measures V-1a, V-6a, and V-20a (above)	<u>Less than significant</u>
V-32: Golf Course Drive Transition Station	<u>GC</u>	<u>Class II</u>	Mitigation Measures V-1a, V-6a, and V-20a (above)	<u>Less than significant</u>
Biological Resources				
B-1: Temporary and permanent loss of sensitive vegetation communities	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , ME	Class II	B-1a: Perform wetlands delineation and avoidance B-1b: Provide restoration/compensation for vegetation losses B-1c: Protect serpentine grasslands and Edgewood Park B-1d: Perform pre-construction surveys and provide monitors B-1e: Complete rare plant surveys B-1f: Protect sensitive habitats during construction B-1g: Implement weed control B-1h: Negotiate compensation for loss of significant plant communities B-1i: Implement worker education B-1j: Restrict construction ROW through sensitive valuable habitat (Partial Underground Alternative)	Significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
			B-1k: Use transition tower Instead of station (West of Skyline Transition Station Alternative) B-1l: Colma Creek Crossing; Frac-Out Contingency Plan (Modified Existing 230 kV Underground Alternative) B-1m: Restrict construction in The Triangle (Partial Underground Alternative)	
B-2: Loss or damage to trees	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class II	B-2a: Compensate for tree loss B-2b: Relocate Transition Tower to 6/36 (Partial Underground Alternative)	Less than significant
B-3: Erosion and sedimentation	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class II	B-3a: Complete restoration after construction	Less than significant
B-4: Wildlife habitat removal	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class III	Mitigation Measure B-1b (above)	Less than significant
B-5: Direct wildlife mortality	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class II	B-5a: Protect wildlife during construction	Less than significant
B-6: Wildlife disturbance from human presence	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class II	Mitigation Measures B-1c , B-1e , B-1f , B-1i , B-5a , and B-8a	Less than significant
B-7: Bird electrocution and tower/line collisions	1B (with overhead dam crossing), PU, WS, SL, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class II/III	B-7a: Minimize bird electrocution and collision	Less than significant
B-8: Habitat removal or disturbance of special status wildlife species	1B, PU, WS, <u>GD</u> , <u>TD</u> , <u>GC</u> , <u>ME</u>	Class II	B-8a: Protection for special status species B-8b: Consultation with resource agencies B-8c: Protect CRLF at Crystal Springs Dam (PG&E Route Option 1B Alternative)	Less than significant
B-9: PG&E Route Option 1B-underwater crossing around dam	1B	Class II	Mitigation Measures B-1a through B-7a B-9a: Perform detailed surveys at areas proposed to be trenched for cable access to Lower Crystal Springs Reservoir	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Cultural Resources				
C-1: Construction operations have the potential to affect known archaeological resources	1B, PU, WS, SL, CA, JS, ME	Class II	C-1a: Avoid Environmentally Sensitive Areas (ESAs) C-1b: Develop Cultural Resources Treatment Plan (CRTP) C-1c: Conduct construction monitoring	Less than significant
C-2: Previously undetected cultural resources may be damaged or destroyed during project construction	All	Class II	Mitigation Measures C-1b and C-1c (above)	Less than significant
C-3: Construction operations have the potential to impact site P-41-390	1B	Class II	C-3a: Evaluate historic bridge	Less than significant
C-4: Construction operations have the potential to impact Crystal Springs Dam	1B	Class II	C-4a: <u>Minimize visible change to</u> Crystal Springs Dam	Less than significant
C-5: Construction operations have the potential to impact Lower Crystal Springs to San Andreas Flume Construction operations have the potential to impact site WSA-JM-2	MEPU	Class II	C-5a: Evaluate historic flume Avoid Site WSA-JM-2	Less than significant
Geology, Soils, and Paleontology				
G-1: Soft or loose soils along alignment may affect tower foundations and footings, excavation stability, and access to construction areas	1B, PU, WS, CA, 4B, JS, ME	Class II	G-1a: Perform geotechnical studies	Less than significant
G-2: Excavation, grading, or fill placement during construction activities could cause slope instability	1B, PU, CA, 4B, JS, ME	Class II	G-2a: Protect against slope instability	Less than significant
G-3: Paleontologic resources may be destroyed by construction activities	All	Class II	G-3a: Consult a paleontologist	Less than significant
G-4: Naturally occurring asbestos fibers may be encountered and become airborne through construction activities	1B, PU, GD, TD, GC	Class II	Mitigation Measure A-3a (below)	Less than significant
G-5: Strong groundshaking from local and regional seismic sources	All	Class II	G-5a: Reduce effects of groundshaking	Less than significant
G-6: Seismically induced ground failures including liquefaction, lateral spreading, seismic slope instability, and ground-cracking	1B, PU, WS, 4B, JS, ME	Class II	G-6a: Conduct geotechnical investigations for liquefaction and slope instability	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
<u>G-7: Slope instability including landslides, earth flows, and debris flows</u>	<u>1B, PU, WS, SL, GD, GC, JS, ME</u>	<u>Class II</u>	<u>G-7a: Conduct geotechnical surveys for landslides</u>	<u>Less than significant</u>
G-8: Surface fault rupture at crossings of active and potentially active fault traces	<u>1B, PU, WS, SL, JS, ME</u>	<u>Class I (for proposed and alternative transition stations); Class I/II</u>	G-8a: Minimize project structures within active fault zone	Less than significant
G-9: Expansive, soft, loose and/or compressible soils	<u>1B, PU, WS, CA, 4B, JS, ME</u>	Class II	G-9a: Implement standard engineering methods for problematic soils	Less than significant
G-11: Corrosive soils	<u>AI/ME</u>	Class II	G-11a: Implement standard engineering methods for corrosive soils	
Hydrology and Water Quality				
H-1: Soil erosion and sedimentation from construction activity and access roads	All	Class II	H-1a: Control erosion and sedimentation	Less than significant
H-2: Degradation of surface or groundwater quality through spill of potentially harmful materials used in construction	All	Class II	H-2a: Control hazardous substances	Less than significant
H-3: Increased runoff from new impervious areas	<u>1B, PU, WS, SL, GD, TD, GC, ME</u>	Class III	None	Less than significant
H-4: Encroachment into a floodplain or watercourse by other permanent project features	<u>1B, PU, WS, SL, ME</u>	Class II	H-4a: Prevent flood damage	Less than significant
H-5: Construction in a potential dam inundation area	<u>1B, PU</u>	Class III	None	Less than significant
H-6: Water quality degradation through project-related excavation	All	Class II	Mitigation Measure H-2a (above) Mitigation Measure HAZ-3a (below)	Less than significant
H-7: Water quality degradation caused by accidental releases of oil from substations or transition station	<u>1B, PU, WS, SL, GD, TD, GC, ME</u>	Class II (for Substations, Switchyards, and Taps); Class III	H-7a: Protect against operational oil releases	Less than significant
H-8: Exposure of the underground cable to damage through stream scour and erosion	<u>1B, PU, WS, SL, GD, TD, GC, JS, ME</u>	Class II	H-8a: Prevent scour and erosion	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
H-9: Interruption of groundwater flow or modification of ground-water depths during construction of underground transmission line	All	Class II	H-9a: Reduce construction effects on groundwater	Less than significant
H-10: Degradation of water quality due to the use of motorized watercraft in Crystal Springs Reservoir	1B	Class II	H-10a: Prevent contamination from motorized watercraft H-10b: <u>Protect water quality from lakeshore operations</u>	Less than significant
Public Health and Safety				
HAZ-1: Potential hazardous substance spills during construction	All	Class II	Mitigation Measure H-2a (above)	Less than significant
HAZ-2: Excavation could result in mobilization of existing contamination	All	Class II	HAZ-2a: Conduct Phase II investigations	Less than significant
HAZ-3: Previously unknown contamination could be encountered during construction	All	Class II	HAZ-3a: Conduct pre-construction soil and groundwater sampling and testing HAZ-3b: Observe exposed soil for contamination	Less than significant
HAZ-4: Release of hazardous materials during operation at transition station or substations	WS, SL, <u>GD</u> , <u>TD</u> , <u>GC</u>	Class III	HAZ-4a: Document compliance	Less than significant
PS-1: Radio and television interference	All	Class II	PS-1a: Limit the conductor surface electric gradient PS-1b: Document complaints and responsive action	Less than significant
PS-2: Induced currents and shock hazards in joint use corridors	All	Class II	PS-2a: Reduce effects of induced currents and shocks	Less than significant
PS-3: Effects on cardiac pacemakers	All	Class III	None	Less than significant
PS-4: Wind, earthquake, and fire hazards	All	Class III	None	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Recreation				
R-1: Increased use of recreational resources	All	No impact	None	Less than significant No impact
R-2: Construction disturbance at recreation facilities	All	Class II/III	R-2a: Avoid peak use periods and notify on-site R-2b: Review and approve construction plan for San Bruno Mountain State and County Park Mitigation Measures V-1a, V-24a, L-4a, L-4b, L-7a, and T-1a	Less than significant
R-3: Operation-related effects on recreational facilities	1B, PU, WS, SL, GC	Class I (with overhead dam crossing); Class II/III; Class IV for PU in Edgewood Park	Mitigation Measures V-5a, V-6a, V-8a, V-14a, V-15b, V-16a, V-17a, and V-19a, and V-20a (above)	Less than significant
Air Quality				
A-1: Construction activities would create dust emissions	All	Class II	A-1a: Control dust emissions	Less than significant
A-2: Construction equipment would generate exhaust emissions	All	Class II	A-2a: Control exhaust emissions	Less than significant
A-3: Construction activity could encounter naturally occurring asbestos	All	Class II	A-3a: Implement Asbestos Dust Mitigation Plan	Less than significant
A-4: Operational air quality impacts associated with maintenance and inspections	All	Class III	None	Less than significant
A-5: Substation and switchyard work could encounter asbestos-containing materials	1B, PU	Class III	None	Less than significant
Noise and Vibration				
N-1: Construction activities would temporarily increase local noise levels	All	Class II	Mitigation Measures L-4a and L-4b (above)	Less than significant
N-2: Ground-borne vibration could cause a temporary nuisance during construction	All	Class II	Mitigation Measures L-4a and L-4b (above)	Less than significant
N-3: Corona noise from operation of the overhead transmission line	PU, WS, SL, GD, TD, GC	Class III	None	Less than significant
N-4: Noise from inspection and maintenance activities	All	Class III	None	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)

Table ES-6. Summary of Impacts and Mitigation for Alternative Routes

Impact	Applicable Alternatives ^b	Impact Class ^a	Mitigation Measure(s)	Residual Impact
Transportation and Traffic				
T-1: Temporary road and lane closures	All	Class II	T-1a: Prepare Transportation Management Plans T-1b: Restrict lane closures	Less than significant
T-2: Traffic generated by construction	All	Class III	None	Less than significant
T-3: Physical impacts to roads and sidewalks ROWs	All	Class II	T-3a: Repair damaged roadways ROWs	Less than significant
T-4: Restricted access to properties	All	Class II	L-7c: Provide continuous access to hotels (PG&E Route Option 1B Alternative) Mitigation Measures L-7a and L-7b (above)	Less than significant
T-5: Interference with pedestrian/bicycle circulation and safety	All	Class III	None	Less than significant
T-6: Construction interference with emergency response	All	Class II	T-6a: Ensure emergency response access	Less than significant
T-7: Loss of parking	All	Class III	None	Less than significant
T-8: Disruption of public transit	All	Class III	None	Less than significant
T-9: Conflict with planned transportation projects	1B, WS, SL, ME	Class II/III	T-9a: Avoid grade separation T-9b: Coordinate with San Mateo County's bridge replacement project plans-Avoid conflicts with Crystal Springs Dam Bridge replacement project (PG&E Route Option 1B Alternative)	Less than significant
Socioeconomics				
S-1: Induce demand for labor	All	Class III	None	Less than significant
S-2: Displacement of people or existing housing	All	Class III	None	Less than significant
Public Services and Utilities				
U-1: Utility system disruptions	All	Class II	U-1a: Notify of utility service interruption U-1b: Protect underground utilities U-1c: Protect utilities against corrosion	Less than significant
U-2: Public service system disruption	All	Class II (for 1B and PU); Class III	Mitigation Measures L-6a, L-6b, and T-6a (above)None	Less than significant
U-3: Project-required utility demands	All	Class III	None	Less than significant

^a Impact Classes: Class I (significant, unmitigable); Class II (less than significant with mitigation incorporated); Class III (less than significant); Class IV (beneficial)

^b Alternatives Abbreviations: PG&E Route Option 1B (1B), Partial Underground (PU), West of Skyline Transition Station (WS), Sneath Lane (SL), Glenview Drive Transition Tower (GD), Trousdale Drive Transition Towers (TD), Golf Course Drive Transition Station (GC), Cherry Avenue (CA), Route Option 4B (4B), Modified Existing Underground 230 kV (ME), Junipero Serra (JS)



Chino Hills celebrates commission's ruling

Canan Tasci, Staff Writer

Created: 10/20/2011 10:12:05 PM PDT

View: [CPUC TRTP letter to SCE](#) CHINO HILLS - City officials are encouraged that the California Public Utilities Commission's order to stop construction of high-voltage power lines in this city will strengthen their case to be heard by the state Supreme Court.

In a letter sent late Thursday, the commission directed Southern California Edison to temporary halt any new or additional construction to Tehachapi Renewable Transmission Project structures because they don't have appropriate lighting - a violation of Federal Aviation Administration requirements.

Chino Hills officials and representatives as well as residents have been urging the commission to take back its decision to build the 19 power line towers in the city. Chino Hills officials have argued Edison's easement is too narrow for expanding the size of the electrical towers currently being built in the city.

The commission became aware Edison had fallen behind on its filings with the Federal Aviation Administration despite having final engineering analysis on some portions of Tehachapi project, at which point commission officials directed Edison officials to file the Petition For Modification, which was done on Monday.

"Thereafter, commission staff became aware recently that some elements of the Tehachapi that fall within Federal Aviation Administration reportable standards had already been constructed without lighting and markers, which triggered the letter," said Andrew Kotch, information officer for California Public Utilities

Commission.

"In the letter, the CPUC directed SCE to immediately remedy potential safety problems as reflected by FAA regulations, to make the appropriate filings required by the FAA, and to report to the CPUC regularly on planning and progress to remedy these deficiencies.

"The CPUC staff are in regular contact with SCE and our consultant to plan remediation and monitor current status and progress on remediation of safety concerns. The CPUC has also been in contact with the FAA regarding this matter."

For Edison to attain and maintain compliance with FAA regulations, the commission has directed the company to take a number of actions, including not performing any new or additional tower construction and conductor stringing in the areas that have a high probability of being subject to FAA mitigations. To that end, conductor stringing in the city of Chino Hills within 1,000 feet of any residence should not be undertaken, Terrie Prosper, spokesman from the California Public Utilities Commission, said in an email.

Edison officials said Thursday's letter from the Commission is "not a stop work order."

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"It may impact construction schedules and the scope of certain aspects of the project," said Edison spokesman Paul Klein.

Klein said SCE is still looking at the letter and analyzing it to fully understand the communication from the commission.

In late September, Chino Hills City Council members voted to file a request with the state Supreme Court to review the Court of Appeal's decision, which said the commission has exclusive jurisdiction regarding the route being used by Edison.

Council members Gwenn Norton-Perry and Peter Rogers abstained because their homes are near the power lines.

The city plans to file the case by Monday, city officials said.

The power lines have gained the attention of many people, including State Sen. Gloria Negrete McLeod, D-Montclair, who toured the project on Tuesday.

And on Wednesday, Public Utilities' Commissioner Timothy Simon and representatives from the offices of Assemblyman Curt Hagman, R-Chino Hills, and state Sen. Bob Huff, R-Walnut took a look at the project.

Commission President Michael Peevey even took a tour of the tower construction last week.

"I think for us in Chino Hills stopping is a good thing because it creates more time for our appeal to be heard," Mayor Ed Graham said.

"I'm encouraged that as time goes on, and since the towers are up, key decision makers are actually able to see what's happening and have an opportunity to reverse their decision - anytime we can lengthen that process is good."

In an email from Klein, he said Edison has filed a

petition for modification with the California Public Utilities Commission regarding minor project modifications such as marking transmission wires and lighting certain transmission structures that are part of the Tehachapi Project.

A decision from the Supreme Court about whether to accept the city's request for review will be rendered by mid-January, according to a city news release.

The city's battle with Edison started four years ago and has cost the city \$2.4 million.

Transmission poles and towers are being erected within the right-of-way from Chino Hills' western border near Tonner Canyon, northeast to Peyton Drive and continuing east to the 71 Freeway and eventually going into Riverside County.

Construction of the towers started in October 2010.

Fifteen of the larger towers have been installed in Chino Hills, replacing smaller existing structures on the right-of-way.

The \$2.1 billion Tehachapi project is slated to be completed in 2015.



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An email from Southern California Edison reads, "marking and lighting are relatively minor modifications that do not result in new significant environmental impacts."

"SCE is lowering the heights of approximately 21 structures near the Chino Airport, and changing the tower type from Tubular Steel Poles to Lattice Steel Towers for seven of those structures to maintain required ground to conductor clearance levels. This refinement to final engineering is proposed in response to the FAA's recommendations to reduce any impact on air traffic using the Chino Airport.

"Transmission line spans (catenaries) will have marker balls and transmission structures will have lights at various locations throughout the project alignment. SCE will communicate with stakeholders in those locations to keep them informed."

"SCE has identified marker balls for spans and lighting for transmission structures in many segments of the project."

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**Proposed Incorporation
City of Jurupa Valley**

**Public Hearing Draft
Comprehensive Fiscal Analysis**

June 14, 2010

Submitted to:
**Riverside Local Agency Formation Commission
3850 Vine St., Suite 110
Riverside, CA 92507**

Prepared by:



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Appendix

BOUNDARY ALTERNATIVE 1- (Removed)

BOUNDARY ALTERNATIVE 2- Tables & Exhibits

BOUNDARY ALTERNATIVE 3- (Removed)

EXECUTIVE SUMMARY

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, this revised Public Hearing Draft Comprehensive Fiscal Analysis (CFA) is submitted to the Riverside Local Agency Formation Commission (LAFCO) as part of its consideration of a potential proposed incorporation of the unincorporated Jurupa Valley area. As an integral component of the incorporation process, LAFCO is required under state law to prepare a CFA for the purpose of making determinations as to the fiscal feasibility of the proposed incorporation. This CFA has been prepared under the requirements of Government Code Section 56800 et. seq., the Governor's Office of Planning and Research (OPR) Guidelines for Incorporations, and LAFCO's locally adopted Policies and Procedures. This CFA incorporates all comments provided by Riverside County staff, Riverside LAFCO staff, and other agency and public comments received on the previous Draft CFAs, updated assumption information based on continued evaluation of current economic trends, and the negotiated Revenue Neutrality mitigation agreement.

As a result of the January 21, 2010 LAFCO approval of the Eastvale incorporation proposal, Boundary Alternative 3, the only one of the three original boundary alternatives for the incorporation of Jurupa Valley that was considered potentially viable, was eliminated. Boundary Alternative 3 extended Jurupa Valley's western boundary to Hamner Ave, north of Limonite. As a result of the LAFCO approval of the Eastvale incorporation proposal, this alternative is now eliminated as Eastvale's eastern boundary extends to the I-15 freeway. As a result of the LAFCO action, the County of Riverside agreed to retain Fire Protection Services and all Structural Fire Fund Property Tax as a County service to be provided to Jurupa Valley as an incorporated city in order to achieve feasibility of the Jurupa Valley Boundary Alternative 2 scenario. Fire Protection service is not a required service to be transferred as a result of incorporation, so flexibility exists within the Government Code to provide for this scenario.

This CFA assumes an Effective Date of Incorporation of July 1, 2011. The CFA includes a compilation of the forecasted revenues and expenditures of the proposed city for the first 10 years of operation, Fiscal Years 2011/2012 through 2020/2021. The CFA reviews anticipated municipal service provision, and the potential impact of the incorporation of the proposed incorporation area on the County of Riverside and other affected agencies providing services to the area. A preliminary calculation of fiscal impact on the County of Riverside pursuant to the revenue neutrality requirements of Government Code Section 56815 is included, as well as the final negotiated Revenue Neutrality agreement.

This CFA analyses the proposed incorporation boundaries as designated by the incorporation proponents. Minor modifications to these boundaries generally will not significantly impact the financial conclusions contained within the CFA. However, any minor boundary modification that includes a significant change in any single revenue source or expenditure, or any significant modifications to the boundaries analyzed, could have a material effect on this analysis. If it is determined that additional boundary scenarios beyond those analyzed within are to be studied, a new CFA will need to be developed.

This CFA has been developed based on the best available information provided by the various sources identified. Forecast model projections are based on accepted industry forecasting standard methodologies such as per capita estimating and growth based estimating, and review of existing municipal budgets of comparably sized local cities in the Riverside County and San Bernardino County Area. It should be noted that unforeseen significant changes in any revenue or cost assumption contained within the forecast model could have a material affect on the 10 year forecast, and should be so noted.

This CFA carries a key assumption that the new city will be considered a “contract city” for purposes of analysis. A “contract city” is a city that contracts out some or all of its municipal services to either the county or other public or private service providers. By contracting services, limited actual city staff is required to administer the city, and greater economies of scale are achieved in some significant cost centers such as law enforcement. This type of city administrative model has become more prevalent over the last 15 years. City staffing projections are based on a review of comparable cities within the region and other similar sized contract cities in the state, providing a basis for establishing a structure and general expectation of staffing for the proposed city.

Government Code Section 56800 requires that any CFA be developed utilizing revenue and cost information from the “most recent fiscal year data is available.” Additionally, Government Code Section 56800(a)(1) specifies that “costs shall reflect the actual or estimated costs at which the existing level of service could be contracted by the proposed city following an incorporation”. The “Base Year” information forms the basis for determining the initial Base Property Tax and the annual Property Tax Allocation Factor, the estimated revenue neutrality mitigation requirement (if any), and forms the basis of the 10 year fiscal model forecast.

The Base Year for the purposes of this CFA is Fiscal Year 2007/2008. Base Year information for the existing level of service was provided by affected departments of Riverside County and various state agencies. This information formed the basis for estimating future revenues received, and costs of services incurred by the Jurupa Valley area. Where agencies could not provide costs of services or revenues specific to the incorporation area, the reporting agency was required to document the method used to extrapolate the estimate. Revenues were not included in the Base Year model unless they were realized, received, or being collected during the Base Year.

Due to the conflict of potential incorporation boundaries that were originally designated by the JVIRC and the Eastvale Incorporation Committee for analysis of each competing incorporation proposal, LAFCO and the County of Riverside reached agreement to conduct fiscal, demographic and development data collection and analysis by creating six distinct “Study Areas” to ensure consistency of data application, in particular with respect to the Study Areas within the conflicting boundaries. The Study Areas applicable to the Jurupa Valley area are identified following within their corresponding boundary alternative.

Boundary Alternatives

Three Boundary Alternatives were initially analyzed in previous drafts of this CFA for the Jurupa Valley area. The analysis of each boundary alternative provides a basis for LAFCO to make determinations of final boundaries that reflect the goals and objectives of incorporating logical communities of interest and long term fiscal viability. Population and housing unit figures were provided by the County of Riverside projected as of July 1, 2008.

Alternative 1	Study Area 6	Population- 86,810	Housing Units- 24,846
Alternative 2	Study Areas 4, 5 & 6	Population- 87,818	Housing Units- 25,146
Alternative 3	Study Areas 2, 4, 5 & 6	Population- 92,356	Housing Units- 26,830

Boundary Alternative 1 encompasses all of Study Area 6. This area includes all unincorporated territory east of Wineville, and is generally bounded by the City of Riverside to the east, the Cities of Riverside and Norco to the south, and San Bernardino County to the north.

Boundary Alternative 2 encompasses all of Study Areas 4, 5 & 6. This area includes all unincorporated territory east of the I-15 freeway, and is generally bounded by the City of Riverside to the east, the Cities of Riverside and Norco to the south, and San Bernardino County to the north.

Boundary Alternative 3 encompasses all of Study Areas 2, 4, 5 & 6. This area includes all unincorporated territory east of Hamner north of Limonite, and east of the I-15 freeway south of Limonite, and is generally bounded by the City of Riverside to the east, the Cities of Riverside and Norco to the south, and San Bernardino County to the north.

Independent Community Service & Special Districts

There are two Community Service Districts and one Recreation & Parks District serving the Jurupa Valley area, the Jurupa Community Services District, the Rubidoux Community Services District, and the Jurupa Area Recreation and Park District. Each of these districts are “independent” special districts providing certain municipal services to the area. As independent special districts, the governance structure is similar to a city as the Board of Directors of each is directly elected by the registered voters within their jurisdictional boundaries. The CFA assumes these independent special districts would not be dissolved as a result of incorporation of the Jurupa Valley area. Each special district is assumed to continue to function as is, providing all services they currently provide, and retaining all revenues that they currently receive. As such, there is no impact on these special districts and no discussion within the CFA concerning revenues or costs associated with those special district functions.

Redevelopment Project Areas

There are several county Redevelopment Project Areas and Sub-Areas covering a significant portion of the Jurupa Valley area. The forecast model assumes that all Project and Sub-Project Areas will be retained by the county. Although one of the Project Areas would normally be eligible to receive a portion of the statutory property tax increment retained by the county in the form of a “pass-through”, the annual offset for costs associated with the infrastructure improvements for this Project Area negates all available pass-through revenue for the foreseeable future. As such, no estimated “pass through” revenue has been included in the forecast model. The improvements identified by the county that are supplanting the “pass-through” allocation include all road infrastructure projects funded from the property tax increment proceeds. Since the roads and the improvements will transfer to the new city upon incorporation, the cost offset applies.

County Service Areas and Lighting & Landscape Maintenance District

There are three County Service Areas (CSAs) located within Study Area 6 of the Jurupa Valley area. CSA 34 is inactive. CSA 72 (Rubidoux) provides street lighting services to a small area southwest of Market Street and south of Hall Ave. CSA 73 (Crestmore) provides street lighting services to a small area south of Rubidoux Blvd. These CSAs would be dissolved and the responsibilities would be transferred to the new city. The Jurupa Valley area also contains a multitude of Zones within the county Landscape and Lighting District L & LMD 89-1-C. L & LMD-89-1-C provides street lighting, fossil filter (storm drain catch basin screens), and some traffic signal operations and maintenance. All Zones within the new city boundaries will be detached from the district and transfer to the new city.

Proposition 218 Requirements

No “revenue enhancements” such as new or increased taxes, fees, charges, or assessments are proposed or anticipated in the CFA. Revenue enhancements in the form of a new tax, or an increased existing tax, would require approval by the affected electorate under Proposition 218. Taxes to be levied for a specific service, such as a parcel tax to fund law enforcement services, requires a two-thirds vote of the electorate. A tax to be levied for “general purposes”, such as a utility tax for use for general purposes, requires a simple majority of the electorate.

FISCAL FEASIBILITY FINDINGS

In accordance with Government Code Section 56720, fiscal feasibility is the most critical finding that must be made by LAFCO for approval of an incorporation of a new city. However, fiscal feasibility is predicated on certain determinations to be made by LAFCO with respect to other aspects of the incorporation. These include:

- Boundaries of the new city
- Timing of the incorporation
- Detachments, consolidations and other governmental boundary changes
- Property tax transfer determinations
- Revenue neutrality mitigation determinations

The following findings are based on research and analysis performed to date, and incorporates the negotiated Revenue Neutrality mitigation agreement adopted by the JVIRC and the County of Riverside.

Boundary Alternative 1

Boundary Alternative 1 is not considered fiscally feasible.

Based on the significant deficit spending and fiscal infeasibility demonstrated by Boundary Alternative 1, this alternative has been removed from further discussion.

Boundary Alternative 2

Boundary Alternative 2 is considered fiscally feasible.

Figures 1-A through 2-B on Pages 7-12 for Boundary Alternative 2 summarize the 10 year General Fund and Road Fund forecasts.

The forecasted General Fund revenues minus expenditures for FY 12/13 through FY 20/21 average an approximate \$869,649 annual operating surplus. It should be noted that with the exception of the Transition Year, the annual operating surplus exhibits a nearly “balanced budget” scenario each year, with the exception of the last two years of the County Repayment period (FY15/16 & FY 16/17). However, the initial Transition Year surplus of \$9,458,042 establishes a more than adequate reserve base for city operations. The Cumulative General Fund surplus over the term of the 10 year forecast model is \$8,696,492. The annual ratio of cumulative reserve funds to expenditures ranges from 35%, decreasing to 27% and leveling off at the end of the 10 year forecast. This reserve ratio demonstrates relatively good long term sustainability for the General Fund.

The forecasted Road Fund revenues minus expenditures for the same time period average an approximate \$426,970 annual operating surplus, although operating deficits do occur during the County Repayment Years. However, the initial Transition Year surplus of \$4,230,430 establishes a more than adequate reserve base for city operations. The Cumulative Road Fund surplus over the term of the 10 year forecast model is \$4,269,697. The annual ratio of available reserve funds to expenditures ranges from 104%, decreasing to 75% in the mid years of the forecast as the city completes the five year county repayment for transition year services, and increasing to 109% at the end of the 10 year forecast. As with the General Fund, the Road Fund demonstrates similar characteristics of long term sustainability.

The CSA and L & LMD Funds exhibit sustainable levels of Property Tax and Special Assessment funding, although CSA 73 does exhibit a need for funding augmentation from the Road Fund. Reserve levels in each CSA Fund are maintained at significant levels, with the L & LMD Fund reserves considered adequate. Each Fund can be augmented as necessary with Road Funds as these revenues can be used for the services provided.

Additionally, the forecast model assumes that the annual 10% contingency factor is expended every year for each Fund. In practice, it is generally unlikely that this will occur, thus additional reserve capacity exists within the projections. In summary, all Funds exhibit sustainability over the long term. Boundary Alternative 2 meets and exceeds the standards for short and long term fiscal sustainability.

Boundary Alternative 3

Boundary Alternative 3 is no longer available for consideration.

Boundary Alternative 3 extended Jurupa Valley's western boundary to Hamner Ave, north of Limonite. As a result of the LAFCO approval of the Eastvale incorporation proposal, this Alternative was now eliminated as Eastvale's eastern boundary extends to the I-15 freeway.

Revenue Neutrality

Government Code Section 56815 specifies that "revenue neutrality" shall require the incorporation to result in a "similar exchange" of both revenue and service responsibility among the proposed city, the county, and any other affected agency. The method of calculating the "projected" annual revenue neutrality mitigation payment is based on the difference between identifiable and recurring costs and revenues (net costs) for the Base Year, FY 07/08. There is only one "affected agency" that would be considered for revenue neutrality purposes, Riverside County. The "estimated" revenue neutrality impacts to the county based on the calculations required by Government Code Section 56815 indicates that there is an annual negative net impact to the Riverside County General Fund of \$4,218,405 for Boundary Alternative 2.

It should be noted that the Government Code allows for the actual mitigation to be negotiated between the county and the incorporation proponents, and mitigation established on terms acceptable to both parties. This CFA incorporates the negotiated agreement between the parties. The agreement generally calls for fixed payments in Years 2-6 followed by indefinite payments based on an upward sliding scale of a percentage split between combined Property Tax and Sales Tax as certain total combined thresholds are met. The percentage split ranges from 19% at the lowest threshold, to 29% maximum. The payments continue until such time as the city decides to assume Fire Protection services from the County. The estimated Revenue Neutrality payments based on the agreement have been incorporated into the 10 year forecast model.

Conclusion

It is concluded by this analysis that the new city is considered to be fiscally feasible at the “existing level of service” provision under Boundary Alternative 2, operating within the parameters as established within this CFA. The forecast model demonstrates that sufficient revenue and reserve capacity exists to ensure short term and long term fiscal sustainability of the proposed city. However, as indicated in the fiscal model, it can also be concluded that prudent fiscal management will be a necessary component of maintaining fiscal feasibility in the long term. Sufficient capacity exists to address potential future service enhancements that may be desired by the community, however, as continued stress on the economy continues, it will be incumbent upon the initial governing body of the city to ensure that fiscal management of the new city is the primary focus of attention in the first few years, while revenues stabilize and the economy recovers.

Jurupa Valley Incorporation Analysis
General Fund Revenues and Expenditures

Boundary Alternative Two (SA 4, 5, 6) (I-15 Boundary)
County Retains Fire Services and Structural Fire Tax

	Projection Year				
	Transition Year				
	FY 11/12	2	3	4	5
	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16
General Fund Revenues					
General Property Tax	0	4,594,332	4,873,113	5,193,140	5,515,503
Sales and Use Tax	3,353,077	6,753,804	6,849,449	6,945,094	7,040,740
Property in Lieu of Sales Tax	0	2,251,268	2,283,150	2,315,031	2,346,913
Property Transfer Tax	193,799	204,904	252,241	285,152	288,426
Motor Vehicle In-Lieu Fees (AB 1602)	7,121,594	6,816,891	6,493,259	6,182,394	5,847,347
Off Highway Vehicle License Fee	0	0	0	0	0
Transient Occupancy Tax	261,377	261,377	261,377	383,579	383,579
Engineering Fees	0	1,155,974	1,155,974	1,155,974	1,155,974
Franchise Fees	1,037,148	2,098,571	2,134,166	2,177,491	2,224,419
Community Development Fees (Planning/B&S/Code Enf/Env)	0	1,893,300	1,893,300	1,893,300	1,893,300
Business Registration Fees	0	24,178	24,586	25,124	25,662
Animal License/Shelter Fees	0	51,751	52,624	53,775	54,926
Fines & Forfeitures	372,436	378,827	385,218	393,644	402,070
Miscellaneous Revenues	226,543	230,430	234,318	239,443	244,568
Transfer from Road Fund (Public Works Admin)	13,024	161,704	161,704	161,704	161,704
Subtotal	12,578,998	26,877,310	27,054,477	27,404,845	27,585,129
Interest Earnings	116,766	236,451	238,206	239,794	241,102
Total Revenues	12,695,764	27,113,761	27,292,683	27,644,639	27,826,231

Figure 1-A

Jurupa Valley Incorporation Analysis
General Fund Revenues and Expenditures

Boundary Alternative Two (SA 4, 5, 6) (I-15 Boundary)
County Retains Fire Services and Structural Fire Tax

	Projection Year				
	6	7	8	9	10
	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
General Fund Revenues					
General Property Tax	5,849,521	6,195,565	6,718,780	7,261,384	7,822,920
Sales and Use Tax	7,136,385	7,232,030	7,621,982	8,011,934	8,401,887
Property in Lieu of Sales Tax	2,378,795	2,410,677	2,540,661	2,670,645	2,800,629
Property Transfer Tax	298,855	309,622	447,037	464,326	481,355
Motor Vehicle In-Lieu Fees (AB 1602)	5,487,777	5,628,422	5,779,089	5,931,121	6,084,529
Off Highway Vehicle License Fee	0	0	0	0	0
Transient Occupancy Tax	383,579	383,579	383,579	383,579	383,579
Engineering Fees	1,155,974	1,155,974	1,155,974	1,155,974	1,155,974
Franchise Fees	2,271,347	2,318,276	2,367,666	2,418,204	2,468,743
Community Development Fees (Planning/B&S/Code Enf/Env)	1,893,300	1,893,300	1,893,300	1,893,300	1,893,300
Business Registration Fees	26,199	26,737	27,316	27,895	28,475
Animal License/Shelter Fees	56,077	57,228	58,467	59,707	60,947
Fines & Forfeitures	410,496	418,922	427,996	437,070	446,144
Miscellaneous Revenues	249,693	254,819	260,338	265,858	271,377
Transfer from Road Fund (Public Works Admin)	161,704	161,704	161,704	161,704	161,704
Subtotal	27,759,703	28,446,854	29,843,889	31,142,700	32,461,560
Interest Earnings	225,237	210,483	211,333	213,135	213,602
Total Revenues	27,984,940	28,657,337	30,055,221	31,355,835	32,675,162

Figure 1-B

**Jurupa Valley Incorporation Analysis
General Fund Revenues and Expenditures**

**Boundary Alternative Two (SA 4, 5, 6) (I-15 Boundary)
County Retains Fire Services and Structural Fire Tax**

	Projection Year				
	Transition Year	2	3	4	5
	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16
General Fund Expenditures					
City Council	95,900	102,584	103,275	103,973	104,677
City Manager	250,951	535,571	540,801	546,084	551,420
City Clerk	277,696	315,718	425,309	298,760	436,016
City Attorney	362,000	365,600	369,236	372,908	376,617
Finance/Administrative Services	326,203	549,655	555,017	560,432	565,901
Non-Departmental	929,325	369,325	369,525	369,727	557,431
Community Development	281,713	3,617,387	3,600,861	3,584,670	3,568,816
Engineering/Public Works	419,595	1,927,676	1,946,828	1,966,171	1,985,708
Animal Services	0	1,424,615	1,456,749	1,495,917	1,535,747
Law Enforcement (Sheriff)	0	12,108,923	12,436,341	12,835,445	13,241,289
Subtotal	<u>2,943,383</u>	<u>21,317,055</u>	<u>21,803,941</u>	<u>22,134,087</u>	<u>22,923,623</u>
Contingency	294,338	2,131,705	2,180,394	2,213,409	2,292,362
Transfer to Structural Fire Fund	0	0	0	0	0
County Repayment	0	1,344,823	1,344,823	1,344,823	1,344,823
Revenue Neutrality	0	2,250,000	1,900,000	1,900,000	1,900,000
Total Expenditures	<u>3,237,721</u>	<u>27,043,583</u>	<u>27,229,158</u>	<u>27,592,319</u>	<u>28,460,808</u>
General Fund Operating Surplus/(Deficit)	9,458,042	70,178	63,525	52,320	(634,577)
Annual Operating Surplus/(Deficit) as % of Operating Expenditures		0.3%	0.2%	0.2%	-2.2%
General Fund Operating Reserve	<u>9,458,042</u>	<u>9,528,220</u>	<u>9,591,746</u>	<u>9,644,065</u>	<u>9,009,488</u>
Required Operating Reserve (10% of Expenses)	323,772	2,704,358	2,722,916	2,759,232	2,846,081
Excess Reserve	9,134,270	6,823,862	6,868,830	6,884,833	6,163,407
Overall Operating Reserve as % of Operating Expenditures		35%	35%	35%	32%

Figure 1-C

**Jurupa Valley Incorporation Analysis
General Fund Revenues and Expenditures**

**Boundary Alternative Two (SA 4, 5, 6) (I-15 Boundary)
County Retains Fire Services and Structural Fire Tax**

	Projection Year				
	6	7	8	9	10
	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
General Fund Expenditures					
City Council	105,389	106,108	106,834	107,567	108,308
City Manager	556,809	562,253	567,750	573,303	578,911
City Clerk	304,463	447,531	310,282	459,383	316,217
City Attorney	380,364	384,147	387,969	391,828	395,727
Finance/Administrative Services	571,425	577,005	582,640	588,009	593,433
Non-Departmental	370,137	370,345	370,555	398,893	370,982
Community Development	3,503,304	3,538,138	3,573,319	3,608,852	3,644,741
Engineering/Public Works	2,005,440	2,025,369	2,045,498	2,065,828	2,086,361
Animal Services	1,576,248	1,617,428	1,661,457	1,706,228	1,751,752
Law Enforcement (Sheriff)	13,653,966	14,073,572	14,522,197	14,978,387	15,442,248
Subtotal	23,027,545	23,701,895	24,128,500	24,878,278	25,288,679
Contingency	2,302,755	2,370,189	2,412,850	2,487,828	2,528,868
Transfer to Structural Fire Fund	0	0	0	0	0
County Repayment	1,344,823	0	0	0	0
Revenue Neutrality	1,900,000	2,551,243	3,441,783	3,971,063	4,705,194
Total Expenditures	28,575,123	28,623,327	29,983,133	31,337,168	32,522,741
General Fund Operating Surplus/(Deficit)	(590,183)	34,009	72,089	18,667	152,421
Annual Operating Surplus/(Deficit) as % of Operating Expenditures	-2.1%	0.1%	0.2%	0.1%	0.5%
General Fund Operating Reserve	8,419,305	8,453,314	8,525,403	8,544,070	8,696,492
Required Operating Reserve (10% of Expenses)	2,857,512	2,862,333	2,998,313	3,133,717	3,252,274
Excess Reserve	5,561,793	5,590,981	5,527,090	5,410,353	5,444,217
Overall Operating Reserve as % of Operating Expenditures	29%	30%	28%	27%	27%

Figure 1-D

**Jurupa Valley Incorporation Analysis
Road Fund Revenues and Expenditures**

**Boundary Alternative Two (SA 4, 5, 6) (I-15 Boundary)
County Retains Fire Services and Structural Fire Tax**

	Projection Year				
	Transition Year	2	3	4	5
	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16
<u>ROAD FUND</u>					
Road Fund Revenues					
Section 2105	740,794	703,272	664,056	626,382	586,474
Section 2106	462,147	438,739	414,273	390,771	365,874
Section 2107	1,005,849	954,902	901,654	850,501	796,313
Section 2107.5	7,500	7,500	7,500	7,500	7,500
Measure A Local Streets & Roads	1,193,819	1,202,301	1,219,328	1,236,355	1,253,381
Proposition 42 (TCRF)	781,119	794,523	807,927	825,599	843,270
Subtotal	<u>4,191,227</u>	<u>4,101,237</u>	<u>4,014,738</u>	<u>3,937,107</u>	<u>3,852,813</u>
Interest Earnings	52,228	105,761	107,609	106,086	101,311
Total Revenues	<u>4,243,454</u>	<u>4,206,998</u>	<u>4,122,347</u>	<u>4,043,193</u>	<u>3,954,124</u>
Road Fund Expenditures					
Road/Traffic Signal Maintenance/Traffic Engineering	0	3,037,132	3,082,841	3,129,238	3,176,333
Subtotal	<u>0</u>	<u>3,037,132</u>	<u>3,082,841</u>	<u>3,129,238</u>	<u>3,176,333</u>
Contingency	0	303,713	308,284	312,924	317,633
Transfer to CSA 73	0	7,883	7,804	7,722	7,638
Transfer to General Fund (Public Works Admin)	13,024	161,704	161,704	161,704	161,704
County Repayment	0	622,627	622,627	622,627	622,627
Total Expenditures	<u>13,024</u>	<u>4,133,059</u>	<u>4,183,259</u>	<u>4,234,214</u>	<u>4,285,934</u>
Road Fund Operating Surplus/(Deficit)	<u>4,230,430</u>	<u>73,939</u>	<u>(60,912)</u>	<u>(191,021)</u>	<u>(331,810)</u>
Annual Operating Surplus/(Deficit) as % of Operating Expenditures		2%	-1%	-5%	-8%
Road Fund Operating Reserve					
Required Operating Reserve (10% of Expenses)	1,302	413,306	418,326	423,421	428,593
Excess Reserve	4,229,128	3,891,063	3,825,131	3,629,015	3,292,032
Overall Operating Reserve as % of Operating Expenditures		104%	101%	96%	87%

Figure 2-A

**Jurupa Valley Incorporation Analysis
Road Fund Revenues and Expenditures**

**Boundary Alternative Two (SA 4, 5, 6) (I-15 Boundary)
County Retains Fire Services and Structural Fire Tax**

	Projection Year				
	6	7	8	9	10
	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21

ROAD FUND

Road Fund Revenues

Section 2105	544,331	555,504	567,537	579,569	591,602
Section 2106	339,583	346,553	354,060	361,566	369,073
Section 2107	739,092	754,263	770,600	786,938	803,276
Section 2107.5	7,500	10,000	10,000	10,000	10,000
Measure A Local Streets & Roads	1,270,408	1,287,435	1,356,853	1,426,272	1,495,690
Proposition 42 (TCRF)	860,942	878,614	897,645	916,677	935,708
<u>Subtotal</u>	<u>3,761,856</u>	<u>3,832,369</u>	<u>3,956,696</u>	<u>4,081,022</u>	<u>4,205,349</u>
Interest Earnings	93,016	81,718	86,220	92,582	100,827
<u>Total Revenues</u>	<u>3,854,872</u>	<u>3,914,087</u>	<u>4,042,916</u>	<u>4,173,604</u>	<u>4,306,176</u>

Road Fund Expenditures

Road/Traffic Signal Maintenance/Traffic Engineering

<u>Subtotal</u>	3,224,137	3,272,660	3,321,913	3,371,908	3,422,655
Contingency	322,414	327,266	332,191	337,191	342,266
Transfer to CSA 73	7,551	7,462	7,370	7,276	7,178
Transfer to General Fund (Public Works Admin)	161,704	161,704	161,704	161,704	161,704
County Repayment	622,627	0	0	0	0

Total Expenditures

	<u>4,338,432</u>	<u>3,769,092</u>	<u>3,823,179</u>	<u>3,878,078</u>	<u>3,933,803</u>
	(483,560)	144,995	219,737	295,526	372,374

Road Fund Operating Surplus/(Deficit)

Annual Operating Surplus/(Deficit) as % of Operating Expenditures

	-11%	4%	6%	8%	9%
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Road Fund Operating Reserve

Required Operating Reserve (10% of Expenses)	<u>3,237,066</u>	<u>3,382,061</u>	<u>3,601,798</u>	<u>3,897,324</u>	<u>4,269,697</u>
Excess Reserve	433,843	376,909	382,318	387,808	393,380
	2,803,223	3,005,152	3,219,480	3,509,516	3,876,317

Overall Operating Reserve as % of Operating Expenditures

	75%	90%	94%	100%	109%
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Figure 2-B

INTRODUCTION

The Jurupa Valley Incorporation Research Committee (JVIRC), in conjunction with the Jurupa Area Recreation and Park District, has filed an application with the Riverside Local Agency Formation Commission (LAFCO) proposing the incorporation of the greater Jurupa Valley into a new city. As an integral component of the incorporation process, LAFCO is required under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, to cause to be prepared a Comprehensive Fiscal Analysis (CFA) for the purpose of making determinations as to the fiscal feasibility of the proposed incorporation.

This revised Public Hearing Draft CFA has been prepared under the requirements of Government Code Section 56800 et. seq., the Governor's Office of Planning and Research Guidelines for Incorporations, and LAFCO's locally adopted Policies and Procedures. With all municipal incorporations comes a transfer of certain service responsibilities for the new city. These responsibilities generally include general government, law enforcement, traffic control and accident investigation, fire protection, construction and maintenance of local streets, street lighting, code enforcement, land use planning and regulation, building inspection, animal control, and parks and recreation services. This CFA incorporates all comments provided by Riverside County staff, Riverside LAFCO staff, and other agency and public comments received on the previous Draft CFAs, updated assumption information based on continued evaluation of current economic trends, and the negotiated Revenue Neutrality mitigation agreement.

As a result of the January 21, 2010 LAFCO approval of the Eastvale incorporation proposal, Boundary Alternative 3, the only one of the three original boundary alternatives for the incorporation of Jurupa Valley that was considered potentially viable, was eliminated. Boundary Alternative 3 extended Jurupa Valley's western boundary to Hamner Ave, north of Limonite. As a result of the LAFCO approval of the Eastvale incorporation proposal, this alternative is now eliminated as Eastvale's eastern boundary extends to the I-15 freeway. As a result of the LAFCO action, the County of Riverside agreed to retain Fire Protection Services and all Structural Fire Fund Property Tax as a County service to be provided to Jurupa Valley as an incorporated city in order to achieve feasibility of the Jurupa Valley Boundary Alternative 2 scenario. Fire Protection service is not a required service to be transferred as a result of incorporation, so flexibility exists within the Government Code to provide for this scenario.

This CFA analyzes in detail, the forecasted ability of the proposed city to provide municipal services over an extended period of time, including the ability to remain fiscally solvent during unanticipated periods of potential economic recession. The analysis is limited to a presentation of information in the form of a forecast based on actual base year costs/revenues, and includes an evaluation of the assumptions underlying the forecast.

This CFA analyses the proposed incorporation boundaries as designated by the JVIRC. Minor modifications to these boundaries generally will not significantly impact the financial conclusions contained within the CFA. However, any minor boundary modification that includes a significant change in any single revenue source or expenditure, or any significant modifications to the boundaries analyzed, could have a material effect on this analysis. If it is determined that additional boundary scenarios beyond those analyzed within are to be studied, a new or supplemental CFA will need to be developed.

This CFA assumes an Effective Date of Incorporation of July 1, 2011. The CFA includes a compilation of the forecasted revenues and expenditures of the proposed city for the first 10 years of operation, Fiscal Years 2011/2012 through 2020/2021. The CFA reviews anticipated municipal service provision, and the potential impact of the incorporation of the proposed

incorporation area on the County of Riverside and other affected agencies providing services to the area. A preliminary calculation of fiscal impact on the County of Riverside pursuant to the revenue neutrality requirements of Government Code Section 56815 is included, as well as the final negotiated Revenue Neutrality agreement.

The greater Jurupa Valley is located in Riverside County, situated between the cities of Riverside and Norco to the south, San Bernardino County to the north and northwest, and the unincorporated community of Eastvale to the southwest. The Jurupa Valley area is approximately 60 square miles in size, and includes the communities of Jurupa, Jurupa Hills, Mira Loma, Glen Avon, Pedley, Sky Country, Indian Hills, Belltown, Sunnyslope, and Rubidoux. Portions of the Santa Ana River traverse the southern portion of the area.

Jurupa derives its name from the first inhabitants of the area, Native Americans who called Jurupa their home. The Jurupa Valley area lies at the territorial boundaries of two different Tribes, the Gabrielino Tribe and the Serrano Tribe. Over the years, there have been various interpretations of the meaning of "Jurupa", from a greeting meaning "peace and friendship" to the first padre to visit the area, to a more widely recognized origination that "Jurupa" refers to the California Sagebrush common to the area. In 1838, the area became known as Rancho Jurupa under a land grant to Senor Don Juan Bandini by the Mexican government. By the late 1800's the Jurupa Valley area began to live in the shadow of the more popular City of Riverside. Much of Jurupa Valley area has a Riverside mailing address. Yet, settlement of the area in and around what is now the City of Riverside actually began in the Jurupa Valley many years before the city's founding.

The Jurupa Valley area today is a mix of high and low density residential development, rural farming and other agricultural activities, and a mix of commercial retail and industrial activity. Two primary transportation corridors traverse the Jurupa Valley area, Interstate 15 which runs north and south, and State Highway 60, which runs east and west. It has been in recent years that residential development and economic activity has increased, in particular in the areas adjacent to the I-15 and Hwy 60. Recent median home sale prices in the area are approximately \$180,000¹.

Boundary Alternatives

Due to the conflict of potential incorporation boundaries that were originally designated by the JVIRC and the Eastvale Incorporation Committee for analysis of each competing incorporation proposal, LAFCO and the County of Riverside reached agreement to conduct fiscal, demographic and development data collection and analysis by creating six distinct "Study Areas" to ensure consistency of data application, in particular with respect to the Study Areas within the conflicting boundaries. The Study Areas applicable to the Jurupa Valley area are identified following within their corresponding boundary alternative. Figure 3 on Page 16 depicts the area map and all of the Study Areas.

Three Boundary Alternatives were initially analyzed in previous drafts of this CFA for the Jurupa Valley area. The analysis of each boundary alternative will provide a basis for LAFCO to make determinations of final boundaries that reflect the goals and objectives of incorporating logical communities of interest and long term fiscal viability. Population and housing unit figures were provided by the County of Riverside projected as of July 1, 2008².

¹ Zillow.com listing of residential property sales- March 10 – May 10 & Riverside County Assessor letter dtd 11/5/09.

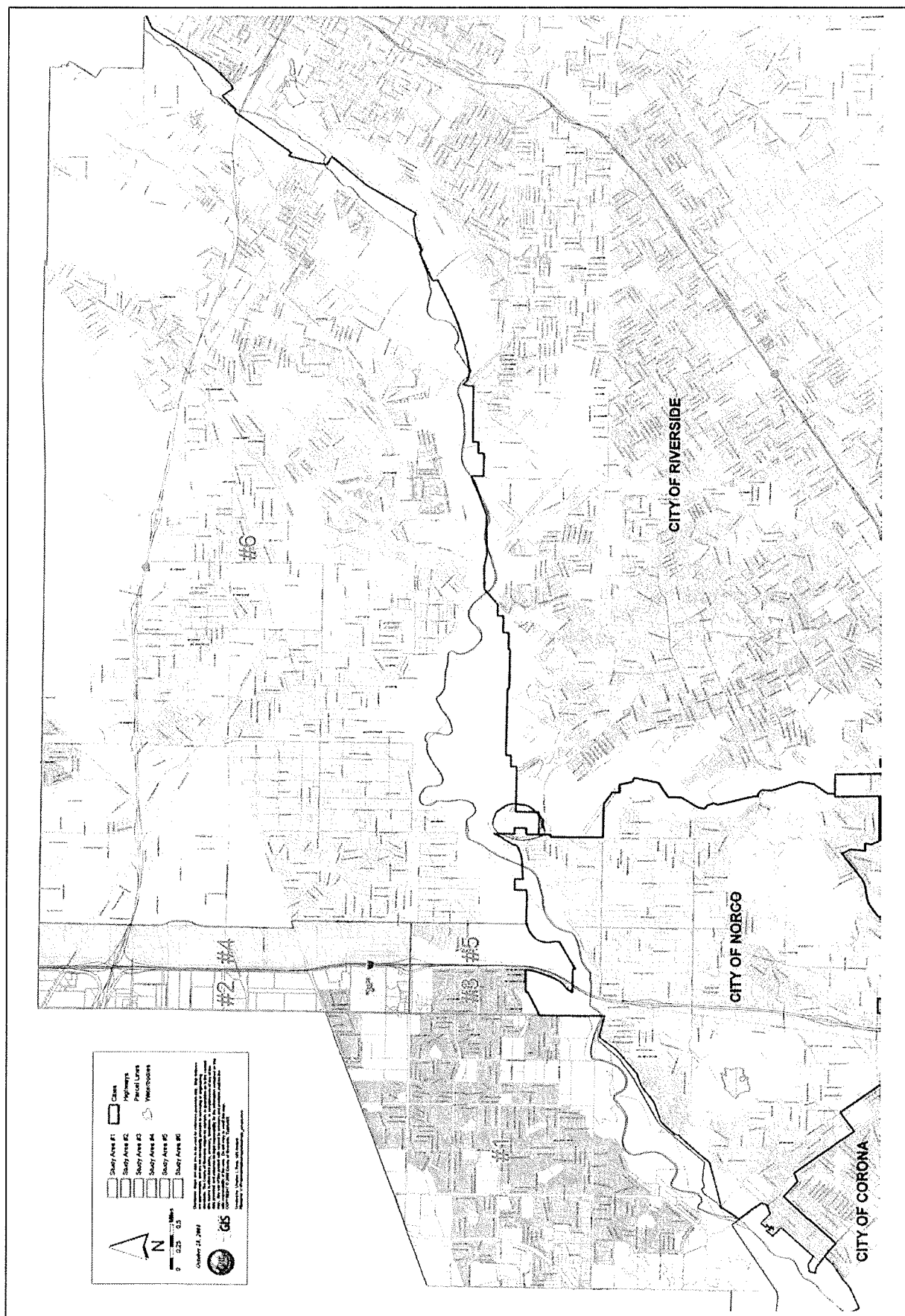
² Email correspondence from Riverside County- TLMA Demographics Dept dtd 12/19/08, 2/23/09 and 5/12/09.

Alternative 1	Study Area 6	Population- 86,810	Housing Units- 24,846
Alternative 2	Study Areas 4, 5 & 6	Population- 87,818	Housing Units- 25,146
Alternative 3	Study Areas 2, 4, 5 & 6	Population- 92,356	Housing Units- 26,830

Boundary Alternative 1 encompasses all of Study Area 6. This area includes all unincorporated territory east of Wineville, and is generally bounded by the City of Riverside to the east, the Cities of Riverside and Norco to the south, and San Bernardino County to the north.

Boundary Alternative 2 encompasses all of Study Areas 4, 5 & 6. This area includes all unincorporated territory east of the I-15 freeway, and is generally bounded by the City of Riverside to the east, the Cities of Riverside and Norco to the south, and San Bernardino County to the north.

Boundary Alternative 3 encompasses all of Study Areas 2, 4, 5 & 6. This area includes all unincorporated territory east of Hamner, north of Limonite, and east of the I-15 freeway, south of Limonite, and is generally bounded by the City of Riverside to the east, the Cities of Riverside and Norco to the south, and San Bernardino County to the north.



Incorporation Boundaries Study Areas

Figure 3

ASSUMPTIONS & METHODOLOGIES

PURPOSE OF THE CFA

The most significant issue facing any incorporation is the fiscal feasibility of the proposed city. As such, Government Code Section 56800 et. seq. requires that a CFA be developed to analyze the fiscal sustainability of the incorporation. The CFA is required to include the following:

- Fiscal data from the most recent fiscal year (also known as the base year) where available.
- Costs of providing services to the new city for the first three full fiscal years after incorporation.
- Revenues available to the new city for the first three full fiscal years after incorporation.
- The effects on the costs and revenues of affected local agencies.
- Any other information and analysis needed.

Although the Government Code only requires an analysis of fiscal feasibility for the first three years of incorporation, it is prudent to project city budgets further into the future in order to capture the effect of the drop in the revenues collected by the proposed city after certain State subventions provided to new cities in specified revenue categories decrease. This allows a more complete estimate of the new city's long-term financial feasibility. The Governor's Office of Planning & Research Guidelines for Incorporations recommends a 10 year analysis, to which this CFA is developed. It should be noted that projections into the future are always subject to unanticipated actions and/or changes in circumstances that can affect fiscal feasibility either positively or negatively. As these unknowns cannot be adequately captured too far out in the future, it should be understood that projections for the first five years of incorporation provide the best benchmark for determination of fiscal feasibility, with later year projections being more subject to variation.

GENERAL ASSUMPTIONS AND METHODOLOGIES

This CFA has been developed based on the best available information provided by the various sources identified. The assumptions used in compiling estimated future municipal revenues and expenditures are based on existing cost and revenue data provided by the county, state, and other current service providers. The forecast model also utilizes various industry standard forecast methodologies such as per capita estimating, growth based estimating, and review of existing municipal budgets of comparably sized local Riverside County and San Bernardino county cities, and recently incorporated contract cities in the state. It shall be noted that unforeseen significant changes in any revenue or cost assumption contained within the forecast model could have a material affect on the 10 year forecast, and should be so noted.

Cities utilized for comparison for assumptions concerning specific revenue or cost assumptions were selected based on their general comparable features to the Jurupa Valley area and availability of the specific revenue or cost data required for comparison purposes. These cities are identified in their respective discussions in the Fiscal Analysis section of this CFA. City staffing projections are based on a review of comparable cities within the region, and other similar sized contract cities, providing a basis for establishing a structure and general expectation of staffing for the proposed city.

Revenues and costs have been projected to future years on a “constant dollar” basis factoring in “real growth” to be anticipated for certain expenditures and revenues including population driven expenditures and revenues. General inflation factors are not included. However, although a general inflation rate of approximately 2.2 % annually has been experienced within the region based on the statistical 2 year average annual change in the Consumer Price Index (CPI) for the Los Angeles/Orange/Riverside County area³, the inflation rate currently is relatively flat.

With the signing of AB 1602 into law in 2006, newly incorporating cities now receive a significant restoration of Motor Vehicle License Fee (MVLFF) funding for cities that incorporate after August 2004⁴. This revenue was previously removed by Proposition 1A in 2004 which implemented the Property Tax In-Lieu of MVLFF for existing cities. This restored revenue is allocated to new cities after deductions for certain state administrative charges, and the Orange County bankruptcy recovery funding, and prior to allocation to existing cities of remaining revenues from the state Motor Vehicle License Fee Account.

However, it should be noted that in a period of economic decline affecting motor vehicle sales statewide, sufficient revenues may not be available in a given year to fully fund the restored revenue due to the allocation of state administrative costs. Further discussion of the MVLFF revenue is included in the Fiscal Analysis section of the CFA. This revenue also carries an additional population based subvention for the first five years of incorporation based on a sliding scale formula. Also, as a result of AB 1602, a new city receives state subventions for most Motor Vehicle Fuel Taxes based on the same population formula as for the new MVLFF funding. After the fifth year, funding for both revenues revert to the standard formula based on the actual annual population of the city. This represents a significant but temporary source of general purpose and road maintenance funding for the proposed city.

Although all cities generally manage city financial accounting on an accrual basis, this CFA is prepared and forecasted on a “cash basis.” New cities will have no initial fund balances on which to depend for cash flow during the initial “start up” period. For purpose of fiscal feasibility analysis, it is prudent to delineate, as best as practicable, the true cash fiscal position of the proposed city during those first critical years; and to delineate the most realistic picture of year-end surpluses or deficits which will be experienced by the new city. The detailed discussion that follows in the CFA for each revenue/cost category identifies the projection methodology applied, and discusses the basis for that methodology.

Tables 3-A through 3-D in the Appendices outline the general assumptions, Base Year data, and demographic data utilized in the forecast model.

PROVISION OF MUNICIPAL SERVICES- “CONTRACT CITY”

Since the early 1990's, when the Educational Revenue Augmentation Funds (ERAF) shift and the Revenue Neutrality provisions were placed in State law, virtually every incorporation since has resulted in establishment of what is termed a “contract city”. This was a result of the significant loss of revenues to the newly incorporating cities that under previous law would have accrued to them. A contract city is a structural organization whereby the new city takes advantage of inherent economies of scale gained by contracting most services to existing public and/or private entities versus providing those services with in house staff. A new city may choose to contract for the provision of some or all of the required and optional services rather than provide them directly. Contracting is also effective as a short-term alternative until the new

³ State Division of Labor Statistics & Research, 2004-2008 for the Los Angeles/Orange/Riverside County Area.

⁴ Revenue & Taxation Code Section 11005 & 11005.3.

city has adequate staffing, facilities, and a stable workload and revenue stream. This CFA focuses on how government services could be provided within the proposed incorporation area under the “contract city” concept.

BASE YEAR REVENUES AND EXPENDITURES

The first component of the CFA is to determine the revenues and service costs associated with the proposed incorporation area as if it had been an existing city during the last complete fiscal year. These “Base Year” revenues and costs are used to establish a baseline for projecting the future anticipated revenues and service costs, the feasibility of the proposed city to support municipal level services, and to determine the base property tax revenue to be transferred to the new city. In accordance with Government Code Section 56800 et. seq., data for the analysis shall be from the most recent fiscal year for which data is available. In the case where such data is not available, the reporting agency must estimate the amount and provide the methodology by which the estimate was derived.

Base Year information for the existing level of service was provided by affected agencies and departments of Riverside County, and various state agencies. This information formed the basis for estimating future revenues received, and costs of services incurred by the Jurupa Valley area. Where agencies could not provide costs of services or revenues specific to the incorporation area, the reporting agency was required to document the method used to extrapolate the estimate. Revenues were not included in the Base Year budget unless they were realized, received, or being collected during the Base Year. The Base Year for the purposes of this CFA is FY 2007/2008 which runs from July 1, 2007 through June 30, 2008.

EFFECTIVE DATE OF INCORPORATION AND TRANSITION YEAR

LAFCO must establish an “Effective Date” for the incorporation. The Effective Date is the date upon which the proposed city is deemed organized or incorporated, and is essentially “open for business.” On the Effective Date, the five candidates for city council receiving the highest number of votes during the incorporation election are sworn in as the new city council. The city council begins to organize the new city's administrative structure at their first meeting by adopting existing ordinances of Riverside County.

The Transition Year is the time period from the Effective Date of incorporation until the end of the Fiscal Year in which the incorporation occurs. During this period of time, the county continues to provide municipal services for the new city while the city establishes its service provision plan, and accrues necessary revenues for beginning service responsibility at the beginning of the next fiscal year. During this same period, the city begins receiving several of the revenues that will accrue to the city on a continuous basis, thus allowing for the ability to be able to absorb the service responsibility. The city may opt at anytime during the transition period to assume service responsibility from the county for any service that it desires to transition early. At the end of the Transition Year, all municipal service responsibility transfers from the county to the new city. The new city will be responsible for repayment of the net costs of services provided by the county during the Transition Year, generally in deferred payments over 5 years with interest.

For the purposes of the CFA, the assumed Effective Date of Incorporation is July 1, 2011, with a full fiscal year of Transition from July 1, 2011 to June 30, 2012, under the assumptions discussed. The actual Effective Date of Incorporation will be designated as a result of LAFCO determinations.

NEW DEVELOPMENT

The Jurupa Valley area has significant capacity for expansion of both residential and commercial development activity. The Jurupa Valley area is situated along the I-15 and State Hwy 60 corridors. Both corridors are vital, well traveled north-south and east-west transportation links through Western Riverside County into San Bernardino and Los Angeles Counties. Development along these corridors has been significant, in particular along the I-15 in recent years. Significant undeveloped land exists, in particular along the I-15 freeway north of Limonite, and in scattered areas throughout the entire region. Annual projections for future new commercial development were provided by Riverside County's Planning Department⁵. Residential housing growth estimates were provided by Riverside County's Demographics Department⁶. The county also provided information for all development projects currently being processed through the county planning and entitlement process. Projections of new development by the county assume minimal activity until FY 11/12, with increasing activity as the economy recovers. However, if the recessionary climate continues, and economic recovery is slower than is now anticipated, future development growth may be negatively effected. The new city will also be required to participate in and comply with the Regional Housing Needs Assessment (RHNA) process conducted every five years. This process is required by state law for purposes of planning for the regional fair share allocation of future overall and affordable housing.

Table 2-C in the Appendices delineates the projected annual new development and population growth based on the growth estimates provided by Riverside County.

CAPITAL IMPROVEMENTS

This CFA makes no assumptions concerning future capital improvements for new infrastructure, or for the associated maintenance costs thereof, as these items are normally developed on a "funds available" basis. As most all capital improvements are generally funded through special revenues (such as one time grants), excess revenues and reserves, development impact fees, or special assessments, no provisions are included in the analysis for projecting these potential revenues or improvements as part of the ongoing service provision responsibility of the proposed city. It should be noted that the proposed city will be responsible for developing a long term capital improvement plan for new and existing infrastructure based on community needs, and for identifying project funding sources. Additionally, the new city will be required to adopt the county's existing Development Impact Fee ordinance and the existing Western Riverside Council of Governments Transportation Uniform Mitigation Fee program for funding large regional capital projects.

The forecast model does not include significant long term special road maintenance, such as asphalt overlays, major storm drain repairs, and damaged and deteriorated road reconstruction in the routine maintenance forecast, as these are considered capital improvement projects. The major source of road capital improvement revenue for the proposed city will be a combination of accumulated Road Fund reserves from all three major Road Fund revenue categories, the Riverside County Transportation Commission's Measure A competitive grant program, and the Transportation Uniform Mitigation Fee Program administered by the Western Riverside County Council of Governments. The competitive Measure A and TUMF programs generally are restricted to large infrastructure upgrades based on mitigating traffic congestion on major arterials or freeway interchanges. Additionally, the county has performed a significant amount of

⁵ Email correspondence from Riverside County- TLMA Planning Dept dtd 1/16/09 and 8/18/09.

⁶ Email correspondence from Riverside County- TLMA Demographics Dept dtd 12/19/08, 2/23/09 and 5/12/09.

long term capital improvements on the roads in the Jurupa Valley area in the recent years utilizing Redevelopment Funds. The new city will be able to work with the county Redevelopment Agency to continue those infrastructure programs.

REVENUE NEUTRALITY

In the early 1990's, the State enacted legislation designed to lessen the negative fiscal impacts incorporations might have on counties and other affected agencies. Revenue Neutrality requires the incorporation to result in a "similar exchange" of both revenue and service responsibility among the proposed city, the affected county, and any other affected agency. Prior to the passage of the revenue neutrality legislation, the ability of an area to support municipal level services was the prime financial criteria used in evaluating a proposed new city. Limited analysis was conducted to determine the impacts to counties or other affected agencies containing incorporating communities. The counties were required to provide service free or at reduced cost to newly incorporating cities during transition periods for up to a year, while continuing to operate mandated regional programs benefiting all cities within the county. Counties also were losing annual revenue surpluses from these previously unincorporated areas due to the inherent nature of the cost of county services being provided to these areas as being less than the revenues received.

To provide a more equitable sharing of shrinking local government revenues, the counties supported the revenue neutrality legislation to ensure that incorporations resulted in a roughly equal exchange of revenue and service responsibility between the county and a new city. However, the revenue neutrality statute was vaguely written and was fairly silent on the method of calculating financial impacts, or the process for determining the impacts of revenue neutrality. The legislation establishing revenue neutrality did not set forth any well defined parameters for what should be included in the calculations for determining the prior year's fiscal data, for the method of repayment to the county, or for the duration of fiscal impacts. Subsequent legislation has since better defined this calculation criteria, and the Governor's Office of Planning & Research has issued guidelines to assist LAFCO's in making determinations concerning revenue neutrality. A provision within the legislation does allow for counties and incorporating communities to negotiate a mutual revenue neutrality mitigation agreement. A preliminary calculation of fiscal impact on the County of Riverside pursuant to the revenue neutrality requirements of Government Code Section 56815 is included, as well as the final negotiated Revenue Neutrality agreement.

COUNTY SERVICE AREAS & SPECIAL ASSESMENT DISTRICTS

There are three County Service Areas (CSAs) located within Study Area 6 of the Jurupa Valley area. CSA 34 is inactive. CSA 72 (Rubidoux) provides street lighting services to a small area southwest of Market Street and south of Hall Ave. CSA 73 (Crestmore) provides street lighting services to a small area south of Rubidoux Blvd. These CSAs would be dissolved and the responsibilities would be transferred to the new city. The new city will determine the new designation for these CSAs, however, since their sole purpose is to provide separate property tax funding for street lighting, it can be assumed that they would be designated as Lighting Districts.

The Jurupa Valley area also contains a multitude of Zones within the county landscape and lighting district L & LMD 89-1-C. L & LMD-89-1-C provides street lighting, fossil filter (storm drain catch basin screens), and some traffic signal operations and maintenance. All Zones within the new city boundaries will be detached from the district and transfer to the new city. The new city will determine the new designation for this consolidated Landscape & Lighting District.

All revenues and service responsibility associated with these entities will transfer to the city, and are included and discussed further in the CFA.

INDEPENDENT COMMUNITY SERVICE & SPECIAL DISTRICTS

There are two Community Service Districts and one Recreation & Parks District serving the Jurupa Valley area, the Jurupa Community Services District, the Rubidoux Community Services District, and the Jurupa Area Recreation and Park District. Each of these districts are “independent” special districts providing certain municipal services to the area. As independent districts, the governance structure is similar to a city as the Board of Directors of each is directly elected by the registered voters within their jurisdictional boundaries.

Jurupa Community Services District

The Jurupa Community Services District was formed in 1956 and covers approximately 48 square miles, serving close to 85,000 residents. The district spans a significant portion of the Jurupa Valley area and all of Eastvale. Its services include operation and maintenance of 12 parks containing over 100 acres, 25 miles of landscape, a significant number of street lights, and graffiti abatement. Also included in the Jurupa CSD service responsibility is the provision of domestic water and for sewer/wastewater treatment/disposal, and the management of a significant number of Community Facilities Districts within its jurisdiction formed for infrastructure upgrades necessary as a result of new development. The FY 08/09 budget for the Jurupa CSD is over \$119 million including operations, CFD related debt service and capital improvements.

Rubidoux Community Services District

The Rubidoux Community Services District was formed in 1952 and covers approximately 14 square miles, serving approximately 26,000 residents. The district is located in the eastern portion of the Jurupa Valley area in the Rubidoux community and adjacent to the Santa Ana River. Its services include the provision of domestic water and for sewer/wastewater treatment/disposal, and fire protection services under contract with Riverside County. Also included in the Rubidoux CSD service responsibility is, trash collection, weed abatement and street lighting within its jurisdiction.

Jurupa Area Recreation and Park District

The Jurupa Area Recreation and Park District was formed in 1984 to provide parks and recreation facilities and programs for close to 100,000 residents of the Jurupa Valley area. The district provides activities and amenities from its 18 facilities including active sports parks, parks, its community centers and community pool and gymnasiums. Funding sources for the District include property taxes and assessments, Quimby Fees and recreational program fees.

The CFA assumes these independent special districts would not be dissolved as a result of incorporation of the Jurupa Valley area. Each special district is assumed to continue to function as is providing all services they currently provide, and retaining all revenues that they currently receive. As such, there is no impact on these special districts and no discussion within the CFA concerning revenues or costs associated with those special district functions.

REDEVELOPMENT PROJECT AREAS

There are several county Redevelopment Project Areas and Sub-Areas covering a significant portion of the Jurupa Valley area. Project Areas include the Jurupa Valley Project Area, the Glen Avon Sub-Project Area, The Mira Loma Sub-Project Area, the Pedley Sub-Project Area, and the Rubidoux Sub-Project Area. The Riverside County Economic Development Agency reported that the total redevelopment Property Tax increment generated from all of the Project Areas for FY 07/08 was approximately \$37,428,239, of which approximately \$15,306,242 was dedicated to debt service on bond obligations for the projects within the Project Areas⁷. The forecast model assumes that all Project and Sub-Project Areas will be retained by the county. Although one of the Project Areas would normally be eligible to receive a portion of the statutory property tax increment retained by the county in the form of a "pass-through", the annual offset for costs associated with the infrastructure improvements for this Project Area negates all available pass-through revenue for the foreseeable future. As such, no estimated "pass through" revenue has been included in the forecast model. The improvements identified by the county that are supplanting the "pass-through" allocation include all road infrastructure projects funded from the property tax increment proceeds. Since the roads and the improvements will transfer to the new city upon incorporation, the cost offset applies.

PROPOSITION 218 REQUIREMENTS

No "revenue enhancements" such as new taxes, fees, charges, or assessments are proposed or anticipated in the CFA. Proposition 218, approved by California voters in 1996, amended the State Constitution by adding Article XIII C and D to the tax limitation provisions adopted by Proposition 13. The purpose of Proposition 218 was to close existing loopholes in Proposition 13 which was allowing local governments to increase fees, charges and assessments without a public vote, rather than increasing general and specific property taxes which do require a vote. Proposition 218 imposed new approval procedures for assessments on real property, and for fees and charges imposed as "an incident of property ownership." The impact of Proposition 218 essentially shifted decision-making power on revenue matters from elected officials to the voters with respect to establishing "new" taxes and assessments. Under Proposition 218, taxes to be levied for a specific service, such as a parcel tax to fund law enforcement services, requires a two thirds vote of the electorate. A tax to be levied for "general purposes", such as a utility tax for use for any service, requires a simple majority of the electorate.

⁷ Email correspondence from Riverside County- Economic Development Agency dtd 2/3/09.

MUNICIPAL SERVICE TRANSFER RESPONSIBILITIES

INTRODUCTION

Incorporation of the Jurupa Valley area will result in the transfer of certain responsibilities for the provision of municipal services to the new city. A city in California is required to provide only a limited number of municipal services, including:

- General legislative functions
- Land use planning, regulation and control over land use development
- Law enforcement
- Animal control
- Maintenance of public roads and other public infrastructure owned by the city

Other municipal services are optional to a city, including:

- Fire protection & suppression, fire protection planning and emergency medical services
- Libraries
- Parks & recreation services
- Street lighting
- Median maintenance
- Domestic water
- Wastewater treatment & disposal
- Solid waste management
- Flood control
- Social Services

While responsibility for required services is vested in the city, the city may choose to contract for the provision of some or all services rather than provide them directly. Among the services for which the contract approach is available and widely used in many newer cities, are law enforcement, fire protection, traffic control, street maintenance, animal control, engineering, building inspection, recreational services, and land use planning. The county, existing special districts, and private franchise providers could continue to provide specific optional municipal services, such as water/sewer and solid waste services, public utilities, libraries, flood control and environmental health inspection.

SERVICE TRANSFER RESPONSIBILITY CRITERIA

Among the purposes for which LAFCOs were established in California, rationalization of local governments was high on the list. The proliferation of overlapping government agencies during the 1950s and 1960s gave rise to a variety of government agencies serving the same territory, dividing responsibility and frequently accountability, and generally resulting in confusion for residents and, on occasion, duplication of services and costs. In keeping with the charge to the LAFCOs, any examination of the feasibility of a community to become incorporated must also examine the governmental structure and make specific recommendations as to transfers of responsibility for services. This CFA analyses service provision based on the following general criteria:

- Those services which, by statute, must be transferred to a city.

- Those services, which are being provided by effective, regional agencies whose territories cover areas substantially larger than the proposed city, should remain with the regional agencies.
- Those services being provided by less than regional agencies totally, or substantially, contained within the proposed city's boundary, should be absorbed by the city, subject to criteria below.

Under the terms of Propositions 13, 62, and 218, the fiscal implications of absorption of an agency by the city should be carefully reviewed, and barring any unusual or mitigating circumstances, absorption should be recommended only if the absorption does not result in a loss of potential revenue to the agencies which cannot be offset or compensated for through operational adjustments. The designation of the responsible agency for those services which are being provided by less than regional agencies whose boundaries extend beyond the proposed city limits should be reviewed on a case-by-case basis, again taking into consideration the fiscal impact as a result of the inherent impairment of revenue potential under California law.

MUNICIPAL SERVICE TRANSFER RECOMMENDATIONS

Based on the criteria outlined above, Figure 4 on the following pages identifies the recommended structure of the transfer of services to the proposed city. It is significant to note that some services will be provided through contracts with other agencies or private industry, with policy and administrative responsibility retained by the proposed city. However, the provision of any services by the county to the city through a contractual arrangement will require approval by the Riverside County Board of Supervisors. Specific current and proposed service providers are discussed further in detail on the following pages. It should be noted that with any municipal service, the city itself will ultimately determine the method of providing the service whether establishing its own staffing, or contracting another government agency or private firm.

For purposes of this CFA, an assumption is made that county, special district and other agency revenues and services which are not transferred to the proposed city include flood control (except local drainage), domestic water, sanitation and wastewater collection and disposal, mosquito abatement and vector control, cemetery, solid waste landfill operations, public transit, public education, parks and recreation, libraries and fire protection/suppression. No analysis of these services and districts has been incorporated in the CFA. However the incorporation will result in some CSAs and Special Assessment Districts being wholly dissolved or partially detached from the county, and transferred to the new city. Private sector services that are covered by franchise agreements such as electricity, natural gas, cable television, and refuse collection will continue as is, with the franchise agreements transferring to the new city.

The Transfer of Services is assumed at an "existing level of service", consistent with the requirements of the state statutes governing the preparation of the CFA. However, with incorporation, there comes an inherent increase in the level of some services due to the nature of localized control and accessibility within the community to the service providers' administrative management. In many respects, responsiveness to the community will be "enhanced" by localization of service provision, in particular in the areas of Planning, Building, Engineering, Code and Code Enforcement. Additionally, law enforcement service would be anticipated to receive a certain level of enhancement due to dedication of service under contract, dependent upon the new city's desired requirements, and an enhancement of traffic control services as this function will transfer from the California Highway Patrol (CHP) to the new city.

TRANSFER OF SERVICE RESPONSIBILITY

<u>Public Service</u>	<u>Current Provider</u>	<u>Anticipated Provider</u>	<u>LOS**</u>	<u>Funding Source</u>
General Government	Riverside County	New City- City Staff & Contract Services	Enhanced	General Fund
Law Enforcement	Riverside County	New City- Contract with County	Enhanced	General Fund
Traffic Control & Accident Investigation	California Highway Patrol	New City- Contract with County	Enhanced	General Fund/Fines
Animal Services	Riverside County	New City- Contract with County	No Change	General Fund/Fees
Fire Protection/EMS/ Fire Protection Planning	Riverside County	Riverside County	No Change	As Currently Funded
Land Use Planning	Riverside County	New City- City Staff & Contract Services	Enhanced	General Fund/Fees
Building & Safety	Riverside County	New City- City Staff & Contract Services	Enhanced	General Fund/Fees
Code Enforcement	Riverside County	New City- City Staff & Contract Services	Enhanced	General Fund/Fines
Engineering	Riverside County	New City- City Staff & Contract Services	Enhanced	General Fund/Fees
Parks & Recreation	Jurupa Area Recreation & Park District	Jurupa Area Recreation & Park District	No Change	As Currently Funded
Street Lighting	L & LMD 89-1-C, CSA 72, CSA 73	New City- CSAs and L & LMD detach and transfer	No Change	As Currently Funded
Road maintenance, Traffic Signal Maintenance, Engineering, Landscape Maintenance	Riverside County	New City- Contract Services	Enhanced	Road Fund/General Fund
Street Sweeping	Jurupa Community Services District, Solid Waste Franchise Haulers	Jurupa Community Services District, Solid Waste Franchise Haulers	No Change	As Currently Funded
Storm Water Runoff (NPDES)	Riverside County	New City- City Staff & Contract Services- Co Permittee with County	No Change	General Fund
Electricity	Southern California Edison	Southern California Edison- City Franchise	No Change	As Currently Funded
Natural Gas	Southern California Gas	Southern California Gas- City Franchise	No Change	As Currently Funded
Domestic Water	Jurupa Community Service District, Rubidoux Community Service District, Western Municipal Water District, Santa Ana River Water Company	Jurupa Community Service District, Rubidoux Community Service District, Western Municipal Water District, Santa Ana River Water Company	No Change	As Currently Funded
Cable TV/Broadband Telecommunications	Various Private Service Providers- County Franchise	Various Private Service Providers- City Franchise	No Change	As Currently Funded
Solid Waste Collection & Disposal	Various Private Service Providers- County Franchise	Various Private Service Providers- City Franchise	No Change	As Currently Funded
Public Education (K-12)	Jurupa Unified School District, Corona-Norco Unified School District, Alvord Unified School District	Jurupa Unified School District, Corona-Norco Unified School District, Alvord Unified School District	No Change	As Currently Funded
Public Education (13-14)	Riverside Community College District	Riverside Community College District	No Change	As Currently Funded

Figure 4

** Level of Service

<u>Public Service</u>	<u>Current Provider</u>	<u>Anticipated Provider</u>	<u>LOS**</u>	<u>Funding Source</u>
Library	Riverside County	Riverside County	No Change	As Currently Funded
Public Transit	Riverside Transit Authority, Metrolink	Riverside Transit Authority, Metrolink	No Change	As Currently Funded
Flood Control	Riverside County Flood Control District	Riverside County Flood Control District	No Change	As Currently Funded
Solid Waste Landfill	Riverside County	Riverside County	No Change	As Currently Funded
Wastewater/Sanitation	Jurupa Community Service District/Rubidoux Community Service District/Western Municipal Water District	Jurupa Community Service District/Rubidoux Community Service District/Western Municipal Water District	No Change	As Currently Funded
Mosquito Abatement	Northwest Mosquito & Vector Control District	Northwest Mosquito & Vector Control District	No Change	As Currently Funded

Figure 4 (cont)

** Level of Service

GENERAL GOVERNMENT

Administrative Services

The Riverside County Board of Supervisors currently establishes policies for the delivery of most municipal services to the Jurupa Valley area, with the various county departments providing administrative oversight and direct delivery for all services provided by the county. After incorporation, the new city will assume all policy, oversight and direct delivery of service responsibility for municipal services not retained by the independent special districts serving the area. The city council will establish policy, with the various city departments carrying out the administrative oversight and direct delivery of services. Riverside County will retain this function for all county regional services being provided to the new city. Administrative and development/building/engineering related services will receive a certain level of “enhancement” due to the localization of dedicated staff at the city versus the county.

PUBLIC SAFETY

Law Enforcement, Traffic Control and Accident Investigation

The Riverside County Sheriff's Department currently provides law enforcement protection for the Jurupa Valley area. In addition to responding to citizen calls for assistance, the Sheriff's Department also provides follow-up investigation, crime lab services, crime prevention programs, and related police activities in the area. Traffic control and accident investigation is currently the responsibility of the California Highway Patrol. The California Highway Patrol has statewide responsibility for traffic control and accident investigation on all State highways and freeways as well as local roads in unincorporated areas.

After incorporation, the new city will assume responsibility for all law enforcement and traffic control services. The new city will have the option to establish its own law enforcement and traffic control service, contract with existing county and state agencies, or contract with another service provider. The CFA anticipates the proposed city contracting all law enforcement and traffic services with the Riverside County Sheriff's Department. The entire law enforcement function, including traffic control and accident investigation will be enhanced as the contracted dedicated service level is expected to exceed the existing service level currently provided.

Fire Protection and Emergency Medical Services

The Riverside County Fire Department provides fire prevention, fire suppression, fire protection planning, and emergency medical services to the Jurupa Valley Area. After incorporation, the new city has the option of contracting this service with the county, another city or providing the service directly. The CFA assumes that Riverside County will retain provision of this service as agreed as part of the Revenue Neutrality negotiated mitigation agreement, and the amended application for incorporation.

Animal Control

The Riverside County Animal Services Department of the Community Health Agency currently provides animal control services to the Jurupa Valley area. Services include regular patrol, emergency response, animal licensing, and animal shelter. After incorporation, the new city has the option of contracting this service with the county, another city or a private agency, or providing the service directly. The CFA anticipates that the new city will contract animal control services with the county.

COMMUNITY DEVELOPMENT

Planning and Land Use Regulation

Current planning and advance planning services for the Jurupa Valley area are currently provided by the Riverside County TLMA Planning Department. Current planning activities include the processing of land use applications such as area and community plans, zone changes, tentative tract maps, use permits, site plans, and parcel maps. Other services include conducting environmental reviews and preparing environmental impact reports. Advance planning activities include development and monitoring of the General Plan and Housing Element and the RHNA process, and the development of information in such areas as demographics, housing, and transportation. Planning and land use regulation with regard to development within the Santa Ana River Flood Plain is managed under the National Flood Insurance Program. After incorporation, the new city will assume responsibility for all aspects of the Planning service. The CFA anticipates this function to be primarily contracted to one of the many private planning and development firms specializing in providing this service, with city administrative staff overseeing the contracted functions.

Building & Safety/Engineering

Building & Safety and Engineering services for the Jurupa Valley area are currently provided by the Riverside County TLMA Building & Safety and Engineering Departments. Services include building and grading plan checks, permit issuance and building and grading inspection activities, business registration and NPDES/storm water program inspections. After incorporation, the new city will assume responsibility for this service. The CFA anticipates this function to be primarily contracted to one of the many private engineering and building firms specializing in providing this service.

Code Enforcement

Code Enforcement services for the Jurupa Valley area are currently provided by the Riverside County TLMA Code Enforcement Department. Services include all enforcement activities associated with compliance with the communities municipal and zoning codes, and building & safety regulations and ordinances. After incorporation, the new city will assume responsibility for this service. The CFA anticipates this function to be contracted to one of the many private firms specializing in providing this service.

COMMUNITY SERVICES

Parks & Recreation

Parks and Recreation Services are currently provided by the Jurupa Area Recreation and Park District, and independent special district. LAFCO has the authority to consider a dissolution of this District as a result of incorporation with all revenue and service responsibility transferring to the new city. However, the CFA anticipates this function to remain with the District.

Public Education

Public education in the Jurupa Valley Area is currently provided by several school districts. The Jurupa Unified School District is the largest school district providing K-12 public education. Additionally, the Corona-Norco Unified School District and the Alvord Unified School District provide K-12 public education to a small portion of the Jurupa Valley Area. Additionally, community college education is provided by the Riverside Community College District. Public education is directly funded by the State via property tax assessments. After incorporation, the new city will continue to be served by the same public school districts with no anticipated change in service, and no responsibility of service delivery by the city.

Public Transit Services

The Riverside Transit Authority (RTA) currently operates public transportation bus routes servicing the Jurupa Valley Area. Services are directly funded by the system users. Additionally Metrolink services the Jurupa Valley area providing rapid transit service from its Pedley station. After incorporation, the new city will continue to be served by RTA and Metrolink with no anticipated change in service, and no responsibility of service delivery by the city.

Library

The Riverside County Public Library System currently provides library services to the Jurupa Valley area, primarily from the Glen Avon and Rubidoux libraries. These branch libraries offer the full range of library services to residents and businesses in the community. The CFA anticipates that the libraries will remain county regional facilities.

STREET MAINTENANCE & TRAFFIC ENGINEERING

Street Maintenance, Landscape Maintenance & Traffic Engineering

Street Maintenance, Landscape Maintenance, Traffic Signal Maintenance and Traffic Engineering services for the Jurupa Valley area are currently provided by the Riverside County TLMA Transportation Department. The primary services provided are the maintenance and improvement of local roads including ordinary maintenance, involving shoulder maintenance, curb maintenance, signing and striping, pothole repair, storm drain maintenance, traffic signal maintenance, and traffic engineering. Special maintenance, involving asphalt overlays, slurry sealing, storm drain repairs, and damaged and deteriorated road reconstruction, is also currently provided by the county.

The proposed city will assume responsibility for these services upon incorporation. The CFA anticipates these functions to be primarily contracted to one of the many private engineering and public works firms specializing in providing this service.

Street Sweeping

Street sweeping is provided through contracts with the private solid waste franchise holders within the Jurupa Valley area. Additionally, the Jurupa Community Service District contracts for street sweeping service within its jurisdiction. The CFA anticipates this service remaining as a contracted service as part of the existing franchise agreements that will transfer to the new city, and no change to the Jurupa Community Service District service provision.

UTILITIES AND OTHER SERVICES

Street Lighting

Riverside County provides Street Lighting services to the Jurupa Valley area primarily through Lighting & Landscape Maintenance District 89-1-C, and through CSA 72 and CSA 73 to two small residential areas. After incorporation, the portion of L & LMD 89-1-C within the incorporation boundaries, along with each CSA will detach from the county and this service responsibility and property tax revenue pass through will transfer to the proposed city.

Domestic Water

The Jurupa Valley area currently receives most of its domestic water from the Jurupa Community Service District and the Rubidoux Community Service District. Additionally a portion of the area is served by the Western Municipal Water District, and a small area in the Mira Loma area is served by the Santa Ana River Water Company. Upon incorporation, it is anticipated that there will be no change in the structure of provision of this service to the new city.

Waste Water & Sanitation Treatment & Disposal

The Jurupa Valley area currently receives its waste water and sanitation treatment and disposal services from the Jurupa Community Service District and the Rubidoux Community Service District. Additionally a the Western Municipal Water District operates a wastewater treatment facility in the Jurupa Valley area as part of the Western Riverside County Regional Wastewater Authority. Upon incorporation, it is anticipated that there will be no change in the structure of provision of this service to the new city.

Flood Control

The Riverside County Flood Control District administers regional flood control facilities within the Jurupa Valley area. This activity would remain within the Flood Control District's jurisdiction upon incorporation of the Jurupa Valley area. Therefore, there is no anticipated service responsibility for the new city, other than storm drain maintenance within the city street curbside catch basins and street drainage system. The proposed city will be required to adopt a program for compliance with the National Pollutant Discharge Elimination System (NPDES), and become a Co-Permittee with the county and other cities for storm drain discharges. The city will be required to adopt measures to prevent improper discharge of pollutants into the system.

Solid Waste Collection/Disposal & Solid Waste Landfill Operations

Solid waste collection and disposal services for the Jurupa Valley area is currently provided by private refuse collection companies under exclusive and non-exclusive franchise agreements with Riverside County. Upon incorporation, those franchise agreements will remain in place under the county franchise agreement until they expire or re-negotiated by the new city. It is anticipated that the new city will issue a "five year" notification letter to establish new city franchises, at which time the city will then assume the responsibility and establish the service requirements. Solid Waste Landfill Operations will remain with the county.

Mosquito Abatement

The Northwest Mosquito & Vector Control District provides mosquito abatement and related vector control services to the Jurupa Valley area. Upon incorporation, it is anticipated that there will be no change in the structure of provision of this service to the new city.

Electricity

The Jurupa Valley area currently receives its electricity service from Southern California Edison through a franchise agreement with Riverside County. Upon incorporation the franchise agreement will transfer to the proposed city.

Natural Gas

The Jurupa Valley area currently receives its natural gas service from the Southern California Gas Company through a franchise agreement with Riverside County. Upon incorporation the franchise agreement will transfer to the proposed city.

Cable Television/Broadband Telecommunication Services

The Jurupa Valley area currently receives its cable television and broadband telecommunication services from various providers holding county and state franchise agreements. Upon incorporation, the county franchise agreements will transfer to the proposed city. Additionally, the holder of a state franchise agreement will continue to be authorized to provide this service in the jurisdiction.

FISCAL ANALYSIS

INTRODUCTION

This CFA covers four distinct periods of financial relevance: the Base Year, the Transition Year, the Subvention Years (the initial five years whereby the city receives additional Motor Vehicle License Fees and Gasoline Taxes on an inflated population basis), and the Post-Subvention Years (when the inflated population based revenues revert to actual population). The subvention population and applicable revenues are discussed in detail in the Revenue discussions that follow. The total projection entails 10 fiscal years from the "Effective Date of Incorporation." Tables 1-A, 1-B and 1-C in the Appendices summarize the CFA projections and forecasts for the proposed city. Tables 2-A and 2-B in the Appendices provide details of the projections depicted in the summary tables.

As discussed previously, the Base Year is the foundation of the cost and revenue forecast, and the Transition Period is that period of time from the Effective Date of Incorporation until the next Fiscal Year. In most cases the revenue and cost data reflected in the following discussion were derived from the providing agency for the Base Year of FY 07/08. Notable exceptions are some General Government expenditures which were derived through analysis of similar sized and situated contract and full service cities.

The Transition Year is significant in that the flow of revenues to the new city is dependent upon the length of this period, and the ability of the new city to absorb the service responsibility within that period. During this period, the new city receives certain revenues, while services are still provided by the county. This allows the new city time to organize in anticipation of full service responsibility. The new city would receive certain revenues during this period, allowing the new city to create a fund balance to carryover into the first full fiscal year. This CFA anticipates that the proposed city will maximize its ability to accrue revenues by allowing Riverside County to provide services for the duration of the Transition Year. However, the new city does retain the ability to transfer services earlier, thus the final transfer of service responsibility during this period is a determination that will be made by the city after incorporation.

During the first five fiscal years, including the Transition Year, the new city receives Motor Vehicle License Fee revenue "subventions" based on a formula that increases the population by 150% in the first year, and decreasing by 10% annually until the 5th year. After the 5th year, the actual population is used for determining this revenue. Similarly, during the first five fiscal years, including the Transition Year, the new city receives certain Motor Vehicle Fuel Tax revenue "subventions" based on the same formula that increases the population by 150% in the first year, and decreasing by 10% annually until the 5th year. After the 5th year, the actual population is used for determining this revenue.

Revenues come from a variety of sources. Some revenues are restricted, i.e., they can only be used for specific purposes. A majority of city revenue is designated as General Fund revenue, which is generally unrestricted, and used to provide municipal services such as general government, law enforcement, fire protection, planning and land use, building inspection, animal control, and parks and recreation. General Fund revenues can pay for road related services.

General Fund revenues typically come from property taxes, sales taxes, transient occupancy taxes, business license taxes, State motor vehicle license fees, franchise fees and other fees for services. It is noted that some General Fund revenues such as planning or building fees are restricted to an extent that they cannot exceed the direct and indirect cost of providing the service for which they are charged. Road Fund revenues are primarily generated through State

gasoline taxes, and State and local sales taxes on gasoline and motor fuel products. They are restricted by law to road related expenditures, including routine road maintenance, traffic signal maintenance and other activities specific to roads. Road Fund revenues cannot be used for the provision of any general municipal services, nor can road related revenues be spent for maintenance of private roads.

This CFA categorizes all revenues and costs into 3 major Fund categories, the General Fund, the Road Fund, and the CSAs & L & LMD Funds. Note that the Structural Fire Property Tax that would normally be assigned to a separate fund is not included due to the retention of Fire Protection Services by the county. As part of the negotiated Revenue Neutrality Agreement, the county will retain all Structural Fire Property Tax normally transferred to the city. For purposes of illustration, discussion is included below concerning Structural Fire Property Tax and Fire Protection costs, however, these revenues and costs are not included in the 10 year fiscal model forecast.

ANALYSIS OF REVENUES

General Fund Revenues

As discussed above, General Fund revenues are all revenues received that are allowed under State law to be utilized for any purpose, including services normally paid for with restricted revenues. The primary sources of General Fund revenues for the proposed city are analyzed below. Tables 1-A and 2-A in the Appendices detail these revenues over the 10 year forecast.

Property Tax (General Purpose)

Base Property Tax Allocation

Section 56810 of the Government Code provides a specific formula for determination of a newly incorporating city's share of the annual base General Purpose Property Tax to be transferred from the county. The process requires LAFCO to determine the total net cost of certain municipal services that will be transferred to the proposed city, from information supplied by the county, based on the base fiscal year. For the Jurupa Valley area, the Base Year is FY 07/08. The net costs include both direct costs, and overhead or indirect costs, funded by the General Fund. The total net cost is multiplied by a factor known as the Auditor's Ratio.

The Auditor's Ratio, determined annually by the Riverside County Auditor-Controller, represents the ratio of general property taxes received during the base fiscal year, to all revenues received by the county for general purposes during that same fiscal year. For the Jurupa Valley area, the Base Year is FY 07/08. LAFCO uses the Auditor's Ratio and the net cost of services as reported by the various Riverside County agencies to determine the amount of property tax revenue to be transferred to the new city. The Auditor's Ratio for FY 07/08 as reported by the Riverside County Auditor-Controller was 38.2%⁸. Exhibits 1 & 2 in the Appendices delineate the FY 07/08 Auditor Ratio calculation and the General Fund Base Property Tax of \$4,559,676 for Boundary Alternative 2.

After calculation of the Base Year Property Tax, this allocation is projected to the first year of incorporation, FY 11/12. This projection is calculated by applying the calculated percentage change in estimated assessed valuation to the original calculated Base Year Property Tax amounts (the projected increase from FY 07/08 to FY 11/12). Table 2-A in the Appendices details the methodology utilized for determining future assessed valuation.

⁸ Email correspondence from Riverside County- Auditor-Controller Office dtd 12/17/08.

Tax Allocation Factor and Annual Tax Increment

The Tax Allocation Factor (TAF) is the tax rate that will be applied to the Annual Tax Increment for calculating the total adjusted Base Property Tax for each fiscal year. The Tax Allocation Factor is established as part of the Base Property Tax calculation and remains fixed annually. The Annual Tax Increment is the difference between the current year general 1% Property Tax Levy and the previous year. The total Property Tax for a given year is calculated by multiplying the calculated Tax Increment for that year by the TAF, and adding it to the previous year's Base Property Tax. The result is the total Property Tax for that year, and the new Base Property Tax for establishing the following year's allocation. Exhibit 1 in the Appendices delineates the calculation for the General Property Tax TAF of 7.25% for Boundary Alternative 2.

Assessed Valuation

Assessed Valuation of all secured and unsecured property is accomplished annually by the Riverside County Assessor's Office for purposes of establishing annual Property Tax assessments. Proposition 13 limits the rate at which the Assessed Valuation of individual properties may increase. Specifically, the Assessed Valuation may increase by a rate of no more than 2% annually when held in the same ownership, and is increased to market value only at the time of sale. Assessed Valuation information for FY 07/08, and Redevelopment Base Year information for each of the Jurupa Valley Redevelopment Project Areas and Project Sub-Areas, was provided by the by the Property Tax Division of the Auditor-Controller's Office⁹. Due to the recent economic down turn and the resultant downturn in housing values and foreclosures, the Riverside County Assessor's Office has performed a significant number of property reassessments under the requirements of Proposition 8 which has resulted in a significant reduction in overall Assessed Valuation in the Jurupa Valley area. Updated future projections of Assessed Valuation decreases/increases were provided by the Assessor's Office¹⁰.

For the model forecast, and based on the Assessor's updated projections, Assessed Valuation is assumed to increase slightly for FY 08/09, then decrease by approximately 9.1% for FY 09/10 and 3% for FY 10/11, remain flat for FY 11/12, and beginning in FY 12/13, modest annual increases of 2-3% for the previous year's Assessed Valuation. Redevelopment Project Area Base Year Assessed Valuation remains constant at their Base Year level. New development Assessed Valuation is based on the commercial and residential development projections provided by the Riverside County Transportation and Land Management Agency's Planning and Demographics Departments¹¹.

Because each Redevelopment Project Sub-Area is a part of the larger Redevelopment Project area, and the entire Project Area is not fully contained within the new city boundary, the county will maintain management oversight over the Project Area and each Sub-Area. Additionally the new city will only be entitled to its share of the 1% basic levy based on the established Project Area Base Year assessed valuation. The county will retain all of the post Base Year property tax increment, including the supplemental increment. The new city would normally be eligible to receive the statutory "pass through" increment for a portion of the Project Area, however, due to the project cost offset applicable to the area, no "pass through" is available for the foreseeable future. This is discussed in further detail below. Table 2-A in the Appendices identifies the Base Year and assessed valuation applicable to the Redevelopment Project Areas and Sub-Areas.

⁹ Email correspondence from Riverside County- Auditor-Controller Office dtd 12/17/08.

¹⁰ Letter from Riverside County Assessor-County Clerk-Recorder dtd 4/21/09.

¹¹ Email correspondence from Riverside County- TLMA Planning & Demographics Depts dtd 1/16/09, 2/23/09, 5/12/09 and 8/18/09..

Property Tax Administration Fee

Riverside County charges an administration fee for collection and distribution of Property Taxes. This charge is included in the forecast model as a deduction from the gross Property Tax and has been estimated at approximately 1% by the county Auditor-Controller's Office¹². Table 2-A in the Appendices detail the specific calculations for the annual Property Tax Administration Fee.

Redevelopment Project Area "Pass Through" Property Tax

The new city would normally be eligible to receive a portion of the 1996 amended Jurupa Valley Redevelopment Project Area Property Tax increment in accordance with the formulas prescribed by state law. This tax increment, commonly referred to as "pass through", is only a fraction of the amount of normal Property Tax that the new city would receive under incorporation if the Redevelopment Project Area did not exist. The "pass through" is derived by determining the total tax increment available for the applicable fiscal year, and deducting 20% for affordable housing set aside. Then, 25% of the remaining increment is calculated and distributed to all of the entities receiving property tax shares within the Project Area at their respective tax rates. However, state law allows the existing Redevelopment Agency to deduct the annual offset for the costs of the improvement projects funded with the property tax increment until the project costs are recovered. In the case of the Jurupa Project Area, all "pass-through" increment available is 100% offset by annual costs. The Riverside County Redevelopment Agency provided the FY 07/08 Property Tax Increment information, and the potential "pass through" calculations and project cost offset deduction analysis for the Jurupa Valley Redevelopment Project Area¹³.

Off Highway Vehicle License Fees

City's are eligible to receive a nominal amount of revenue subvention from the state for fees associated with Off-Highway vehicles on a per capita basis if they have areas within their boundaries that have designated areas for Off-Highway vehicle use. The County of Riverside reports that there are no areas designated within the Jurupa Valley area for Off-Highway use¹⁴, therefore the city would not be eligible for these funds. The city could designate areas in the future after incorporation, however, for the 10 year model forecast, there is no assumption made for any potential future designation.

Property Transfer (Documentary) Taxes

The proposed city will receive Property Transfer Taxes in the amount of \$.55 per \$1,000 of assessed valuation of real property transferred each year. The level of revenue is predicated on the level of resale activity in the community. A 3.5% annual turnover rate was utilized to estimate the Base Year revenue, based on historical trends within the community, and taking into consideration current market conditions. For the FY 07/08 Base Year, this revenue was calculated to be \$114,741 for Boundary Alternative 2. The model forecast maintains this projected turnover rate throughout the 10 year forecast period as applied to each year's total assessed valuation.

¹² Email correspondence from Riverside County- Auditor-Controller Office dtd 12/17/08.

¹³ Email correspondence from Riverside County- Economic Development Agency dtd 2/3/09, 2/25/09 and 8/20/09.

¹⁴ Email correspondence from Riverside County- TLMA dtd 11/5/09.

Sales and Use Taxes

The proposed city will receive authority to collect Bradley-Burns Sales Tax at a rate of 1% of taxable sales. In 2004, Proposition 57 adjusted the allocation formula for the 1% Sales Tax providing that 75% of the revenue will be provided as a Sales Tax allocation. The remaining 25% will be allocated as Property Tax In Lieu of Sales Tax. This split allocation remains in effect until the bonds issued under Proposition 57 are retired. The forecast model assumes that the split allocation remains for the entire 10 year forecast period.

The State Board of Equalization reported that the estimated amount of the 1% Sales Tax for FY 07/08 was \$8,161,400 for Boundary Alternative 2¹⁵. In addition to this situs estimate, the proposed city will receive a share of the “unallocated” State and County pool of Sales Tax. This is Sales Tax that cannot be specifically allocated to a jurisdiction, therefore is allocated on a pro-rated basis for both pools. The percentage allocation for the proposed city is estimated to be 9.7% of situs Sales Tax, based on a four year average of the County/State unallocated pool for the unincorporated areas of Riverside County, as reported by the HDL Companies¹⁶. For FY 07/08, the amount of unallocated Sales Tax for the proposed city is estimated at \$791,656 for Boundary Alternative 2¹⁷.

Total gross Sales Tax for FY 07/08 is estimated to be \$8,953,056 for Boundary Alternative 2.

The State charges a 1% administrative fee for collection and distribution of Sales Tax to jurisdictions. For FY 07/08, this charge is calculated at \$89,531, with a net Sales Tax allocation available of \$8,863,525 for Boundary Alternative 2. Applying the Proposition 57 adjustment (75%), the total net Sales Tax for FY 07/08 is \$6,647,644 for Boundary Alternative 2.

The forecast model adjusts the annual Sales Tax estimates for projected new retail development on a square footage of retail basis. Table 2-A in the Appendices details the calculations for the estimated Sales Tax. The forecast model assumes no new retail development from FY 07/08 through FY 09/10, and allocates future development from FY 10/11 through FY 20/21 in accordance with the projections provided by the Riverside County Planning Department¹⁸. Additionally, the forecast model assumes a projected decline in Sales Tax of approximately 10.8% from FY 07/08 through FY 09/10, rebounding to existing levels in FY 11/12. Per capita gross Sales Tax for FY 07/08 is \$102 for Boundary Alternative 2.

Property In-Lieu of Sales Tax

As referenced previously, Proposition 57 requires the State to divert 25% of a city's annual Sales Tax revenue to fund debt service on the State debt recovery bonds issued under the Proposition. In exchange for the loss of Sales Tax revenue, cities receive an equal amount of Property Tax revenue, commonly called the “Triple Flip”. For FY 07/08, the 25% Property In Lieu of Sales Tax is \$2,215,881 for Boundary Alternative 2.

Motor Vehicle License Fees

The proposed city will be eligible to receive Motor Vehicle In-Lieu Fees, subvention fees collected by the State Department of Motor Vehicles and allocated to cities on a per capita basis. Prior to 2004, all cities received these fees based on the full 2% valuation of the vehicles,

¹⁵ Letter correspondence from the State Board of Equalization dtd February 20, 2009.

¹⁶ HDL Companies Website- Sales Tax Allocation Reports for 2004-2007.

¹⁷ W & K calculation.

¹⁸ Email correspondence from Riverside County- TLMA Planning Dept dtd 1/16/09 and 8/19/09.

and new cities received an additional population subvention based on three times the number of registered voters for the first seven years after incorporation. In 2004, the Legislature implemented what was termed the "VLF Swap" in which the valuation fee was lowered to 0.65%, and the resultant loss of city revenue was "swapped" with an augmentation of Property Tax. However, the new legislation failed to include provisions for newly incorporating cities to receive the Property Tax backfill that existing cities were receiving. In order to correct this situation, AB 1602 was signed into law in 2006, providing a formula that restores most of the normal VLF funding, and provides a population based subvention increase for the first five years after incorporation.

With the signing of AB 1602 into law in 2006, and the subsequent signing of SB 301 that extended AB 1602 permanently, newly incorporating cities after August of 2004 now receive a significant restoration of Motor Vehicle License Fee (MVLF) funding¹⁹. This restored revenue is allocated to new cities after deductions for certain state administrative charges, and the County of Orange bankruptcy recovery funding, and prior to allocation to existing cities of remaining revenues from the state Motor Vehicle License Fee Account. However, it should be noted that in a period of economic decline affecting motor vehicle sales statewide, sufficient revenues may not be available in a given year to fully fund the restored revenue due to the allocation of state administrative costs.

The CFA reflects and anticipates that economic recovery will occur sufficiently to allow for a reasonable assumption that all MVLF revenue anticipated will be available to the new city over the 10 year forecast. Additionally, since cities incorporating under the AB 1602 provisions receive their MVLF revenue prior to distribution to remaining cities, it is anticipated that full funding should be received within each fiscal year.

Basic Subvention

The Basic Subvention is based on the statutory formula that allocates a portion of the 0.65% valuation fee to each city based on population. The proposed city will receive this subvention as do existing cities today; however, will not receive the Property Tax Swap revenue. The Basic Subvention per capita rate of \$3.56 was calculated utilizing the actual total statewide city allocations for FY 08/09 by the State Controller's Office²⁰ and projected future calculations from the League of California Cities²¹.

AB 1602 Subvention

The AB 1602 Subvention allocates to new cities on a continuous basis, an additional 2004 base year amount of \$50 per capita, adjusted annually based on statewide increase or decrease in population and MVLF revenue growth. In addition, for the first five years after incorporation, population for purposes of this revenue allocation, is calculated based on a downward annual sliding scale starting at 150% of the city's population, fixed annually by the State Department of Finance for each year. In the 6th and subsequent years, the actual city population is utilized. The FY 09/10 State Controller allocations for the Cities of Wildomar and Menifee were utilized to develop the per capita estimate of \$49.50²². These allocations are the only ones to date that have been made under AB 1602. A 0.5% real growth factor is used for projection of future per capita rate increases which is well below the historical level of annual growth of over 5% prior to the economic downturn and taking into consideration the current economic conditions.

¹⁹ Revenue & Taxation Code Section 11005 & 11005.3.

²⁰ State Controller Website- Motor Vehicle License Fee Allocation Report for FY 07/08.

²¹ League of Cities- CaliforniaCityFinance.com MVLF Update dtd 4/28/09.

²² State Controller Website- AB 1602 allocation for the Cities of Wildomar & Menifee for FY 09/10.

Animal License/Shelter Fees

Animal License Fees are charged for registration of domestic pets in Riverside County. Impound and Shelter Fees include boarding, adoption, euthanasia, and owner redemption of sheltered animals. The Riverside County Department of Animal Services reported that License & Shelter Fees collected for FY 07/08 totaled \$49,306 for Boundary Alternative 2²³.

For purposes of the forecast model, it is assumed that as the population increases, the demand for services will increase proportionately. As such, the previous year per capita rate was calculated and then applied to the population for the subsequent year of the model forecast.

Franchise Fees

The proposed city will receive Franchise Fees for existing and any future utility and telecommunications/broadband service providers. FY 07/08 Base Year utility and cable TV Franchise Fee revenue information specific to the Jurupa Valley area was not available from Riverside County. Estimates of these Franchise Fees that can be expected to accrue to the new city were calculated based on overall Franchise Fee information for Riverside County and information for 10 cities in the Western Riverside County region and adjacent San Bernardino County²⁴. An average per capita estimate of \$15.61 was developed and applied. For the FY 07/08 Base Year, total utility and cable TV Franchise Fee revenue is estimated at \$1,370,910 for Boundary Alternative 2.

The forecast model also assumes that upon incorporation, the new city will receive solid waste franchise fees. Estimates of these Franchise Fees that can be expected to accrue to the new city were calculated based on overall Franchise Fee information for Riverside County and information for 3 cities in the county where information was available²⁵. Because only information for 3 cities was available, an average per capita estimate was not utilized. As such, the lowest per capita estimate of \$7.28 was utilized and applied. For the FY 07/08 Base Year, total solid waste Franchise Fee revenue is estimated at \$639,315 for Boundary Alternative 2.

For purposes of the forecast model, it is assumed that as the population increases, the demand for services will increase proportionately. As such, the previous year per capita rate was calculated and then applied to the population for the subsequent year of the model forecast.

Community Development Fees

The proposed city will receive all fees and revenues associated with the provision of Community Development services currently performed by Riverside County. These services include Planning, Building & Safety, and Code Enforcement.

Planning Fees

Planning Fees are derived from functions such as processing of sites plans, tract maps, variance requests, and General Plan amendment and zone change requests. The Riverside County Planning Department reported that Planning Fees collected for FY 07/08 totaled \$844,789 for Boundary Alternative 2, and \$861,035²⁶.

²³ Email correspondence from Riverside County- Dept of Animal Services dtd 2/9/09.

²⁴ Norco, Hemet, Corona, Temecula, Riverside, Murrieta, Moreno Valley, Fontana, Colton & Rialto- FY 07/08.

²⁵ Canyon Lake, Menifee, Palm Desert.

²⁶ Email correspondence from Riverside County- TLMA Planning Dept dtd 12/26/08.

Environmental Programs

Environmental Program Fees are derived from conducting environmental and endangered habit/species review of various land use planning applications. The Riverside County Environmental Programs Department reported that Environmental Programs Fees collected for FY 07/08 totaled \$162,909 for Boundary Alternative 2²⁷.

Building & Safety

Building & Safety Fees are derived from functions such as permit issuance, building plan checks, and building inspections. The Riverside County Building & Safety Department reported that Building & Safety Fees collected for FY 07/08 totaled \$738,605 for Boundary Alternative 2²⁸.

Code Enforcement Fines

Code Enforcement Fines are derived from citations issued for violations that have not been corrected through the administrative process. The Riverside County Code Enforcement Department reported that Code Enforcement Fines collected for FY 07/08 totaled \$146,997 for Boundary Alternative 2²⁹.

Engineering Fees

Engineering Fees are derived from functions such as grading and encroachment permit plan check, issuance and inspection, and right of way engineering related to new development. The Riverside County Building & Safety and Transportation Departments reported that combined Engineering Fees collected for FY 07/08 totaled \$1,155,974 for Boundary Alternative 2³⁰.

Transient Occupancy Taxes

The proposed city will receive Transient Occupancy Taxes (TOT) from the 3 hotels existing in the Jurupa Valley area. An estimate of TOT has been developed based on the total number of rooms, estimated occupancy rate and average cost per room when occupied. There are approximately 217 rooms total combined for the 3 hotels. The estimate was derived based on applying the 10% TOT to an average daily occupancy rate of 60%, and an average daily room rate of \$55. For the FY 07/08 Base Year, total TOT revenue is estimated at \$261,377 Boundary Alternative 2.

Business Registration Fees

The proposed city will receive Business Registration Fees for existing and any future businesses within the new city. The Business Registration Program is managed by the Building & Safety Department within the Transportation and Land Management Agency. The program's primary purpose is to provide an offsetting revenue for monitoring business compliance with water quality and storm water runoff regulations. The Riverside County Building & Safety Department reported that Business Registration Fees collected for FY 07/08 totaled \$23,036 for Boundary Alternative 2³¹.

²⁷ Email correspondence from Riverside County- TLMA Environmental Programs Dept dtd 4/27/09.

²⁸ Email correspondence from Riverside County- TLMA Building & Safety Dept dtd 12/5/08.

²⁹ Email correspondence from Riverside County- TLMA Code Enforcement Dept dtd 12/5/08.

³⁰ Email correspondence from Riverside County- TLMA Building & Safety and Transportation Depts dtd 12/5/08 and 12/19/08.

³¹ Email correspondence from Riverside County- TLMA Building & Safety Dept dtd 12/05/08.

For purposes of the forecast model, it is assumed that as the population increases, the demand for services will increase proportionately. As such, the previous year per capita rate was calculated and then applied to the population for the subsequent year of the model forecast.

Fines and Forfeitures

The proposed city will receive revenues related to motor vehicle and parking citations issued within the city. FY 07/08 Base Year Fines and Forfeiture revenue information specific to the Jurupa Valley area was not available from Riverside County. Estimates of Fines & Forfeitures that can be expected to accrue to the new city were calculated based on overall Fines and Forfeiture information for Riverside County and information for 10 cities in the Western Riverside County region and adjacent San Bernardino County³². An average per capita estimate of \$4.11 was developed and applied to each boundary alternative. For the FY 07/08 Base Year, total Fines and Forfeiture revenue is estimated at \$360,583 for Boundary Alternative 2.

For purposes of the forecast model, this per capita rate remains fixed each year, with revenue totals adjusted by population only.

Miscellaneous Revenues

Miscellaneous revenues that will accrue to the proposed city include DMV Abandoned Vehicle Reimbursement, AQMD grants, Beverage Container Recycling grants, miscellaneous charges for services, regulatory fees and charges, police report fees, foreclosure registration fees, towing fees, and other miscellaneous revenues not specifically identified in the other revenue categories. Estimates of Miscellaneous Revenues that can be expected to accrue to the new city were calculated based on information for 10 cities in the Western Riverside County region and adjacent San Bernardino County³³. An average per capita estimate of \$2.50 was developed and applied to each boundary alternative. For the FY 07/08 Base Year, total Miscellaneous Revenues are estimated at \$219,545 for Boundary Alternative 2.

For purposes of the forecast model, this per capita rate remains fixed each year, with revenue totals adjusted by population only.

Inter Fund Transfer from Road Fund

Under state law, certain road related engineering and administration costs generally paid from the General Fund can be offset by Road Funds. The forecast model includes all costs for Public Works (street) Administration in the General Fund expenses. As such, a transfer of allowable Road Fund revenue to the General Fund has been reflected in the model forecast. Allowable costs that can be offset are up to 100% of Street Maintenance oversight costs and 20% of Public Works Administration costs. Adjustments to these revenues in the forecast model are reflective of their respective cost adjustments in the expense portion of the forecast model. Tables 1-A, 1-B and 2-A in the Appendices detail the transfers over the 10 year forecast.

Interest Earnings

The Local Agency Investment Fund (LAIF) is the most widely used investment agency by local municipalities for investment of most of their reserve and surplus funds. This rate has remained relatively stable over the long term, averaging anywhere from 3-6% annually over the last seven

³² Hemet, Rancho Mirage, Corona, Temecula, Riverside, Murrieta, Moreno Valley, Perris, Colton & Rialto-
FY 07/08.

³³ Ibid.

years. However, with the declining economy, LAIF interest rates are currently within the .5-1% range. Additionally, many municipalities and local government joint powers authorities utilize the services of commercial investment management brokers to invest idle cash reserves yielding interest rates ranging from 3-5% on average. As such, this forecast model assumes an average interest rate of 2.5% as an appropriate average to be applied, assuming a mix of LAIF and commercial market investments. The interest rate is applied to the cumulative surplus of revenues carried over from a previous fiscal year, plus one half of any operating surplus at the end of a current fiscal year.

Road Fund Revenues

As discussed above, Road Fund revenues are all revenues received that are restricted under State law to be utilized for road related purposes only. This includes ordinary maintenance, which involves shoulder maintenance, curb maintenance, signing and striping, pothole repair, traffic signal maintenance and street sweeping. It also includes long term special maintenance, which involves asphalt overlays, slurry sealing, storm drain repairs, and damaged and deteriorated road reconstruction. The primary sources of Road Fund revenues for the proposed new are analyzed below. Tables 1-B and 2-A in the Appendices detail these revenues over the 10 year forecast.

Motor Vehicle Fuel Taxes

All Motor Vehicle Fuel Tax revenues authorized for cities by Streets and Highways Code Sections 2105, 2106 and 2107 are calculated and allocated to the proposed city on a per capita basis. For the first five years after incorporation, population for purposes of this revenue allocation is calculated based on a downward annual sliding scale starting at 150% of the city's population, fixed annually by the State Department of Finance for each year. In the 6th and subsequent years, the city population is utilized. For Streets and Highways Code Section 2107.5, the annual allocation amount is fixed based on actual population.

The estimated Base Year per capita rates of \$5.45 for Section 2105, \$3.40 for Section 2106, and \$7.40 for Section 2107 were calculated utilizing the actual total statewide city allocations for FY 08/09 by the State Controller's Office³⁴. The Section 2107.5 fixed rate is \$7,500 for the Base Year, and increases to \$10,000 when population reaches 100,000. For purposes of the forecast model, this per capita rate remains fixed each year, with revenue totals adjusted by population.

Measure A Sales Tax

Measure A is a one-half cent local sales tax that is restricted to road infrastructure projects and maintenance, and is administered by the Riverside County Transportation Commission. Initially passed by the Riverside County voters in 1988, it was extended in 2002 by the voters to expire in 2039. 35% of this revenue is allocated to county cities for local street and road maintenance and rehabilitation projects. An estimate has been developed utilizing budget information from the Riverside County Transportation Commission for the Western Riverside County Area within which the Jurupa Valley area is located, and existing cities within the Western Riverside County area.

The estimate developed for the Jurupa Valley area equates to a ratio of approximately 29.0% of Base Year Measure A Sales Tax revenue for the area. This ratio was developed by utilizing that portion of Measure A Local Streets and Roads revenue budgeted by RCTC within the Western Riverside County region and applying that estimate to the ratio of sales tax generated in the

³⁴ State Controller Website- Monthly Highway Users Tax Allocation Report for FY 08/09.

Jurupa Valley area and factoring the population component of the allocation formula. It should be noted that upon incorporation, the new city will be eligible for additional competitive grant Measure A revenues. However, due to the uncertainty of receiving these revenues, and lacking information on projects for which these competitive revenues would be directed, no estimate for competitive grant revenues is included in the forecast model.

Proposition 42 Sales Tax

Proposition 42 provides for a portion of the State sales tax on gasoline to be dedicated to local and statewide road infrastructure projects, including road maintenance. Each city is allocated a portion of this revenue on an annual basis based on population. In recent years, a loophole in Proposition 42 allowed the State to rescind this allocation, without reimbursement, during times of budgetary distress as occurred in FY 02/03 and FY 03/04. The State began partially restoring this revenue in FY 04/05, and fully in FY 05/06. In November 2006, State voters passed Proposition 1A which effectively closed this loop hole and now guarantees this revenue stream to cities. Proposition 1A does contain a provision that if the State were to suspend this revenue, this could only be done twice in any 10 consecutive fiscal years, and must be repaid within three years after the suspension. However, as a condition of Prop 1A, Prop 42 revenues for FY 06/07 and FY 07/08 were suspended, with full ongoing restoration commencing in FY 08/09. The League of California Cities, through their fiscal consultant, provided a per capita estimate of \$8.62 for FY 08/09³⁵. For purposes of the forecast model, this per capita rate remains fixed each year, with revenue totals adjusted by population only.

The proposed city will be eligible to receive this revenue commencing in FY 11/12, however, it should be noted that recent legislation has re-allocated the Prop 42 revenue and replaced it with equal offsetting Motor Vehicle Fuel Tax. For purposes of the CFA, the revenue is still listed separately for analysis purposes.

Interest Earnings

As discussed above for the General Fund interest, this forecast model assumes an interest rate of 2.5% applied to the cumulative surplus of Road Fund revenues carried over from a previous fiscal year, plus one half of any operating surplus at the end of a current fiscal year.

Structural Fire Fund Revenues

As previously discussed above, the County of Riverside will retain all Structural Fire Fund Property Tax as they are restricted for provision of Fire Protection services retained by the County. The amount retained by the County as reported by the Riverside County Auditor-Controller for FY 07/08 totaled \$3,272,725 for Boundary Alternative 2³⁶.

CSA and L & LMD Funds Revenue

As discussed above, CSA and L & LMD Funds revenue are restricted property tax and special assessment revenues received for provision of street lighting services. As such, they are carried in separate individual Funds, and cannot be used for any other purpose. Tables 1-C and 2-A in the Appendices detail these revenues over the 10 year forecast.

CSA 72, CSA 73 and L & LMD 89-1-C

There are two CSAs within the Jurupa Valley area that will dissolve and the responsibility transfer to the city upon incorporation. CSA 72 provides street lighting services to a small

³⁵ League of California Cities- CaliforniaCityFinance.com- Prop 42 Update dtd March 2009.

³⁶ Email correspondence from Riverside County- Auditor-Controller Office dtd 12/17/08.

portion of the Rubidoux area near Market Street and Hall Avenue. CSA 73 provides street lighting services to the Crestmore area near Rubidoux Blvd and Tarragona Drive. All revenues derived within the CSAs will transfer to the city. The county Economic Development Department identified FY 07/08 revenues for CSA 72 and CSA 73 respectively as \$8,940 and \$3,430 for Boundary Alternative 2³⁷. Additionally, any remaining fund balance within each CSA will transfer to the new city at the conclusion of the Transition Period. The FY 07/08 estimated fund balance included in the forecast model for CSA 72 and CSA 73 respectively is \$37,836 and \$683 for Boundary Alternative 2³⁸.

Several Zones within L & LMD 89-1-C, which provides street lighting and landscape maintenance services will detach and transfer to the new city upon incorporation. Revenues consist of Special Assessments assessed to each parcel within each affected Zone. All revenues derived within the affected Zones will transfer to the city. The county Transportation Department identified FY 07/08 revenues for the 28 Zones within Boundary Alternative 2 at \$679,882³⁹.

Inter Fund Transfer from Road Fund

Each CSA is funded exclusively with a separate Property Tax allocation. As such, with the recent decline in Assessed Valuation, it may be necessary over time to augment the CSAs with additional revenue. As street lighting expenditures can be funded through Road Fund revenue, the forecast model includes an appropriate inter-fund transfer for CSA 73 on an annual basis to fund ongoing services and maintain a sufficient reserve.

Interest Earnings

As discussed above for the General Fund interest, this forecast model assumes an interest rate of 2.5% applied against the cumulative surplus of CSA and L & LMD Fund revenues carried over from a previous fiscal year, plus one half of any operating surplus at the end of a current fiscal year.

ANALYSIS OF EXPENDITURES

General Fund Expenditures

General Fund expenditures are all expenditures that are allowed under State law to be funded with unrestricted revenues, and some restricted General Fund revenues dedicated for specific General Fund services such as Planning and Building & Safety fee supported services. Tables 1-A and 2-A in the Appendices detail these expenditures for the proposed city over the 10 year forecast.

In summary, total expenditures range from approximately \$27.0 million in FY 12/13, to \$32.5 million in FY 20/21 for Boundary Alternative 2. The largest single expenditure category, as expected, is Law Enforcement comprising approximately 44-48% of the proposed city's total expenditures. Based on the existing expenditure data provided by the county, and applying the contract city methodology of city staffing and operations, the expenditure levels are considered reasonable.

³⁷ Email correspondence from Riverside County- Economic Development Agency dtd 12/31/08.

³⁸ Ibid.

³⁹ Email correspondence from Riverside County- TLMA Transportation Department dtd 12/19/08.

General Government

General Government includes all services and departments responsible for providing governmental services and essential administrative oversight duties, with the exception of Public Safety services. Tables 2-A and 2-B detail the forecasted expenditures for each of these departments. In general, salaries and benefits for city staff positions are based on assumptions pertaining to the level of activity and comparable compensation packages to other cities⁴⁰. A 1.0% annual "real growth" adjustment for salaries and contracted services costs is included in the forecast model for general annual grade-step personnel increases.

Staffing Assumptions

Staffing is based on a "contract city" concept where minimal city staffing is employed, augmented by contract services. The forecast model anticipates a limited city staff growing to 19.0 FTEs in the second year after incorporation. This staffing compares favorably to other contract cities of comparable and larger size that have recently incorporated. Details of the staffing by Department are shown in Table 2-B for city employees only. The chart below shows total staffing included in the 10 year forecast model for all city employee and contract staff positions, excluding law enforcement, animal services and fire protection services. Contract staff costs are included in the "Contract Services" line item for each applicable Department.

It should be noted that the actual city administration organizational structure will be determined by the city council and city manager upon incorporation. The organizational/staffing structure illustrated in the CFA is intended to reflect a common functional area structure only. Additionally, Pre-Incorporation start up consultant contract and other costs are included in each department where applicable.

Total Staffing Summary

Figure 5

	<u>City FTE</u>	<u>Contract FTE</u>		<u>City FTE</u>	<u>Contract FTE</u>
City Manager	1.0		Senior Planner	1.0	1.0
Asst to the City Manager	1.0		Planner	1.0	3.25
Administrative Assistant	1.0		Environmental Planner		1.75
City Clerk	1.0		Building Official		1.0
Records Management Clerk	1.0		Building Plan Check Engineering		3.0
Administrative Services Director	1.0		Building Inspector		4.0
Management Analyst/HR	1.0		Code Enforcement Officer		2.5
Accountant	1.0		City Engineer/PW Director	1.0	
Accounting Technician	1.0		Associate Engineer	1.0	3.5
Receptionist	1.0		Engineering Technician		3.0
Office Assistant	3.0		Traffic Engineer		1.5
City Attorney		1.0	PW Superintendent	1.0	
Community Development Director	1.0		PW Maintenance Workers		15.5

Total City Staffing- 60.0 FTEs 19 City Employees 41 Contract Staff

(Excludes Sheriff and Animal Services)

⁴⁰ Chino Hills, Corona, Colton, Murrieta, Temecula- FY 08/09

City Council

The City Council Department includes all costs associated with the conduct of City Council business including monthly stipend and benefits, costs for supplies, memberships, and travel for the five member City Council. Additionally, cost provisions have been included for monthly stipends for a five member Planning Commission.

City Manager

The City Manager Department includes all costs associated with the executive level management of the city including staff salaries and benefits, and costs for supplies, memberships, training and travel required for the conduct of city business.

City Clerk

The City Clerk Department includes all costs associated with the administrative and public records function of the city including staff salaries and benefits, and the costs of contract services, supplies, memberships, training and travel required for the conduct of city business, as well as costs of bi-annual elections. The Riverside County Registrar of Voters provided estimated FY 07/08 per registered voter costs of \$4.00 for a General Election, \$3.50 for a Special election with polling places, and \$2.00 for a Special Election by mail in ballot⁴¹. Table 2-B in the Appendices delineates the election costs. The Riverside County Registrar of Voters notes that election costs can vary significantly between elections, and can be more or less than the average estimates.

City Attorney

The City Attorney Department includes estimated costs associated with legal representation for the city. The forecast model anticipates that this service will be contracted to one of the many contract law firms that provide this service, with the city providing supplies and office services.

Finance/Administrative Services

The Finance/Administrative Services Department includes all costs associated with the financial and administrative management function of the city including staff salaries and benefits, and the costs of contract services, supplies, memberships, training and travel required for the conduct of city business. Costs associated with this department also include contract services for payroll, banking, miscellaneous accounting services and for conducting all required audits.

Community Development

The proposed city will be responsible for all services associated with community development currently performed by Riverside County upon incorporation. These services include Planning, Building & Safety, and Code Enforcement.

Planning

The Riverside County Planning Department reported that Planning costs for FY 07/08 totaled \$1,262,863 for Boundary Alternative 2⁴². Planning costs include direct and indirect labor, material, and contract services functions such as review of sites plans, tract maps, variance requests, and General Plan amendment and zone change requests. The county estimated utilizing approximately 7.28 FTEs of direct and indirect labor for combined county staff and contract staff for Boundary Alternative 2.

⁴¹ Email correspondence from Riverside County- Registrar of Voters dtd 12/16/08.

⁴² Email correspondence from Riverside County- TLMA Planning Dept dtd 12/26/08.

In addition to ongoing Planning functions, the Community Development Department budget will also require funding to complete a General Plan, Housing Element and Zoning Code for the new city. Although the new city is required by law to adopt the current County General Plan and Zoning Code, the city must adopt its own General Plan and Housing Element within 30 months after incorporation, unless granted an extension by the State. Adoption of the city's first Zoning Code generally follows after the General Plan. The anticipated costs for preparing the General Plan, Housing Element and Zoning Code under this scenario have been included in the forecast model.

Environmental Programs

The Riverside County Environmental Programs Department reported that Environmental Programs costs for FY 07/08 totaled \$399,752 for Boundary Alternative 2⁴³. Environmental Programs costs include direct and indirect labor, material, and contract services functions such as permit issuance, building plan checks, and building inspections. The county estimated utilizing approximately 1.64 FTEs of direct and indirect labor for county staff for Boundary Alternative 2.

Building & Safety

The Riverside County Building & Safety Department reported that Building & Safety costs for FY 07/08 totaled \$738,617 for Boundary Alternative 2⁴⁴. Building & Safety costs include direct and indirect labor, material, and contract services functions such as permit issuance, building plan checks, and building inspections. The county estimated utilizing approximately 7.51 FTEs of direct and indirect labor for combined county staff and contract staff for Boundary Alternative 2.

Code Enforcement

The Riverside County Code Enforcement Department reported that Code Enforcement costs for FY 07/08 totaled \$647,750 for Boundary Alternative 2⁴⁵. Code Enforcement costs include direct and indirect labor, material, and contract services functions for investigation, issuance of citations, and other enforcement actions related to county code violations. The county estimated utilizing approximately 2.35 FTEs of direct and indirect labor for county staff for Boundary Alternative 2.

The forecast model assumes that the majority of all Community Development services will be contracted to one of the various private contracting firms that specialize in this service provision, with a limited number of city staff providing some direct and indirect support for these services. Based on the assignment of some of the total cost function of these services to city staff, a pro-rated estimate of remaining required contracted support cost is utilized in the forecast model for the contracted services, based on the total estimated Base Year costs carried forward. A 1.0% annual "real growth" adjustment for salaries and contracted services costs is included in the forecast model for general annual grade-step personnel increases.

Engineering

The Riverside County Building & Safety and Transportation Departments reported that combined Engineering costs for FY 07/08 totaled \$1,330,090 for Boundary Alternative 2⁴⁶.

⁴³ Email correspondence from Riverside County- TLMA Environmental Programs Dept dtd 4/27/09.

⁴⁴ Email correspondence from Riverside County- TLMA Building & Safety Dept dtd 12/5/08.

⁴⁵ Email correspondence from Riverside County- TLMA Code Enforcement Dept dtd 12/5/08.

⁴⁶ Email correspondence from Riverside County- TLMA Building & Safety and Transportation Depts dtd 12/5/08

Engineering costs include direct and indirect labor, material, and contract services functions for grading and encroachment permit plan check, issuance and inspection, and right of way engineering related to new development. The county estimated utilizing approximately 9.49 FTEs of direct and indirect labor for county staff for Boundary Alternative 2.

The forecast model assumes that the majority of all Engineering services will be contracted to one of the various private contracting firms that specialize in this service provision, with a limited number of city staff providing some direct and indirect support for these services. Based on the assignment of some of the total cost function of these services to city staff, a pro-rated estimate of remaining required contracted support cost is utilized in the forecast model for the contracted services, based on the total estimated Base Year costs carried forward. A 1.0% annual “real growth” adjustment for salaries and contracted services costs is included in the forecast model for general annual grade-step personnel increases.

NPDES/Storm Water Management & AB 939 Solid Waste Management

The proposed city will be required to adopt a program to maintain compliance with the National Pollution Discharge Elimination System (NPDES), a federal program administered by the state, which will require the new city to adopt measures to prevent improper discharge of pollutants into the storm water and watershed systems. The Riverside County Flood Control & Water Conservation District, provided estimates for establishing the initial NPDES program, permit costs, and other costs based on the assumption that the new city will become a Co-Permittee with the county and other applicable Riverside County cities under the Santa Ana Regional Water Quality Control Board MS-4 Permit⁴⁷. It is anticipated that the proposed city will become a Co-Permittee with Riverside County and other applicable cities within the Permit area. On going costs for administration of the program were estimated based on similar costs of other Riverside County cities that are in the program, and have been included in the forecast model.

Additionally, the proposed city will be required to implement a program for achieving and maintaining compliance with the Integrated Waste Management Act of 1989 (AB 939), the program establishing an integrated framework for program implementation, solid waste planning and solid waste facility and landfill compliance. The requirement for attaining a diversion rate of 50% of solid waste into recycling by 2009 is the most significant element of this law for cities. Estimated costs for providing contract services to establish and administer the AB 939 program have been included in the forecast model.

Portions of administering both programs can be funded from Road Funds and annual grant funds that will become available to the new city. However, for purposes of the model forecast, all funding for administration of these programs is assumed to be provided by the General Fund. The model forecast assumes that the proposed city will contract with one of the many specialized private environmental engineering firms that provide these services to other cities. The significant majority of the operational costs for implementing the NPDES program are road/storm drain related and are included in the road maintenance costs under the Road Fund.

Non-Departmental

Non-Departmental costs include those costs that are not assigned to a specific department. They include costs such as insurance, city hall lease, utilities and communications, LAFCO fee, information technology support, etc. Also included in the first year are initial capital outlays for furniture, office equipment, computers and software. Table 2-B in the Appendices details the

and 12/19/08.

⁴⁷ Email correspondence from Riverside County- Flood Control & Water Conservation District dtd 12/19/08.

forecasted expenditures for these expenses.

Animal Services

The Riverside County Department of Animal Services reported that costs for all Animal Services, including field and shelter activities, for FY 07/08 totaled \$1,077,294 for Boundary Alternative 2⁴⁸. These costs reflect a significant disparity when compared to other cities within the region, and as a proportion to revenues derived. The county Animal Services Department has indicated in its correspondence that shelter services provided by the county are considerably more costly than private non-profit shelter providers due to lack of offsetting revenue and volunteer support, and for provision of a higher level of service. Additionally, upon incorporation, the county has indicated that the new city will be required to absorb a proportional share of the debt service on the cost of the new shelter currently under construction in the Jurupa Valley area. The county estimated the annual debt service cost as \$236,232 for Boundary Alternative 2⁴⁹. The county estimated that in FY 07/08, 2,154 licenses were issued and 2,261 shelter activities occurred for Boundary Alternative 2.

For purposes of the forecast model, it is assumed that as the population increases, the demand for services will increase proportionately. As such, the previous year per capita rate was calculated, adjusted for projected contract real growth at a 1.0% annual rate, and then applied to the population for the subsequent year of the model forecast.

Law Enforcement

The proposed city will be required to provide all law enforcement services currently provided by Riverside County and the California Highway Patrol (CHP) upon incorporation. Although the proposed city will have the option to establish its own law enforcement service, contract with a nearby city, or contract with the county, the forecast model assumes contracting with the county as the most cost effective approach to providing law enforcement to proposed city.

The Riverside County Sheriff's Department reported that estimated costs for law enforcement service at an estimated "base level of service" for FY 07/08 totaled \$10,976,988 for Boundary Alternative 2⁵⁰. The base level of service also includes a minimal level of traffic enforcement and accident investigation, similar to the level currently provided by the CHP. The Sheriff's Department also provided a breakdown of sworn personnel by patrol deputy, sergeant, lieutenant, captain and investigators related to providing the base level of service. Total sworn personnel support is reported at 65.3 for Boundary Alternative 2⁵¹, with the ratio of sworn personnel per 1,000 of population of approximately .74.

For purposes of the forecast model, it is assumed that as the population increases, the requirement for these services will increase. Additionally, in order to maintain the existing sworn personnel per 1,000 population level of service, additional sworn personnel will need to be added as population increases. As such, an annual requirement for sworn personnel was calculated based on population, and an overall "cost per sworn personnel" was calculated inclusive of limited existing traffic enforcement and all overhead, supplies, materials and contracted costs. This cost factor was then adjusted for contract real growth annually at 1%. This cost factor is then applied to the population for each year of the model forecast. Table 2-A in the Appendices details the calculation methodology utilized for forecasting these costs.

⁴⁸ Email correspondence from Riverside County- Dept of Animal Services dtd 2/9/09.

⁴⁹ Correspondence presented at meeting- Riverside County- Dept of Animal Services dtd 3/17/09.

⁵⁰ Email correspondence from Riverside County- Sheriff Dept dtd 2/23/09.

⁵¹ Ibid.

As indicated above, the costs reported by the county are for provision of a base level of service, inclusive of limited traffic enforcement. However, the Sheriff's Department has indicated that in order to effectively service the proposed incorporation area on a dedicated basis for traffic enforcement, additional service level enhancements may be necessary. The Sheriff Department also provided an FY 07/08 cost estimate of \$1,042,237 and 4.0 dedicated traffic deputies for Boundary Alternative 2⁵² for this significant service enhancement. However, any decisions concerning enhancing the existing level of traffic enforcement service would be a policy decision for a future city council, and has not been included in the CFA.

Contingency and Operating Reserve

A 10% Contingency factor of estimated annual General Fund expenditures has been included in the expenditure projections in the event of unforeseeable additional expenses that may occur. The forecast assumes that the entire Contingency is expended every year. However, in practicality, the likelihood of this occurring is minimal, particularly in later years after the city has established and stabilized over time its revenue streams and costs. Additionally, a 10% required Operating Reserve, and all excess reserves above the 10% minimum, are reflected in the forecast to identify funds available for absorbing unusual or extreme revenue shortfalls or service cost increases such as severe economic downturns or future unfunded state mandates.

Road Fund Expenditures

Road Fund expenditures are all expenditures for routine road and traffic signal maintenance. This includes ordinary maintenance, which involves shoulder maintenance, curb maintenance, signing and striping, pothole repair, slurry sealing, curbside storm drain catch basins, traffic signal maintenance and street sweeping. The forecast model does not include significant long term special maintenance, such as asphalt overlays, major storm drain repairs, and damaged and deteriorated road reconstruction as these are considered capital improvement projects as previously addressed in the CFA. Tables 1-B and 2-A in the Appendices detail the expenditures for routine maintenance services over the 10 year forecast.

Road & Local Drainage/Traffic Signal Maintenance/Traffic Engineering

The Riverside County Transportation Department reported that general road related maintenance and engineering costs for FY 07/08 totaled \$2,818,555 for Boundary Alternative 2⁵³. Transportation Department costs include direct and indirect labor, material, and contract services functions for routine road maintenance, local drainage maintenance, slurry sealing, traffic signal maintenance, and traffic engineering services. The county estimated utilizing approximately 16.11 FTEs of direct and indirect labor for county staff for Boundary Alternative 2. Calculated on a cost per centerline road mile basis, these costs total \$9,360 per centerline road mile for Boundary Alternative 2.

The county also identified 301.13 centerline road miles and 73.5 traffic signals for Boundary Alternative 2⁵⁴. Traffic signals include flashers.

It is anticipated that the new city will develop a capital improvement program, as discussed earlier in the CFA, for the purpose of prioritizing scheduling and funding of long term street rehabilitation inherently necessary in established communities with aging road infrastructure and substantial deferred maintenance. However, as most capital improvement projects are funded

⁵² Ibid.

⁵³ Email correspondence from Riverside County- TLMA Transportation Dept dtd 12/19/08.

⁵⁴ Ibid.

through competitive grant funds and accumulated reserves, and are appropriated based on availability of funds, no assumptions concerning revenues and costs are included in the CFA. For FY 07/08, the county has identified completed capital improvement road related expenditures of \$20,281,735 spread over the Jurupa Valley area, with an additional \$621,865,000 in long term planned improvements⁵⁵. This significant amount of recent capital improvement maintenance has greatly improved the existing road infrastructure in several areas to a level that will allow for adequate time for the proposed city to develop and fund a reasonable long term pavement maintenance program.

Inter Fund Transfer to General Fund

As previously addressed, state law allows for certain road related engineering and administration costs generally paid from the General Fund can be offset by Road Funds. The forecast model includes all costs for Public Works (street) Administration in the General Fund expenses. As such, a transfer of allowable Road Fund revenue to the General Fund has been reflected in the model forecast.

Contingency and Operating Reserve

A 10% Contingency factor of estimated annual Road Fund expenditures has been included in the expenditure projections in the event of unforeseeable additional expenses that may occur. The forecast assumes that the entire Contingency is expended every year. However, in practicality, the likelihood of this occurring is minimal, particularly in later years after the city has established and stabilized over time its revenue streams and costs. Additionally, a 10% required Operating Reserve, and all excess reserve funds above the 10% minimum, are reflected in the forecast to identify funds available for absorbing unusual or extreme revenue shortfalls or service cost increases such as severe economic downturns or future unfunded state mandates.

Structural Fire Fund Expenditures

As previously discussed above, the County of Riverside will retain all Fire Protection Services for the proposed city. Structural Fire Fund expenditures include costs associated with the provision of all Fire Protection and EMS services.

Fire Protection

The Riverside County Fire Department reported FY 07/08 costs for providing fire protection and paramedic services at \$8,425,261 for Boundary Alternative 2⁵⁶. Fire protection and paramedic services for the Jurupa Valley area are provided primarily from Station #16 (Pedley- 1 Paramedic Assessment Engine), Station #17 (Glen Avon- 1 Paramedic Assessment Engine and 1 Ariel Ladder Truck), and Station #18 (West Riverside- 1 Paramedic Assessment Engine). Additionally, 50% of the Ariel Ladder Truck from Station 38 (Rubidoux) is included in the cost. The remainder of Station 38 is funded through the Rubidoux Community Services District. Ambulance response is provided by American Medical Response through a contract with Riverside County.

The Riverside County Fire Department has also indicated that two planned new stations (Lakeside & Landon) are anticipated to be constructed within the next 10 years. The Landon station is anticipated to be operational in FY 14/15⁵⁷, and the Lakeside station operational in

⁵⁵ Ibid.

⁵⁶ Email correspondence from Riverside County- Fire Dept dtd 2/13/09.

⁵⁷ Ibid.

FY 18/19⁵⁸. The Lakeside station will employ 1 Paramedic Assessment Engine while Landon station will employ 1 Paramedic Assessment Engine and 1 Ariel Ladder Truck. The county has indicated that the Ariel Ladder Truck at the Landon Station would be a 50% shared cost with the new city of Eastvale⁵⁹. It should be noted that construction of any new station will be predicated on availability of funds, and development trends affecting servicing, therefore exact quantification of the timing of these new stations cannot be ascertained.

CSA and L & LMD Funds Expenditures

CSA 72, CSA 73 and L & LMD 89-1-C

The county Economic Development Department identified FY 07/08 costs for CSA 72 and CSA 73 respectively as \$3,183 and \$8,699 for Boundary Alternative 2⁶⁰, for provision of street lighting services to their respective areas.

Additionally, the county Transportation Department identified FY 07/08 costs for L & LMD 89-1-C for the 28 Zones within Boundary Alternative 2 at \$611,894⁶¹.

Tables 1-C and 2-A in the Appendices detail the specific expenditures for each CSA and the L & LMD.

Contingency and Operating Reserve

A 10% Contingency factor of estimated annual CSA and L & LMD Funds expenditures has been included in the expenditure projections in the event of unforeseeable additional expenses that may occur. The forecast assumes that the entire Contingency is expended every year. However, in practicality, the likelihood of this occurring is minimal, particularly in later years after the city has established and stabilized over time its revenue streams and costs. Additionally, a 10% required Operating Reserve, and all excess reserve funds above the 10% minimum, are reflected in the forecast to identify funds available for absorbing unusual or extreme revenue shortfalls or service cost increases such as severe economic downturns.

REVENUE NEUTRALITY MITIGATION

As discussed earlier, “revenue neutrality” requires the incorporation to result in a “similar exchange” of both revenue and service responsibility among the proposed city, the county, and any other affected agencies. In accordance with state law, the method of calculating the “projected” annual revenue neutrality mitigation payment is based on the difference between identifiable and recurring costs and revenues (net costs) for the Base Year, FY 07/08. There is only one “affected agency” that would be considered for revenue neutrality purposes, Riverside County.

Exhibit 3 in the Appendices identifies the “estimated” revenue neutrality impact to the county based on the calculations required by Government Code Section 56815. The calculations indicate that there is an annual negative net impact to the County General Fund of \$4,218,405 for Boundary Alternative 2.

⁵⁸ Email correspondence from Riverside County- Fire Department dtd 6/16/09.

⁵⁹ Email correspondence from Riverside County- Fire Dept dtd 2/13/09.

⁶⁰ Email correspondence from Riverside County- Economic Development Agency dtd 12/31/08.

⁶¹ Email correspondence from Riverside County- TLMA Transportation Department dtd 12/19/08.

It should be noted that the Government Code allows for the actual mitigation to be negotiated between the county and the incorporation proponents, and mitigation established on terms acceptable to both parties. This CFA incorporates the negotiated agreement between the parties. The agreement generally calls for fixed payments in Years 2-6 followed by indefinite payments based on an upward sliding scale of a percentage split between combined Property Tax and Sales Tax as certain total combined thresholds are met. The percentage split ranges from 19% at the lowest threshold, to 29% maximum. The payments continue until such time as the city decides to assume Fire Protection services from the County. The estimated Revenue Neutrality payments based on the agreement have been incorporated into the 10 year forecast model.

COUNTY REPAYMENT FOR TRANSITION YEAR SERVICES

Under state law, a new city is not obligated to provide direct municipal services during the Transition Year. The county and other servicing agencies continue to provide municipal level services during this period to provide time for the new city to accrue adequate revenues, and establish start up operations so that it may begin providing all services to its residents at the beginning of the next fiscal year. However, the county is allowed under the law to require the new city to pay back the overall net cost of providing these services. The county repayment can be repaid over a five-year time period, paid in a lump sum at the end of the transition period, or any combination thereof as may be agreed between the new city and the county. Exhibit 4 in the Appendices provides the estimated County Repayment requirements for the proposed city to Riverside County. The forecast model assumes that the County Repayment will be paid over 5 years, with interest.

TRANSITION YEAR CASH FLOW

During the Transition Year, as previously defined, the new city will begin to accrue and receive certain revenues, while some revenues will not be accrued or received until future periods of time. The timing of receipt of revenues is critical to the ability of the city to begin formation and operation. As the existing service providers will continue to provide municipal services on a reimbursable basis to the new city during the Transition Year, the revenues received will allow the new city to accomplish required start up operations.

This CFA projects a Transition Year of one full fiscal year. Tables 1-A, 1-B, 1-C and 2-A in the Appendices delineate the revenues that accrue and are received by the new city in the FY 11/12 Transition Year. As is noted in the Tables, several revenues are either only partially received, or not at all. Other revenues begin accruing and are received immediately.

The new city will not receive any Property Tax during the FY 11/12 Transition Year. In order to receive Property Tax in a given fiscal year, filing of the appropriate application with the State Board of Equalization must occur prior to December 1st of the prior calendar year. As such, the new city is not eligible for any Property Tax for FY 11/12. The fiscal model assumes that the appropriate filings will occur prior to the December 1, 2011 deadline for receiving FY 12/13 Property Tax during the normal disbursement during FY 12/13. The county will retain all Transition Year Property Tax that would be normally allocated to the new city, and will apply this revenue as an offset to the costs for providing Transition Year municipal services.

Sales Tax is paid in monthly installments, one quarter in arrears. An initial application for starting sales tax disbursements must be filed with the State Board of Equalization by the tenth day of the first month of the quarter preceding the effective quarter, and cannot be filed until after the Effective Date of Incorporation. The fiscal model assumes that appropriate filings will occur prior to July 10, 2011 in order to begin accruing sales tax with the October 1, 2011

quarter. However, revenues will not begin to be received until January of 2011. As a result, the city will receive six months Sales Tax cash revenue during the Transition Year. However, although not reflected in the CFA, the new city will actually accrue a full nine months of Sales Tax revenue in FY 11/12. The county will retain three months of Transition Year Sales Tax. Additionally, no Property Tax in Lieu of Sales Tax is assumed to accrue to the city in the Transition Year, as this revenue is now applied on the same schedule as Property Tax. The county will apply these retained revenues as an offset to the costs for providing Transition Year municipal services.

Motor Vehicle License Fees, Franchise Fees, Property Transfer Taxes, and Motor Vehicle Fuel Taxes begin accruing immediately, and are distributed monthly quarterly or annually dependent on the revenue. The AB 1602 subvention portion of Motor Vehicle License Fees is generally paid in its entirety within the first few months after the Effective Date of Incorporation, and annually thereafter.

Community Development Fees, Engineering and Building & Safety Fees, and Business Registration Fees are assumed to remain with the county during the Transition Year. These fees are applied as net offsets to the cost of providing the Transition Year services.

As is noted above, although certain revenues begin accruing immediately, there are a number of actions that the new city must perform prior to receiving any revenue. These actions include arranging preliminary city hall office space, retaining initial city management staffing, generally consultants, establishing city liability insurance, etc. Historically, new cities have established "lines of credit" with either their county or an established financial institution. More recently, many new cities have entered into what are known as "best effort" agreements whereby consulting firms will provide the necessary start up operations, to be reimbursed at a later date when the new city's cash flow is established. The CFA makes no assumption regarding which methodology may be employed by the future city; however, the new city will be required to establish one of these options as a method of start up. Estimated costs have been included in the CFA for initial "start-up" activities.

PROVISIONAL APPROPRIATIONS ("GANN") LIMIT

In 1979, the voters of California passed an initiative known as the "Gann Limit", adding Article XIII B to the State Constitution and Section 7902.7 to the Government Code. The purpose of the initiative was to place restrictions on the state and local jurisdictions' ability to raise revenues via taxes and fees that are considered taxes. The "Gann Limit", or commonly referred to as the "Appropriations Limit" in state and local government budgets, is implemented by Government Code Section 56812. Essentially, the annual limit is established based on a baseline calculation for the initial limit, and adjusted annually by population and inflation factors provided to each jurisdiction by the State Controller's Office.

LAFCO has the responsibility to establish a "provisional" appropriations limit for the proposed city as part of the incorporation. The new city will then be required to establish the permanent baseline appropriations limit by voter initiative at the first municipal election required to be held by the city after incorporation. The appropriations limit establishes a ceiling for appropriating funds for expenses that are paid from taxes.

Exhibit 5 in the Appendices provides the estimated calculation for the Provisional Appropriations Limit of \$27,914,691 for Boundary Alternative 2. LAFCO will determine the final provisional limit as part of the Terms and Conditions of the incorporation.

COMPARABLE CITIES ANALYSIS

State law requires an analysis of comparable cities when developing a CFA for a proposed incorporation. Comparable cities should be selected based on general population and geographical size similarities and for providing a similar range of services. Additionally, revenue comparisons and staffing comparisons are generally included in such an analysis. Determining the correct mix of comparable cities is difficult due to the inherent nature of every city having its own unique differences. Population, size, and geographic proximity are not always the best indicators of comparability. Age of cities, diversity of revenue streams, development growth potential, and philosophical decisions concerning staffing are all additional considerations to be taken into account when determining the cities to select. Further, given the nature of the prevailing recent history of newer cities incorporating as “contract cities”, it is important to include these types of cities as well where possible for comparative purposes.

For purposes of this analysis, five cities were selected for comparison. Three cities- Chino Hills, Rialto and Corona were selected due to their general proximity to the Jurupa Valley area, with Chino Hills and Rialto also reflecting similar populations. Temecula and Murrieta were selected for comparison due to a current population reflective of the projected population of the proposed city in Year 10. All of the comparable cities exhibit more of a full service city concept in the primary Community Development and Public Works categories, as compared with the proposed city as contemplated to contract most of these services. Chino Hills and Murrieta have revenue and expense budgets reflecting similar anticipated budgets for the proposed city. Several “contract cities” in other areas of the state are listed separately under the Staffing Comparison section Table 4-B of the Appendices for each boundary alternative to delineate a representative comparison of staffing requirements for a full contract city. The fiscal model developed for the proposed city is patterned under this contract city model, consistent with state OPR guidelines. Tables 4-A through 4-C in the Appendices provide comparative data for these cities.

General Fund Comparison

Table 4-A delineates comparative data for major General Fund revenues and costs. When reviewing overall per capita revenues, the proposed city compares somewhat favorably with Murrieta, less favorably with Chino Hills, and considerably less favorably with Rialto, Corona and Temecula. However, the proposed city compares significantly favorable to all of the comparable cities in overall costs per capita. Of particular note is that per capita revenues for the proposed city for individual revenue streams such as Property Tax, MVLF and Sales Tax compare favorably to most of the cities. Additionally, overall revenues show relatively strong diversification. This is a positive indicator of the city’s ability to be able to more readily absorb a downturn in a specific revenue stream. As expected, Law Enforcement clearly garners one of the highest per capita (and overall) costs for all cities. Per capita costs for the proposed city are less than all the comparable cities except Chino Hills. Law Enforcement is discussed further below.

Staffing Comparison

As exhibited in Table 4-B, city staffing (excluding contractor support and public safety services), is literally a function of “full service” and/or “partially contract service” versus “full contract service”. The proposed city exhibits considerably less staffing that the other cities due to all of them being primarily full service cities. Additionally, as expected, on a population per city staff basis, the proposed city lags behind. It should be noted that “contract cities” do have contracted staff that perform the work that city staff members would do in a “full service” city, and those costs are included in the contract service projections for the proposed city.

As is noted in the CFA, the proposed city is anticipated to function as a “full contract city” similar to many newly incorporated cities throughout California. In today’s statewide climate, forming a city that is not placed under the “full contract city” philosophy, unless unlimited revenue resources are available, would be considered problematic. Table 4-B in the Appendices delineates a representative comparison of staffing requirements for other full contract cities in the general Riverside/Orange County region. Additionally, the Cities of Wildomar and Menifee have successfully incorporated recently as full contract cities, even in a significant recessionary economy. This comparison supports the conclusion that the proposed city has the ability to succeed as a “full contract city” with limited city staff.

Law Enforcement Comparison

Table 4-C provides a comparative analysis of Law Enforcement costs and servicing levels for each of the cities. As is indicated in the data, the proposed city compares favorably with Chino Hills and Murrieta in terms of Sworn Personnel / 1,000 of population, however, unfavorably Corona, Temecula and Rialto. When comparing per capita costs of Law Enforcement service, the proposed city exceeds Chino Hills, and lags behind Murrieta, Temecula, Corona and Rialto. However, when viewing this in the context of cost of service as compared to the General Fund expenditures, the model forecast indicates that the proposed city’s ability in maintaining the proportionate service level of sworn personnel can be accommodated by the budget. The percentage cost of law enforcement service remains relatively constant, slightly increasing over the 10 year forecast period, as should be expected, and falls within a reasonable and consistent range of percentage expended to total budget.

CONCLUSION OF FEASIBILITY

Based on the assumptions and analysis contained in this CFA, the following conclusions are evident:

This independent fiscal assessment assumed the incorporation boundaries as identified by the JVIRC. Minor modifications to these boundaries will not significantly impact the financial standing of the proposed city. However, any significant modifications to the boundaries analyzed could have a material effect on this analysis. If it is determined that additional boundary scenarios beyond those analyzed within are to be studied, a new CFA will need to be developed.

FISCAL FEASIBILITY FINDINGS

In accordance with Government Code Section 56720, fiscal feasibility is the most critical finding that must be made by LAFCO for approval of an incorporation of a new city. However, fiscal feasibility is predicated on certain determinations to be made by LAFCO with respect to other aspects of the incorporation. These include:

- Boundaries of the new city
- Timing of the incorporation
- Detachments, consolidations and other governmental boundary changes
- Property tax transfer determinations
- Revenue neutrality mitigation determinations

The following findings are based on research and analysis performed to date, and incorporates the negotiated Revenue Neutrality mitigation agreement adopted by the JVIRC and the County of Riverside.

Boundary Alternative 1

Boundary Alternative 1 is not considered fiscally feasible.

Based on the significant deficit spending and fiscal infeasibility demonstrated by Boundary Alternative 1, this alternative has been removed from further discussion.

Boundary Alternative 2

Boundary Alternative 2 is considered fiscally feasible.

Tables 1-A, 1-B and 1-C in the Appendix for Boundary Alternative 2 summarize the 10 year General Fund, Road Fund and CSA and L & LMD forecasts.

The forecasted General Fund revenues minus expenditures for FY 12/13 through FY 20/21 average an approximate \$869,649 annual operating surplus. It should be noted that with the exception of the Transition Year, the annual operating surplus exhibits a nearly "balanced budget" scenario each year, with the exception of the last two years of the County Repayment period (FY15/16 & FY 16/17). However, the initial Transition Year surplus of \$9,458,042 establishes a more than adequate reserve base for city operations. The Cumulative General Fund surplus over the term of the 10 year forecast model is \$8,696,492. The annual ratio of cumulative reserve funds to expenditures ranges from 35%, decreasing to 27% and leveling off

at the end of the 10 year forecast. This reserve ratio demonstrates relatively good long term sustainability for the General Fund.

The forecasted Road Fund revenues minus expenditures for the same time period average an approximate \$426,970 annual operating surplus, although operating deficits do occur during the County Repayment Years. However, the initial Transition Year surplus of \$4,230,430 establishes a more than adequate reserve base for city operations. The Cumulative Road Fund surplus over the term of the 10 year forecast model is \$4,269,697. The annual ratio of available reserve funds to expenditures ranges from 104%, decreasing to 75% in the mid years of the forecast as the city completes the five year county repayment for transition year services, and increasing to 109% at the end of the 10 year forecast. As with the General Fund, the Road Fund demonstrates similar characteristics of long term sustainability.

The CSA and L & LMD Funds exhibit sustainable levels of Property Tax and Special Assessment funding, although CSA 73 does exhibit a need for funding augmentation from the Road Fund. Reserve levels in each CSA Fund are maintained at significant levels, with the L & LMD Fund reserves considered adequate. Each Fund can be augmented as necessary with Road Funds as these revenues can be used for the services provided.

Additionally, the forecast model assumes that the annual 10% contingency factor is expended every year for each Fund. In practice, it is generally unlikely that this will occur, thus additional reserve capacity exists within the projections. In summary, all Funds exhibit sustainability over the long term. Boundary Alternative 2 meets and exceeds the standards for short and long term fiscal sustainability.

Boundary Alternative 3

Boundary Alternative 3 is no longer available for consideration.

Boundary Alternative 3 extended Jurupa Valley's western boundary to Hamner Ave, north of Limonite. As a result of the LAFCO approval of the Eastvale incorporation proposal, this Alternative was now eliminated as Eastvale's eastern boundary extends to the I-15 freeway.

Revenue Neutrality

Government Code Section 56815 specifies that "revenue neutrality" shall require the incorporation to result in a "similar exchange" of both revenue and service responsibility among the proposed city, the county, and any other affected agency. The method of calculating the "projected" annual revenue neutrality mitigation payment is based on the difference between identifiable and recurring costs and revenues (net costs) for the Base Year, FY 07/08. There is only one "affected agency" that would be considered for revenue neutrality purposes, Riverside County. Exhibit 3 in the Appendices identifies the "estimated" revenue neutrality impacts to the county based on the calculations required by Government Code Section 56815. The calculations indicate that there is an annual negative net impact to the Riverside County General Fund of \$4,218,405 for Boundary Alternative 2.

It should be noted that the Government Code allows for the actual mitigation to be negotiated between the county and the incorporation proponents, and mitigation established on terms acceptable to both parties. This CFA incorporates the negotiated agreement between the parties. The agreement generally calls for fixed payments in Years 2-6 followed by indefinite payments based on an upward sliding scale of a percentage split between combined Property Tax and Sales Tax as certain total combined thresholds are met. The percentage split ranges

from 19% at the lowest threshold, to 29% maximum. The payments continue until such time as the city decides to assume Fire Protection services from the County. The estimated Revenue Neutrality payments based on the agreement have been incorporated into the 10 year forecast model.

Proposition 218 Requirements

No “revenue enhancements” such as new or increased taxes, fees, charges, or assessments are proposed or anticipated in the CFA. Revenue enhancements in the form of a new tax, or an increased existing tax, would require approval by the affected electorate under Proposition 218. Taxes to be levied for a specific service, such as a parcel tax to fund law enforcement services, requires a two-thirds vote of the electorate. A tax to be levied for “general purposes”, such as a utility tax for use for general purposes, requires a simple majority of the electorate.

Conclusion

It is concluded by this analysis that the new city is considered to be fiscally feasible at the “existing level of service” provision under Boundary Alternative 2, operating within the parameters as established within this CFA. The forecast model demonstrates that sufficient revenue and reserve capacity exists to ensure short term and long term fiscal sustainability of the proposed city. However, as indicated in the fiscal model, it can also be concluded that prudent fiscal management will be a necessary component of maintaining fiscal feasibility in the long term. Sufficient capacity exists to address potential future service enhancements that may be desired by the community, however, as continued stress on the economy continues, it will be incumbent upon the initial governing body of the city to ensure that fiscal management of the new city is the primary focus of attention in the first few years, while revenues stabilize and the economy recovers.

Comment Letter ZZZ: John A. Ramirez, Rutan & Tucker, LLP on behalf of the Vernola Family and the Sky Country East Investment Co./East LLC**Response to Comment ZZZ-1**

Please see Master Response #4 regarding recirculation of the DEIR and Master Response #2 regarding vague and conclusory comments.

Response to Comment ZZZ-2

Please see Master Response #5 regarding the Lead Agency.

Response to Comment ZZZ-3

Please see Master Response #10a regarding undergrounding. The underground portion of the Jefferson to Martin 230 kV transmission line was routed in a setting of dense development and urban sprawl south of San Francisco (CPUC Jefferson-Martin 230 kV Transmission Line Project FEIR 2003). These conditions do not apply to the Proposed Project's 230 kV transmission line route. Under CEQA, each project must be evaluated based on its own objectives and physical environment in order to appropriately evaluate impacts and identify reasonable alternatives.

Response to Comment ZZZ-4

The commenter correctly cites CEQA Guidelines 15126.6(a). CEQA Guidelines require that an EIR "shall describe a range of reasonable alternatives to the project, *or* to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (emphasis added). An alternative *may* be an alternative location, but also may be an alternative technology, non-transmission alternative, alternative voltage, construction methods, new generation, distributed generation, or energy conservation, all of which were considered in the DEIR (see Sections 6.4.1 through 6.4.4). Please see Section 6.2.2 of the DEIR for a description of the 69 kV subtransmission route alternative process and Figure 6.2-4 for the 69 kV line routes considered.

A reasonable range of alternative routes for the 230 kV transmission line was presented and discussed in the DEIR (Chapter 6, Section 6.2.1, beginning on page 6-3 of the DEIR). The discussion also includes description of the Siting Study, included as Appendix D to the DEIR, which evaluated environmental resources and engineering constraints in order to identify reasonable alternatives for the proposed 230 kV transmission line.

Response to Comment ZZZ-5

The Proposed Project would be located more than one mile outside of the Riverside County Airport Land Use Commission's (RCALUC's) Chino Airport Compatibility Plan Area of Influence to the east (Zone D, extending to Cleveland Avenue), and therefore not be subject to RCALUC review requirements; because of the Proposed Project's location relative to the Compatibility Plan Area of Influence, no impacts would occur. The Chino Airport Influence Area boundary matches the outer boundary of the FAR Part 77 conical surface for the airport, and includes an extension to the east encompassing additional lands along the existing and future precision instrument approach paths. SCE would submit notice to the Federal Aviation

Administration (FAA) electronically, in accordance with FAA procedures. Please also see Master Response #15 regarding FAA and ALUC issues.

Response to Comment ZZZ-6

See Master Response #7 regarding economic and social impacts, Master Response #10a regarding undergrounding and Master Response #12 regarding land use plan consistency.

Response to Comment ZZZ-7

Please see Response to Comment M-3 regarding future development and Response to Comment M-4 regarding the JARPD's Trails Master Plan. See Master Response #13 regarding data collection.

Response to Comment ZZZ-8

Contrary to the commenter's assertion and as discussed in the DEIR, the Proposed Project would not "entirely prevent development" along the ROW, nor would the placement of transmission lines constitute "visual blight." After the transmission lines have been energized, land uses that are compatible with safety regulations could be permitted in and adjacent to the ROW. Incompatible land uses within transmission line ROW include, but are not limited to, construction and maintenance of inhabited dwellings, and any use requiring changes in surface elevation that would affect existing or planned facilities. Although construction of buildings could not occur directly within the ROW, a variety of other uses would be permissible, except at transmission structure pad locations. This in no way represents a "significant amount of acreage within its right of way." Additionally, and as indicated in the Riverside County General Plan, the preferred pattern of growth is to focus on strategically located centers or into existing developed areas in order to minimize development pressures on rural, agricultural, and open space areas. The creation of the City of Jurupa Valley was characterized as a transfer of municipal authorities from the County of Riverside to the new city (see Jurupa Valley Incorporation, Negative Declaration dated November 2009). This same document affirms that no land use changes would occur, no changes to the physical environment would occur (other than those already planned under the County of Riverside General Plan), and that the City of Jurupa Valley would adopt zoning ordinances, policies, and goals stated in the County of Riverside General Plan and the Jurupa Area Land Use Plan. The commenter's Exhibit 3, Public Review Draft Comprehensive Fiscal Analysis, states that its analysis was based on growth estimates in the Proposed Project Area provided by the Riverside County Planning Department. This same information was used in the DEIR's analysis. (See page 3-243 of the DEIR for reference to Riverside County specific plans.) Further, several assumptions used in the preparation of the comprehensive fiscal analysis have already been called into question, rendering the analysis of limited utility. Among these are 1) the availability of Motor Vehicle License Fee funding sources; 2) the pace of economic recovery; and 3) planned development in the area⁶. By the document's own admission (page 17), "projections into the future are always subject to unanticipated actions and/or changes in circumstances that can affect fiscal feasibility either positively or negatively. As these unknowns cannot be adequately captured too far out into the future, it should be understood that projects for the first five years of incorporation provide the best benchmark for determination of fiscal feasibility, with later year projections being more subject to variation." With the factors listed above affecting initial assumptions used in the comprehensive analysis, the near-term

⁶ <http://www.swrnn.com/2012/07/24/mayor-jurupa-valley-facing-insolvency-dissolution-by-fall-2013/>

determinations report would appear to have varied beyond acceptable limits. How the highly specific development restrictions within the Proposed Project's ROW would play into this would be very speculative. See Master Response #7 regarding social and economic impacts. Also see section 15145 of the CEQA guidelines on the evaluation of speculative impacts.

Response to Comment ZZZ-9

See Master Response #12 regarding land use plan consistency.

Response to Comment ZZZ-10

The Proposed Project's aesthetic effects were characterized using a methodology as detailed on page 3-18 of the DEIR and page 53 of the Visual Resources Technical Report in Appendix B to the DEIR. This methodology was adequate because it considered CEQA criteria, visual quality and character, visual sensitivity, contrast, and visibility. Incremental impacts were typical for a majority of the 69 kV component because existing subtransmission lines, distribution lines, telephone poles, light poles, and other similar utility infrastructure would be modified and supplemented, adding to the existing condition that such features already contribute to the visual character of the cityscape. Thus, in these instances, incremental changes are expected. In many cases, the visual characteristics of the City's overhead utilities in the viewshed would be "cleaned up" (by consolidating and rebuilding lines, insulators, and poles) where previous incremental change has brought about disorderly configurations. This "incremental change" is not as applicable to the 230 kV component of the Proposed Project, and impacts are disclosed accordingly. The commenter is correct in asserting that impacts would occur to areas already developed, and the analysis concludes this (impacts are described relating to "industrial areas," "neighborhoods," "the I-15 corridor," various residential areas, and the Vernola Marketplace). Also see Master Response #10a regarding undergrounding. As discussed on page 3-53 of the DEIR, the Proposed Project would cause impacts as it travels through industrial areas. The discussion on pages 3-53 and 3-54 of the DEIR addresses impacts on Project area neighborhoods, and page 3-55 of the DEIR contains a discussion regarding impacts along the I-15 corridor. The construction of the Proposed Project would not cause widespread visual blight; visual impacts vary along the route and, as described in the DEIR, high impacts are concentrated in specific areas, and are therefore not widespread as the commenter contends.

Response to Comment ZZZ-11

See Master Response #10a regarding undergrounding.

Response to Comment ZZZ-12

The Lead Agency has neither approved nor carried out any portion of the RTRP. Please also see Master Response #9 regarding commitment to the Proposed Project.

Response to Comment ZZZ-13

Please see Master Response #7 regarding economic and social impacts and Master Response #14 regarding lack of local benefits.

Riverside Transmission Reliability Project

From: Diane Engebretson <dengebretson@vestar.com> on behalf of Allan Kasen <AKasen@vestar.com>
Sent: Tuesday, November 29, 2011 2:18 PM
To: Riverside Transmission Reliability Project
Cc: Allan Kasen
Subject: Vernola Marketplace: Riverside Transmission Reliability Project - Comments on Draft Environmental Impact Report
Attachments: DOC001.pdf; Addendum A001.pdf; Addendum B001.pdf

Please see attached objection/comment letter to the above-referenced project and Draft Environmental Impact Report from Vernola Marketplace, LLC, the owner of the Vernola Marketplace located at I-15 and Limonite, Jurupa Valley, California. An additional original is being Federal Expressed to George Hanson, Project Manager, Riverside Public Utilities, per the attached letter.

Allan J. Kasen
Vestar Development Co.
2425 E. Camelback Rd., #750
Phoenix, AZ 85016
602-553-2644
602-956-8721-fax
akasen@vestar.com

 Please consider the environment before printing this message.

VERNOLA MARKETPLACE, LLC
2425 East Camelback Road, #750
Phoenix, AZ 85016
602-866-0900
602-956-8721-fax

November 29, 2011

*Via Email (rtrp@riversideca.gov)
and Federal Express*

Mr. George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92522

**RE: Riverside Transmission Reliability Project
Comments on Draft Environmental Impact Report**

Dear Mr. Hanson:

Vernola Marketplace, LLC ("Vernola Marketplace Owner") is the owner of the Vernola Marketplace located at the corner of I-15 and Limonite in Jurupa Valley, California. We have reviewed the Draft Environmental Impact Report ("DEIR"), State Clearinghouse No. 2007011113, dated August 1, 2011, which was prepared in connection with the proposal of the City of Riverside Public Utilities Department ("RPU") and Southern California Edison ("SCE") to construct and operate the Riverside Transmission Reliability Project ("Project" or "RTRP"). From the DEIR and other available information, we understand that the Project may potentially traverse the main parking area of the Vernola Marketplace.

This Letter shall constitute the formal objection of Vernola Marketplace Owner to the DEIR for the Project. The following comments respecting the DEIR and the Project should be noted:

1. Adoption of Jurupa Objections: First, Vernola Marketplace Owner adopts and incorporates the objections and other comments made by the City of Jurupa Valley ("Jurupa") as has or will be set forth on behalf of Jurupa per the letter of Peter Thorson of Richards, Watson Gerson and the attachments attached to such objection letter or referenced therein (the "Jurupa Objection"). Deficiencies in the DEIR include, but are not limited to:

- failure to include the Jurupa in the planning process;
- failure to include the Jurupa as a responsible agency;
- failure to explain why the City of Riverside, rather than the California Public Utilities Commission is the lead agency (and there has been impermissible delegation to RPU);
- RPU has engaged in improper fragmentation of planning;
- the DEIR is incorrect in contending that only eight acres will be subject to land disturbance;
- there is an inconsistent project description;

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AAAA-6

AAAA-7

- the project presents inconsistencies with the City of Riverside General Plan and the Jurupa General Plan;
- the project violates various Riverside County design guidelines and other land use considerations;
- the DEIR process constitutes impermissible post hoc rationalization;
- the DEIR fails to analyze the project's environmental justice impacts;
- the DEIR is premised upon a project that is neither stable nor finite;
- the DEIR's analysis is flawed in various critical respects;
 - the aesthetic impact analysis is flawed;
 - the agricultural and forestry resource analysis is flawed;
 - the quality and greenhouse gas emissions analysis is flawed;
 - the biological resources analysis is flawed;
 - the land use and planning analysis is flawed;
 - the population and housing analysis is flawed;
 - the recreational impact analysis is flawed;
 - the transportation and traffic analysis is flawed;
 - the alternative analysis is flawed;

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AAAA-11

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AAAA-13

2. Alternates: Assuming (contrary to the objections set forth in item 1 above) the Project maintains its current general alignment, Vernola Marketplace Owner requests that RPU and SCE consider an alignment that does not bisect the main parking area of the Vernola Marketplace. Under CEQA, "feasibility" involves a balancing of various "economic, environmental, social, and technological factors" (§21061.1, CEQA). Accordingly, the EIR "shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project (§15126.6 Guideline). In that regard, CEQA does not permit a summary rejection of an alternative on the grounds of economics (see *Citizens of Goleta Valley v. Board of Supervisors*, 197 Cal. App. 3d 1167, 1181).

AAAA-14

The alignments set forth in Addendum A and Addendum B represent minor deviations to the potential alignment of the Project. Addendum A still has the lines running through Vernola Marketplace, but in a more appropriate location. Addendum B has the lines running slightly outside of the Project. We believe either alternative (or a variation consistent with such alternative) would be preferable to other locations within the shopping center, both from the standpoint of the Vernola Marketplace owner and the Project.

3. Undergrounding: As discussed in more detail in the Jurupa Objections, undergrounding is a viable alternative to overhead transmission lines. As an alternative to an overhead bisecting of the Vernola Marketplace main parking area, Vernola Marketplace Owner requests that RPU and SCE consider and adopt an undergrounding of the lines as they pass through or by the Vernola Marketplace. As RPU and SCE are aware, undergrounding is a feasible and preferred method of running electric lines through populated and developed areas. In that regard, there has been significant undergrounding on the PG&E Jefferson Martin 230kv transmission project. Further, as discussed in Item 2 above, an alternative cannot be summarily rejected on the grounds of

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economics. Accordingly, we submit that undergrounding is the appropriate alternative for any lines that run through or are adjacent to the Vernola Marketplace.

↑ AAAA-15

Based on the foregoing, Vernola Marketplace Owner requests that RPU suspend any further consideration of the Project until a DEIR that fully discloses and analyzes the potential impacts of the Project, fully considers feasible alternatives, and fully complies with all other CEQA requirements has been prepared and re-circulated for public review and comment. Further, Vernola Marketplace Owner objects to any action by the City of Riverside or RPU on the Project until the necessary and proper environmental reviews have been completed. Vernola Marketplace Owner further requests and expects that responses to each comment set forth herein be provided in accordance with CEQA Guideline §15088.

AAAA-16

CEQA requires that a DEIR be re-circulated when "significant new information" is added to the EIR prior to certification of the documents. See CEQA Guidelines §15088.5. "Significant new information" includes a disclosure that the "draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review were precluded." Vernola Marketplace Owner therefore objects to any further action on the Project until the necessary and proper environmental review has been conducted and the public (including Vernola Marketplace Owner) has been provided a meaningful opportunity to comment on the new EIR.

If you have any questions concerning the foregoing, please feel free to contact the following individual: Allan Kasen (c/o Vernola Marketplace, LLC, c/o VVM, LLC., 2425 East Camelback Road, Suite 750, Phoenix, Arizona 85026; 602-553-2644; akasen@vestar.com).

Very truly yours,

Vernola Marketplace, LLC,
a Delaware limited liability company

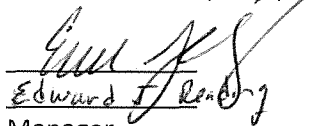
By: Vernola Marketplace JV, LLC,
a Delaware limited liability company, its Sole Member

By: VVM, LLC,
an Arizona limited liability company, its Manager

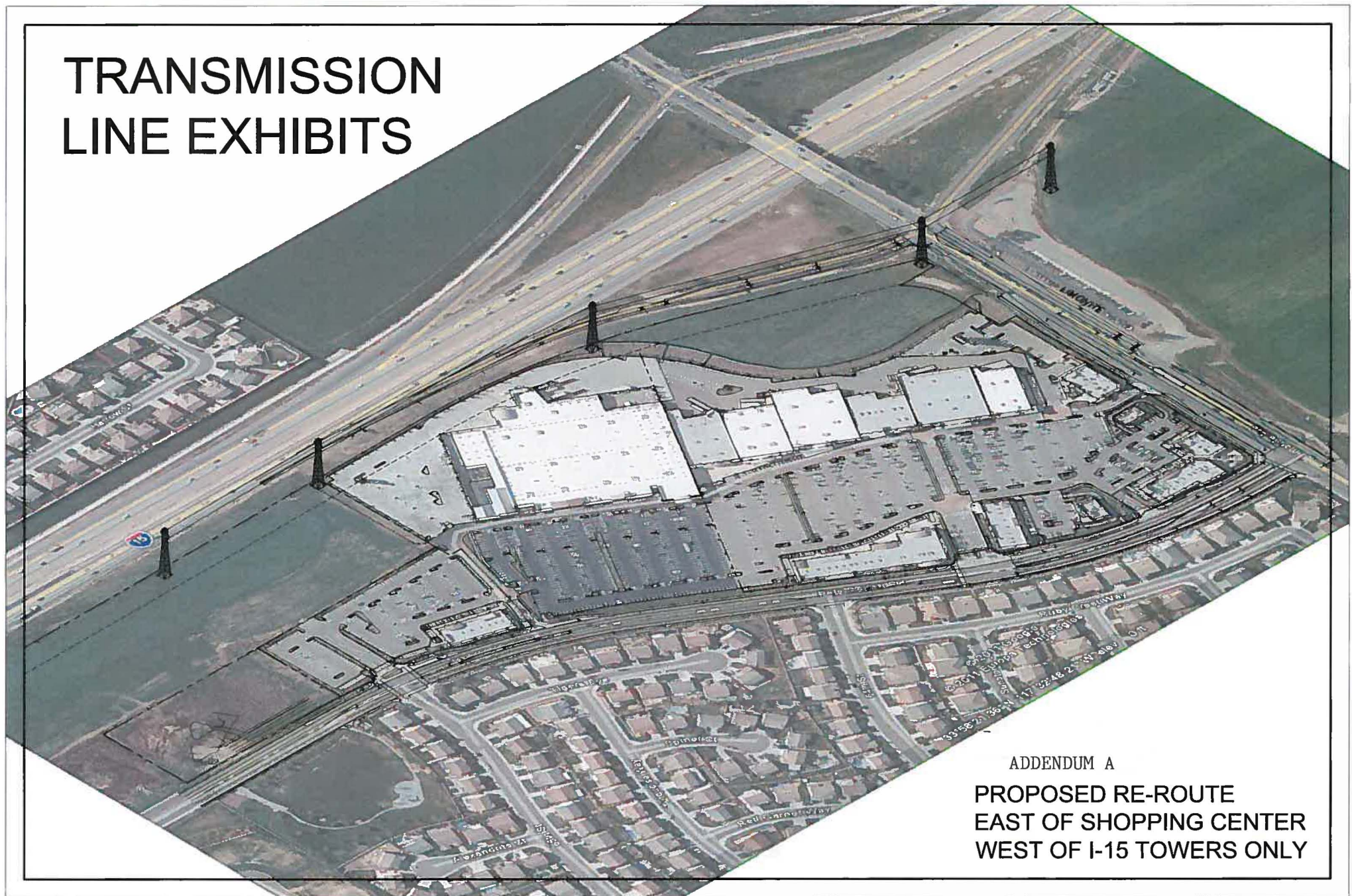
By:

Name:

Title: Manager

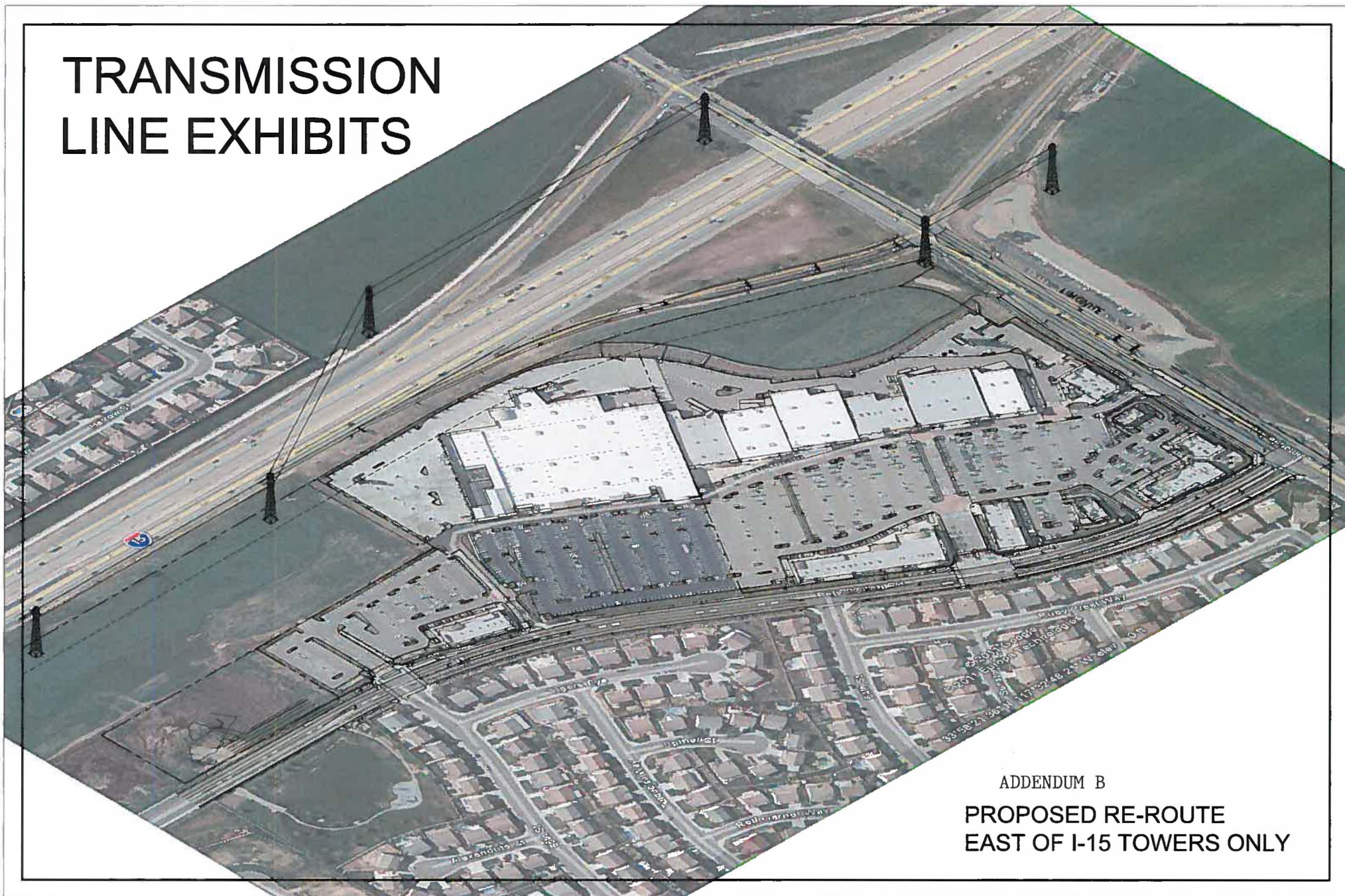

Edward J. Renshaw

TRANSMISSION LINE EXHIBITS



ADDENDUM A
PROPOSED RE-ROUTE
EAST OF SHOPPING CENTER
WEST OF I-15 TOWERS ONLY

TRANSMISSION LINE EXHIBITS



ADDENDUM B
PROPOSED RE-ROUTE
EAST OF I-15 TOWERS ONLY

Comment Letter AAAA: Allan J. Kasen, Vestar Development Co. on behalf of Vernola Marketplace, LLC**Response to Comment AAAA-1**

Thank you for your comment; it has become part of the project record. The 230 kV transmission line's route has been modified to avoid the Vernola Marketplace parking lot by following I-15 roughly south and to the east of the California Department of Transportation's right-of-way (ROW). Additionally, the route along the Goose Creek Golf Club and Santa Ana River crossing has been slightly modified to utilize one double-circuit structure on each side of the river, instead of the previously presented two single-circuit structures. Finally, the route's path through the City of Riverside Water Quality Control Plant has been shifted to the north side of the plant property to reduce potential conflicts with current operations and possible future development at the plant. These routing changes are described in Section 2.3.1 in Chapter 2 of the DEIR (Volume II of this FEIR). Please see responses to Comment Letter P and Master Response #8.

Response to Comment AAAA-2

The City of Jurupa Valley was incorporated in July 2011, approximately one month prior to the DEIR being released for public review. Recognition of the incorporation of the City of Jurupa Valley was included within the DEIR, and as described on page 3-2, the analysis took into consideration the Riverside County General Plan designations and consistency reviews for impact analysis purposes as they related to the City of Jurupa Valley; therefore, the DEIR is not deficient. For more information, please see Master Response #8.

Response to Comment AAAA-3

Because the City of Jurupa Valley does not have discretionary authority over the Proposed Project, the City of Jurupa Valley would not be considered a Responsible Agency for the Proposed Project. Therefore, the DEIR is not deficient.

Please also see Master Response #8, regarding the City of Jurupa Valley, and Master Response #11, regarding CPUC GO 131-D.

Response to Comment AAAA-4

The City of Riverside is the appropriate Lead Agency for CEQA; therefore, the DEIR is not deficient. Please also see Master Response #5 regarding the Lead Agency.

Response to Comment AAAA-5

Specific details in this comment are lacking in order to form a more detailed response. Please see Master Response #2 regarding vague or conclusory comments. The comment has become part of the project record. The DEIR is not deficient.

Response to Comment AAAA-6

Table 2.5-3 of the DEIR states a total permanent footprint of the lattice steel towers (LSTs) and tubular steel poles (TSPs) as 8.2 acres. The DEIR further states that 94.1 acres would be subject to disturbance, with 69.5 acres to be restored. Therefore, the DEIR is not deficient.

Response to Comment AAAA-7

Specific details in this comment are lacking in order to form a more specific response. Please see Master Response #2 regarding vague or conclusory comments. The comment has become part of the project record. The DEIR is not deficient.

Response to Comment AAAA-8

Specific details in this comment are lacking in order to form a more specific response. Please see Master Response #2 regarding vague or conclusory comments. The comment has become part of the project record. The DEIR is not deficient.

Response to Comment AAAA-9

Specific details in this comment are lacking in order to form a more specific response. Please see Master Response #2 regarding vague or conclusory comments. The comment has become part of the project record. The DEIR is not deficient.

Response to Comment AAAA-10

Specific details in this comment are lacking in order to form a more specific response. Please see Master Response #2 regarding vague or conclusory comments. The comment has become part of the project record. The DEIR is not deficient.

Response to Comment AAAA-11

Environmental Justice is not an explicit topic to be covered as part of the CEQA review for the Proposed Project. However, the DEIR includes a thorough review and disclosure of impacts of alternatives to the Proposed Project; therefore, the DEIR is not deficient. Please see Master Response #7 regarding social and economic impacts.

Response to Comment AAAA-12

The Proposed Project is described in detail within Chapter 2 of the DEIR; therefore, the DEIR is not deficient.

Response to Comment AAAA-13

Specific details in this comment are lacking in order to form a more specific response. Please see Master Response #2 regarding vague or conclusory comments. The comment has become part of the project record. The DEIR is not deficient.

Response to Comment AAAA-14

SCE has provided an alternative alignment generally consistent with the revisions suggested by the commenter. The alignment would skirt the western edge of the Vernola Marketplace property instead of traversing the parking lot and would require an aerial easement from Caltrans for encroachment onto Caltrans ROW. The alignment would not interfere with merchandise receiving operations at the Vernola Marketplace. Environmental impacts of this new alignment have been evaluated and are included in Chapter 3 in Volume II of this FEIR. See Response to Comment P-114.

An environmental impact analysis was conducted for this change to the Proposed Project from what was presented in the DEIR. It was determined that no new significant impacts to environmental resource categories would occur and significance determinations presented in the DEIR remain unchanged.

Response to Comment AAAA-15

The DEIR does consider and evaluate an undergrounding specific to the Vernola Marketplace, in addition to undergrounding of the entirety of the 230 kV transmission line, as both an alternative and as a potential mitigation measure. This consideration and discussion of impacts begins on page 6-29 of the DEIR. Please also see Master Response #10a regarding undergrounding.

Response to Comment AAAA-16

As described in the Executive Summary, “the DEIR was prepared to inform the public and to help the City consider the environmental effects of the Proposed Project before making a decision on the RTRP. In accordance with Section 15121 of the CEQA Guidelines, this DEIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effects of the project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The DEIR includes the required contents set forth by CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) and CEQA Statutes provided in California Public Resources Code Section 21000 et seq.” The public was provided an opportunity to comment on the DEIR for a period of 120 days. The comments provided on the DEIR do not constitute “significant new information” as that term is understood in CEQA, and recirculation is not required. Please also see Master Response #4 regarding recirculation of the DEIR.

Riverside Transmission Reliability Project

From: Patty McGraw <PMcGraw@sheppardmullin.com>
Sent: Wednesday, November 30, 2011 11:15 AM
To: Riverside Transmission Reliability Project
Cc: Sean O'Connor
Subject: Ter Maaten Family Partnership: November 30, 2011 Letter to George Hanson re Draft Environmental Impact Report
Attachments: Letter to George Hanson.pdf

Dear Mr. Hanson,

Attached please find correspondence of today's date.

Regards, Patty

Patty McGraw | Recruiting & Professional Development Coordinator
Assistant to Sean P. O'Connor and Matthew M. Sonne
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Sean P. O'Connor
Writer's Direct Line: 714-424-2846
soconnor@sheppardmullin.com

November 30, 2011

Our File Number: 0100-092806

VIA E-MAIL AND MESSENGER

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, California 92501

E-Mail: RTRP@riverside.ca.gov

Re: **Comments on the Draft Environmental Impact Report for the
Riverside Transmission Reliability Project**

Dear Mr. Hanson:

We represent the Ter Maaten Family Partnership (the "Ter Maatens"), the owners of a 209-acre property (the "Subject Property") in the City of Jurupa Valley that is adversely affected by the proposed Riverside Transmission Reliability Project ("RTRP" or "Proposed Project"). "The major components of the RTRP are a new 230 kilovolt (kV) overhead transmission line, new 69 kV overhead subtransmission lines, two new substations, and upgrades at four existing 69 kV substations. The new 230 kV transmission line would interconnect to an existing SCE 230 kV transmission line." (ES-1.)¹ The 230 kV transmission line ("230 Line") transverses the cities of Jurupa Valley, Norco, and Riverside. The Ter Maatens oppose the RTRP, in particular the proposed route for the 230 Line, for the following reasons.

A. The RTRP As Currently Planned Will Decimate The Value Of The Subject Property.

The Subject Property is bound by the I-15 freeway to the west, 68th Street to the north, the Goose Creek Golf Club to the east, and the Santa Ana River to the south. The Subject Property is currently in agricultural use, but a plan submitted by the CV Communities (a developer who has an option to purchase the Subject Property) for the development of the Subject Property with 468 single family residences is currently being processed by the City of Jurupa Valley. The Subject Property is surrounded by agricultural, single family residential, open space, and recreational uses. VanderMolen Elementary School lies across from the Subject Property at 68th Street and Carnelian Street.

¹ Except as otherwise noted, parenthetical references are to section and page numbers of the Draft Environmental Impact Report for the RTRP.

BBB-1

The City of Riverside has prepared a Draft Environmental Impact Report ("DEIR") for the RTRP. The DEIR does not provide a sufficient level of detail to enable property owners in the Proposed Project area to determine exactly how the RTRP will impact their property. We are forced to string together bits and pieces of the DEIR's project description in order to gather a general idea of the scope and impact of the Proposed Project.

BBBB-2

The Proposed Project Map does not show parcel detail and the DEIR states that the exact locations of the structures and right of way ("ROW") for the 230 Line have not yet been determined. (2- 41-42, 2-63.) Generally, however, it appears that the 230 Line follows the I-15 freeway south from the Mira Loma Substation line until it hits 68th Street, at which point it enters the Subject Property, heads east parallel to 68th Street, veers southeast at Smith Avenue, cutting across the Subject Property and the Goose Creek Golf Club, then crosses the Santa Ana River into the City of Riverside. As stated in the DEIR,

The proposed 230 kV transmission line would be constructed using structures consisting of single-shaft galvanized steel poles (tubular steel poles or TSPs) or galvanized lattice steel towers (LSTs) bolted to concrete footings. Typical heights range from 90 to 170 feet for the single poles, and approximately 113 to 180 feet for the lattice towers (see Figure 2.4-1); the span length (distance between structures) ranges from 600 to 800 feet typically....

(2-41.) If the Proposed Project Map is accurately scaled, it appears that nearly one mile (approximately 4,550 feet) of the 230 Line will be installed on the Subject Property. Based on the typical span length, that equates to 6 to 8 TSPs and LSTs that will be installed on the Subject Property.

The foundations for the TSPs "vary in diameter from approximately six to ten feet," while the LSTs each "require four concrete foundations with an approximate diameter of four feet each." (2-42.) "The area occupied by each LST would be approximately 34 feet by 34 feet." (2-74.) Additionally, "[a] 100-foot-wide easement would be required" for ROW. (2-42.) Use of the land within the ROW will be restricted from development with residences or anything permanent. (2-38; SCE "Easement Policy," July 7, 2008.) The DEIR also states that "[a]pproximately 7.5 miles of new access road is estimated for construction and maintenance activities," with a minimum width of 18 feet. (2- 70-71.) There is no description of where such road is required, but it is likely necessary where the 230 Line veers off of 68th Street toward the Santa Ana River.

Taking these project characteristics together, the RTRP would result in the condemnation of a large amount of the Subject Property, render a further amount essentially undevelopable, and cause significant visual blight to the Subject Property. As the Subject Property is only accessible from 68th Street, any entry to the remainder of the Subject Property would have to pass between TSPs/LSTs and underneath the power lines. As people travel along 68th Street and enter the remainder, their impression of the Subject Property will be scarred by the TSP/LST structures and power lines. The structures and power lines cutting

BBBB-3

across the east of the Subject Property would further impact the aesthetics to residents or other future users. (See the a photo simulation of the view from the corner of 68th Street and Smith Avenue at Figure 3.2.1-22.) The DEIR found that aesthetic impacts to residential viewers along 68th Street would be potentially significant and immitigable. (3-55.) There is also a significant risk or perceived risk to the health and safety of residents living near the structures and power lines.

BBBB-3

As a result of the taking of Subject Property, the restriction of the use of the land within the ROW, the aesthetic impacts, and the health and safety risks from the 230 Line, the Proposed Project will at a minimum diminish, and likely destroy the value of the Subject Property and its potential for development with single family residences. The DEIR did not address these impacts to the Subject Property or other private properties that will be subject to similar intrusions.

B. The DEIR For The RTRP Is Inadequate.

BBBB-4

The DEIR fails to satisfy the requirements of the California Environmental Quality Act ("CEQA") on the following grounds, as addressed in detail below: (1) improper designation of the lead agency; (2) inadequate project description; (3) inadequate aesthetics impact analysis; (4) inadequate hazards impact analysis; (5) inadequate land use impact analysis; (6) inadequate socioeconomics impact analysis; (7) environmental justice concerns; (8) inadequate alternatives analysis; and (9) impermissible *post-hoc* rationalization. In addition to these issues, we hereby incorporate by reference the comments submitted in the letters from CV Communities, LLC (the developers for the Subject Property) and the City of Jurupa Valley, including the comments and evidence attached as "Exhibit A" thereto. As a result of these failings, major revisions to the DEIR will be necessary to comply with CEQA, requiring recirculation.

1. *Improper Lead Agency.*

Under CEQA, the "lead agency" is "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect on the environment." Pub. Res. Code, § 21067. The DEIR was prepared on behalf of the City of Riverside as the lead agency. (ES-1.) The California Public Utilities Commission ("CPUC"), a state agency, however, is the proper lead agency.

The DEIR states that "[t]he City of Riverside Public Utilities Department (RPU) and Southern California Edison (SCE) are proposing to construct and operate" the RTRP. (ES-1.) SCE was directed to build the RTRP by the California Independent System Operators ("CAISO"). (Id.) As an investor-owned utility, SCE is governed by the CPUC. Under CPUC's General Order No. 131-D, local jurisdictions are preempted from regulating electric projects such as the RTRP, and the CPUC shall be the lead agency under CEQA. Supervision of construction and the final review and approval of the Proposed Project is by the CPUC. (Table 2.9-1.) The City of Riverside has no authority except over a simple grading permit. (Table 2.9-1.) Accordingly, the CPUC should have acted as lead agency on the Proposed Project. An

BBBB-5

analogous example can be found with the San Diego Gas & Electric Company's ("SDG&E") Sunrise Powerlink Project, which was a proposal by SDG&E to construct a 150-mile transmission line from SDG&E's substation in Imperial County to its substation in coastal San Diego. The project consisted of new electric transmission lines and a new substation, along with other system upgrades and modifications. Rather than the City of San Diego preparing the EIR, the CPUC prepared it.

BBBB-5

Moreover, the DEIR admits that the City of Riverside does not have any discretionary authority. (3-239.) This lack of discretionary authority explains why when CV Communities contacted the RPU to set up a meeting to discuss the Proposed Project, an RPU representative responded: "I am so sorry, but *the transmission lines are going to be built, designed and run by Edison* so without their participation, this meeting is canceled." Clearly, the City of Riverside has no authority respecting the Proposed Project, or at least the 230 Line, and cannot even fulfill the public participation requirements of CEQA.

Additionally, due to the fact that the Proposed Project will be built outside City lines and cause significant impacts on other cities, particularly the City of Jurupa Valley, it is more appropriate that a state agency such as the CPUC conduct the environmental review of the RTRP. The RPU may be the "Project Proponent" (ES-5, 3-126), but it is not the appropriate lead agency.

2. Project Description.

CEQA requires that "[t]he *precise* location and boundaries of the proposed project shall be shown on a *detailed* map." Guidelines,² § 15124. Without this information, the impacts of the Proposed Project cannot be fully determined and disclosed, the public cannot evaluate the Proposed Project, and decision-makers cannot make an informed decision.

BBBB-6

As addressed above, the Subject Property owners must guess the approximate location and number of the 230 Line structures and power lines and the amount of land that will be taken to accommodate them based on a generalized Project Map. The Project Map does not show parcel information or the locations of the structures, and that information is not provided anywhere in the DEIR. Rather, the DEIR states that the final design has not been completed and the precise location of the structures are unknown. As a result, it is impossible to fully determine and evaluate the impacts of the Proposed Project. Therefore, the project description for the RTRP is inadequate.

3. Aesthetic Impacts.

The DEIR concludes that there is a potentially significant impact to aesthetics under the threshold that the project would "substantially degrade the existing visual character or quality of the site and its surroundings." (3-53.) The DEIR's conclusion is based on the natural

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² "Guidelines" means the Guidelines for Implementation of the California Environmental Quality Act, located at 14 Cal. Code of Regulations § 1500 *et seq.*

scenic quality from the perspective of residential and recreational viewers. (3- 52-53.) The DEIR fails to consider the aesthetic impacts on the commercial uses along the I-15. The DEIR found that “[m]ost of the Proposed Project is located within highly developed urban areas where transmission, subtransmission, distribution, and other utility facilities are existing visual elements that contribute to the definition of the current landscape character.” (3-53.) The DEIR concluded that, because the quality of the views and viewer sensitivity are low through the urban area, impacts to the I-15 corridor are less than significant. (3- 53-55.) This reasoning is flawed, however, because it values only the natural landscape and assumes that there is no value in a developed landscape. A reasonable person would find significant adverse impacts to the aesthetics of the urban landscape as well.

↑
BBBB-7

Further, the applicable land use standards seek to protect the character of the surrounding environment and are not limited to natural views. Ordinances, regulations, or plans governing the project area provide relevant standards for determining the significance of a project's environmental impacts. The DEIR references the Riverside County General Plan's (applicable to the City of Jurupa Valley) requirement that “new and relocated utilities [be located] underground when possible. All remaining utilities shall be located or screened in a manner that minimizes their visibility by the public.” (C 25.2; DEIR, 3-18.) The Jurupa Area Plan also provides that it is the policy to “[d]iscourage utility lines within the river corridor. If approved, lines shall be placed underground where feasible and shall be located in a manner to harmonize with the natural environment and amenity of the river.” (JURAP 7.13; DEIR, 3-18.) The General Plan also requires “that public facilities be designed to consider their surroundings and visually enhance, not degrade the character of the surrounding area.” (LU 25.5; DEIR, 3-18.) The DEIR rejects undergrounding of the transmission lines. By not complying with these policies, the Proposed Project has a significant impact on aesthetics, including in the urban area.

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The Proposed Project will degrade the visual quality of the commercial uses along the I-15, as the developments will be less attractive amongst the 230 Line structures and power lines. This indirectly causes socioeconomic and environmental justice impacts, as discussed below.

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The DEIR recognizes that “alternative technologies such as undergrounding may reduce some visual impacts.” (3-53.) Despite these findings, the DEIR refuses to mitigate impacts by undergrounding the transmission lines on grounds of infeasibility. (3-53.) The stated reasons for “infeasibility,” however, do not show actual infeasibility, but only increased *temporary* impacts from construction, longer wait times for outage repairs, and increased costs. (3-53.) Any permanent impacts from undergrounding, e.g. trenching in sensitive areas, could be avoided by choosing an alternative route as well. The DEIR focuses on damage to the Santa Ana River corridor, but if an alternative route were chosen through a developed area, e.g. the Van Buren alternative, that would not be an issue. These issues are discussed further below in the context of alternatives. Because undergrounding the transmission lines is likely feasible to mitigate impacts to aesthetics, the Project cannot be approved as proposed.

BBBB-10

4. **Hazardous Impacts.**

Ten schools are located within one-quarter mile of the RTRP. (3-185.) The closest school (we believe this to be VanderMolen Elementary School, but the DEIR is not specific) is “estimated to be located approximately 100 feet away” from the 230 Line, and the 69 kV line is proposed to traverse property that is planned for the expansion of the La Granada Elementary School. (3-89, 3-185; Appendix B, p. 16.) “The closest residences have been estimated to be less than 25 meters away” from the lines. (3-89.) The DEIR’s discussion of the health effects on sensitive receptors considers the use of hazardous substances such as motor fuel, solvents, and lubricating fluid but it does not consider emissions of electric and magnetic currents. (3- 195-198.)

BBBB-11

The DEIR recognizes that the “[h]ealth effects of electric and magnetic fields” is an area of controversy, but does not discuss it in terms of an impact. Rather, the issue is discussed in an “Additional Topics” section for the stated reason that “standard CEQA analysis does not include a discussion of potential environmental impacts from electric and magnetic fields” and because there are no CEQA standards to analyze such risks. (5-3.) While that is true, the intent of CEQA is to regulate activities to prevent both adverse effects on the environmental and to the health and safety of the people of the state. See Pub. Res. Code, § 21000. The United States Environmental Protection Agency identifies exposure to electromagnetic fields and falling power lines as potential hazards relevant to the siting of schools. (EPA School Siting Guidelines.) As such, the DEIR should address the health effects of electric and magnetic fields as a potential impact to sensitive receptors.

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Even if the “Additional Topics” section were taken as an impact analysis, it would still be inadequate. The DEIR should quantify the levels of electromagnetic fields (EMF) that sensitive receptors may be exposed to, and then provided studies relating to those levels. It is unclear whether the EMF levels expected to be generated by the Proposed Project are of the “extremely low frequency” (ELF) type discussed in the DEIR. (5- 4-6.)

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Further, the DEIR’s mitigation of EMFs violates CEQA. The DEIR states that the CPUC’s “[n]o-cost and low-cost” measures to reduce magnetic fields will be incorporated into the design of this project,” but these measures are not provided in the DEIR. (5-6.) The DEIR cannot defer the formulation of specific mitigation measures to a future time. See *Sundstrom v. Co. of Mendocino* (1988) 202 Cal.App.3d 296, 376; *Citizens for Quality Growth* (1988) 198 Cal.App.3d 433, 442. Although the mitigation will be reviewed by the CPUC prior to approval of the Application for a Certificate of Public Convenience and Necessity, CEQA requires that the lead agency review mitigation measures prior to approval of the EIR. Without providing the mitigation measures and substantial evidence to show they are effective, the DEIR cannot conclude that the impact from EMFs is less than significant. *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1988) 47 Cal.3d 376, 407; *Sundstrom v. Co. of Mendocino*, *supra*, 202 Cal.App.3d 296.

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5. *Land Use Impacts.*

The Proposed Project has a significant impact if it conflicts with applicable land use plans and policies. (3-251.) A proposed project should be considered to be consistent with the local general plan if it furthers one or more policies and does not obstruct other policies. OPR, State of California General Plan Guidelines (2003).

As set forth above regarding aesthetics, several applicable land use plans and policies provide that utility lines should be placed underground and located in a manner to harmonize with the environment. The DEIR should conclude that the Proposed Project is inconsistent with these policies because the lines are not being undergrounded. Instead, however, the DEIR concludes the Proposed Project is consistent because undergrounding is infeasible. In other words, it says the project is consistent because of the purported difficulty to mitigate the inconsistency. That is nonsensical, and certainly not supported by substantial evidence. Because the Proposed Project obstructs the Riverside County General Plan (applicable to the City of Jurupa) and the Jurupa Area Plan's (JURAP) policies to place utility lines underground, and that any necessary above-ground lines harmonize with the natural environment, the DEIR should find the RTRP inconsistent with land use plans and policies.

Additionally, as explained in detail in the City of Jurupa Valley's comments at Exhibit A, pages 56 through 64, there are numerous planning policies applicable to the Proposed Project with which the Project may be inconsistent that the DEIR fails to address.

The DEIR should also address impacts to the land use plans for the redevelopment of currently underdeveloped lands. The area along the I-15 Freeway corridor in Jurupa Valley is currently underdeveloped (i.e. open space or agricultural) but is designated by the County General Plan for commercial, light industrial, and low density residential uses. The highest and best use of that area is commercial development, with the freeway attracting business. The JURAP recognizes that a significant amount of land is "converting from dairy to industrial, warehousing, and truck distribution uses to capitalize on direct access to the freeway system and to tap into the rapidly expanding pattern of goods movement throughout the entire region." (JURAP, p. 9.) The Proposed Project, however, may thwart this development goal. The taking of property for the structures and ROW, as well as restrictions on access, may leave remnants too small to accommodate such land uses. The aesthetic impacts described above may also prevent development from occurring as desired under the plans.

Substantial evidence of the need for and profitability of commercial development in Jurupa Valley was presented during the incorporation proceedings for the new city. The inability to develop the I-15 corridor for high quality commercial, industrial, and residential uses would have significant adverse socioeconomic consequences.

6. *Socioeconomic Impacts.*

CEQA requires analysis of reasonably foreseeable indirect physical impacts as well as direct impacts. Guidelines, § 15064(d). Indirect impacts that must be considered

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include social or economic effects that result in a physical change in the environment. Guidelines, §15064(e).

The Proposed Project will have significant aesthetic impacts on the commercial uses along the I-15. The commercial uses impacted by the placement of transmission structures and lines will be less attractive and have less appeal to shoppers than non-impacted sites. As a result, those commercial uses will only be able to draw lower quality tenants, and/or commercial development will be shifted away from the freeway frontage to other sites. Consequently, businesses along the I-15 will have reduced income.

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Development for residential uses will also be less successful due to the Proposed Project, as people do not find the transmission structures and lines attractive and they fear the health and safety consequences of living near the high EMF. Property values along the Proposed Project area will be reduced by the condemnation for the Proposed Project structures and ROW. Condemnation diminishes the area available for development and makes ingress and egress more difficult. Signage restrictions due to conflict with the overhead transmission lines will also result in reduced visitors and profitability to the commercial uses.

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BBBB-22

As a result of the aesthetic and hazard impacts, the planned and foreseeable land uses in the Proposed Project area will not be desirable or economically viable. Blight or urban decay may then occur, as land lies underdeveloped. In *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, the court decertified EIRs for failure to consider urban decay. The court held that "land use decisions that cause a chain reaction of store closures and long-term vacancies, ultimately destroying existing neighborhoods and leaving decaying shells in their wake" must be studied, as they may constitute significant impacts. *Bakersfield Citizens for Local Control v. City of Bakersfield, supra*, 124 Cal.App.4th at 1204.

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7. Environmental Justice.

Environmental justice refers to the concept that minority or low-income populations should not be disproportionately exposed to environmental hazards. In 1999, the State of California enacted legislation establishing environmental justice as an aspect of state law. California law defines environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Gov. Code, § 65040.12(e); see also Pub. Res. Code, § 71110.

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Residents of the City of Riverside would benefit from the Proposed Project to detriment of residents of the City of Jurupa Valley. While Riverside residents will gain increased power reliability from the Proposed Project, Jurupa residents will potentially suffer from exposure to high levels of EMFs, aesthetic impacts, decline in property values, reduced socioeconomic conditions, and blight. The DEIR should analyze whether the residents of Jurupa Valley are disproportionately exposed to the Proposed Project's impacts as compared to

the residents of Riverside. The DEIR should also propose an alternative route that does not burden residents who do not receive benefits from the Proposed Project.

BBBB-24

Additionally, the DEIR found that a Statement of Overriding Considerations is required for significant inmitigable impacts on aesthetics. (3-58) Surely, the City of Riverside will find that its need and the benefit of the Proposed Project outweighs the aesthetic impacts to residents in other cities. This violates the concept of environmental justice and is another reason why the City of Riverside should not be the lead agency for the RTRP.

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8. Alternatives.

(a) Feasibility.

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The Proposed Project includes the undergrounding of existing transmission lines and some telecommunications where the current above ground facilities would conflict with the location of the RTRP. (2-1, 2- 27-30.) Clearly, then, undergrounding is technically feasible. Undergrounding the new 230 and 69 kV lines could reduce impacts to aesthetics, socioeconomics, and urban decay to less than significant. The DEIR, however, rejects undergrounding the transmission lines as a mitigation measure or as an alternative technology on the grounds that it is infeasible, primarily for economic reasons. The DEIR fails to support that conclusion with substantial evidence.

CEQA requires the adoption of all *feasible* alternatives and mitigation measures that substantially reduce the environmental impacts of projects. A project may, however, be approved in spite of significant environmental effects if the only other mitigation measures or alternatives are infeasible. Pub. Res. Code, § 21002. The term "feasible" is defined as: "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." Pub. Res. Code, § 21061.1 "Findings of economic infeasibility must be supported by relevant economic evidence." Practice Under the California Environmental Quality Act (hereafter "Practice Under CEQA"), § 15.9; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 737. "Meaningful comparative data" is required. Practice Under CEQA, §§ 15.9, 17.31; *Center for Biological Diversity v County of San Bernardino* (2010) 185 Cal.App.4th 866. For example:

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- *Uphold Our Heritage v Town of Woodside* (2007) 147 Cal.App.4th 587, 601 findings of economic infeasibility of alternatives to demolition were not supported by data comparing the cost of building new home with cost of rehabilitating existing historic home on site;
- *County of San Diego v Grossmont Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 108: community college's proportional share of cost of off-campus traffic mitigation measures could not be found economically infeasible in absence of cost estimates;

- *Citizens of Goleta Valley v Board of Supervisors* (1988) 197 Cal.App.3d 1167: record that included no analysis of comparative costs, profits, or economic benefits of scaled-down project alternative was insufficient to support finding of economic infeasibility;
- *Burger v County of Mendocino* (1975) 45 Cal.App.3d 322: infeasibility finding based on economic factors cannot be made without estimate of income or expenditures to support conclusion that reduction of motel project or relocation of some units would make project unprofitable.

BBBB-27

Additionally, in *Citizens of Goleta Valley v. Bd. Of Supervisors* (1988) 197 Cal.App.3d 1167, 1180-1181, the court stated:

The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project. The scant figures contained in the administrative record are not sufficient to support such a conclusion.

Id. at p. 1181.

Here, there are no figures in the DEIR to support its conclusion that undergrounding is infeasible. Without a comparative cost analysis of the construction and maintenance of the RTRP above and below ground, the DEIR's analysis is inadequate. In addition to providing the cost analysis necessary to support the conclusion that undergrounding is economically infeasible, the DEIR should also consider the money that would be saved by not having to relocate poles and underground the existing facilities by installing the new RTRP underground.

BBBB-28

Additionally, the DEIR should consider whether an increase in electrical rates for beneficiaries of the RTRP can support the cost of undergrounding. This would return the burden of the Proposed Project to those benefitting from it.

BBBB-29

(b) Reasonable Range.

CEQA requires an EIR present a reasonable range of alternatives to the project or to the location of the project which reduce the environmental impacts of the project. Guidelines, § 15126.6(a); *Citizens of Goleta Valley v. Bd. Of Supervisors* (1990) 52 Cal.3d 553. The DEIR fails to present a reasonable range of alternatives. Alternatives should include other technologies and routes. Alternatives should also consider the construction of new local facilities within Riverside, use of renewable resources, conservation of energy, and reduction of development approvals to an amount supported by the capacity of the current system or a less intense project. The DEIR's consideration of alternative routes is inadequate, as it presents only

BBBB-30

one alternative route and dismissed others for invalid reasons, i.e. to avoid obtaining additional permits. The Sunrise Project, discussed above in the context of lead agency issues, for example, featured 70 alternative routes.

↑ BBBB-30

Section 6.4.4 of the DEIR outlines three other alternative routes that were proposed for the location of the 230 Line but were eliminated from the alternatives analysis. Since these routes meet the basic project objectives, they merit a full alternatives analysis in order to support the DEIR's conclusions that the impacts would be greater than the impacts from the Proposed Project. The Eastern Route (the Santa Ana River East Corridor), in particular, appears to have the potential to avoid or reduce the adverse impacts that we have presented above as concerns with the approval of the Proposed Project. (6- 46-50.)

BBBB-31

The Eastern Route, however, was eliminated from further analysis primarily on the basis that it would require additional permits from the US Fish and Wildlife Service and Riverside County Flood Control and Water Conservation District ("FCWCD"). (6- 49-50.) The DEIR reasons that obtaining the biological studies and approvals necessary to implement the Eastern Route would fail to meet the timing requirements of the Proposed Project. (6-47.) The Project Objectives state that the project goals should be met "in a timely manner" (2-5), but there is no information on any timing constraints contained in the DEIR, and it has already been five years since SCE was directed to move forward with the RTRP "as soon as possible." There is no substantial evidence supporting the conclusion that the urgency of completing the RTRP in a shorter amount of time is more important than avoiding other significant environmental effects. The need to obtain additional permits in order to adopt an alternative is not a valid basis for eliminating that alternative from full consideration.

BBBB-32

Moreover, the DEIR's conclusion that there is a greater potential for impacts to water resources with the Eastern Route than with the Proposed Project is not adequately supported by the DEIR. As to the Proposed Project, the DEIR states that the 230 Line is within 100-year floodplain of the Santa Ana River and several other floodplains for a creek, ditches, and channels. (3-206.) "Construction, operation, and maintenance of the proposed 230kV transmission line could... alter drainage patterns and floodplains." (3-213.) The DEIR states that an encroachment permit from the FCWCD would be required for work within the floodplain (3-211, 3-219), although that requirement is not in Table 2.9-1 along with the other permits required for the Proposed Project. Thus, obtaining a permit from the FCWCD for the Eastern Route would not be an additional burden as compared to the Proposed Project. Furthermore, an analysis of where along the Santa Ana River East Corridor the 230 Line can be placed is necessary to determine the extent of the impacts. It may be entirely possible to locate the 230 Line within that corridor but outside of the floodplain or criteria habitat.

BBBB-33

The DEIR's conclusion that the Eastern Route is inferior to the Alternative Route presented (Van Buren Offset) relies on a "preliminary geological and geo-technical report" comparing the Eastern Route to the Van Buren Offset Alternative. (6-50.) The DEIR must include a copy of that report in order to support that conclusion with substantial evidence.

BBBB-34

(c) Project Objectives.

"A project proponent may not limit its ability to implement the project in a way that precludes it from implementing reasonable alternatives to the project." Practice Under CEQA, § 15.8; see also *Kings County Farm Bureau v City of Hanford* (1990) 221 Cal.App.3d 692, 736.

The Project Objectives set forth in the DEIR seem purposefully crafted in such a narrow manner that only the project as proposed could meet the objectives. The first objective states: "Provide sufficient capacity, in a timely manner, to meet existing electric system demand and anticipated future load growth." (2-5.) The second objective states: "Provide an additional point of delivery for bulk power into the RPU electrical system...." (2-5.) The basic goal of the Proposed Project is to provide sufficient capacity to meet existing and future electric demand. The DEIR's inclusion of "in a timely manner" appears to be intended to circumscribe the range of alternatives that are considered. As discussed above, the otherwise potential alternative along the Santa Ana River East Corridor was eliminated from further analysis because of timing considerations. The second objective also impermissibly narrows the means that might otherwise have been available to meet the basic goal of the Project. If not for the second objective, alternatives to the Proposed Project may at least have included new generation, distributed generation, energy conservation and load management. (6-25.) Such manipulation of the project objectives violates CEQA.

9. *Post Hoc Rationalization.*

CEQA requires public agencies to consider the environmental report before approving a project. Guidelines § 15004; see *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 138. In *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1988) 47 Cal.3d 376, the court stated that:

A fundamental purpose of an EIR is to provide decision makers with information they can use in deciding *whether* to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved. If post-approval environmental review were allowed, EIR's would likely become nothing more than *post hoc* rationalizations to support action already taken. We have expressly condemned this use of EIR's.

See also *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, p. 81; citing *Citizens to Preserve Overton Park v. Volpe* (1971) 401 U.S. 402, 420; *Environmental Defense Fund, Inc. v. Coastside County Water Dist.* (1972) 27 Cal.App.3d 695, 706.

Here, in 2006, CAISO and RPU approved the construction of the RTRP and directed SCE to build the RTRP. (DEIR, ES-1; Minutes of the RPU, Jan. 20, 2006.) The DEIR's lack of alternative routes and conclusory determination that undergrounding is infeasible is intended to result in the finding that the RTRP as proposed is the preferred alternative. Thus,

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BBBB-36

the decision to move forward with the RTRP as proposed has already been made. This constitutes an impermissible *post hoc* rationalization.

BBBB-36

C. Recirculation Required.

"When significant new information is added to an environmental impact report after notice" that the DEIR is available for public review, recirculation of the EIR is required. Pub. Resources Code, § 21092.1. In *Laurel Heights Improvement Assn. v Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1130, the court gave four examples of situations in which recirculation is required:

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- When the new information shows a new, substantial environmental impact resulting either from the project or from a mitigation measure;
- When the new information shows a substantial increase in the severity of an environmental impact, except that recirculation would not be required if mitigation that reduces the impact to insignificance is adopted;
- When the new information shows a feasible alternative or mitigation measure, considerably different from those considered in the EIR, that clearly would lessen the environmental impacts of a project and the project proponent declines to adopt it; and
- When the draft EIR was "so fundamentally and basically inadequate and conclusory in nature" that public comment on the draft EIR was essentially meaningless.

Practice Under CEQA, §16.15.

The problems with the RTRP DEIR discussed above require recirculation for similar reasons as those set forth in *Laurel Heights*. The DEIR failed to consider the potentially significant impact of blight or urban decay. Impacts to aesthetics and socioeconomics are more severe than the DEIR recognized. Undergrounding is a feasible alternative or mitigation measure until the DEIR adequately supports its conclusions of economic infeasibility. The DEIR is fatally flawed because it fails to consider the incorporated City of Jurupa Valley and consult with the City as a responsible agency, as well as fails to adequately address alternatives in a non-conclusory manner. Therefore, a DEIR revised to address the issues set forth herein and raised by other comment letters must be recirculated.

D. Conclusion.

In sum, the Proposed Project will adversely affect private property values and result in impacts to land that make it no longer be suitable for residential or high quality commercial uses. This will, in turn, result in a lower socioeconomic base for the City of Jurupa and its residents and businesses, and raises environmental justice concerns. As an indirect

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SheppardMullin

George Hanson, Project Manager
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physical result, the Proposed Project has the potential to cause urban decay. The DEIR further violates CEQA because the lead agency is improper, the project description is not specific, and the alternatives analysis is inadequate. Finally, the DEIR is a post-hoc rationalization for a decision already made.

BBBB-38

We request that the DEIR be revised to address the issues set forth herein and raised by other comment letters, and that the revised DEIR be recirculated for public review and comment in accordance with CEQA. Thank you for your attention to our concerns.

Very truly yours,



Sean P. O'Connor

for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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cc: Ter Maaten Family Partnership

Comment Letter BBBB: Sean P. O'Connor, Sheppard Mullin Richter & Hampton LLP, representing the Ter Maaten Family Partnership**Response to Comment BBBB-1**

Thank you for your comment; it has become part of the project record. See Master Response #7 regarding economic and social impacts and Master Response #13 regarding data collection and notice of preparation. According to Laurie Lovret, Senior Planner with the City of Jurupa Valley, the City of Jurupa Valley received the application from CV Communities on May 15, 2012 (L. Lovret personal communication July 30, 2012). Therefore, project information and design on the planned CV project had not yet been submitted for processing prior to the environmental analysis and publication of the DEIR for the RTRP (August 2011). Because the CV Communities project was not reasonably foreseeable at the time of the Project's NOP (i.e., the baseline) and was also not available at the time that the DEIR had been released for review, it was not a reasonably foreseeable project that could have been included in analysis for the DEIR, as stated in Master Response #13.

Response to Comment BBBB-2

Construction and maintenance of the proposed 230 kV transmission line would require access to each of the planned pole/structure locations. Existing public roads and ROWs or privately owned and maintained roads adjacent to the proposed transmission line alignment would be utilized whenever possible to provide construction and maintenance access. Where existing roads do not provide the necessary access, new access roads would be developed, the specific locations of which would be determined after completion of final engineering and based on a detailed topographic survey of the proposed 230 kV transmission line route. It is also assumed that modifications would be necessary in some locations for existing roads to support construction activities. Gates would be installed where required at fenced property lines to restrict unauthorized access. Preliminary engineering information is included as Attachment D to this FEIR, which was the basis for the City's worst-case scenario analysis of environmental impacts; based upon this information, the Proposed Project, if approved, would place six structures on the subject property. Please also see Response to Comment BBBB-6. Please see Response to Comment BBBB-1.

Response to Comment BBBB-3

As discussed on page 2-42 of the DEIR, a payment of fair market value is a preferred choice for acquiring the necessary 100-foot-wide right-of-way (ROW) for the 230 kV transmission line.

"SCE generally purchases easements from property owners for ROWs. A payment of fair market value would be offered for these easement rights, based upon a value determined by a certified appraiser. Typically, final ROW determination and the property acquisition process are not initiated until after project approval."

The remaining property outside of the 100-foot-wide ROW would be available for development. Compatible and incompatible uses within the ROW are discussed on page 2-83 of the DEIR.

"After the transmission lines have been energized, land uses that are compatible with safety regulations could be permitted in and adjacent to the ROW. Incompatible land uses within transmission line ROW include, but are not limited to, construction and

maintenance of inhabited dwellings, and any use requiring changes in surface elevation that would affect existing or planned facilities.”

If the CV Communities project were approved, it would be a permitted use for the subject property and would not be barred from development. However, if the RTRP were approved prior to approval of the CV Communities project, development of new residential units would not be allowed within the ROW. See also Response BBBB-1, confirming that the CV Communities’ project application was submitted to the City of Jurupa Valley just three months ago.

Please see Master Response #7, regarding social and economic impacts, for discussion of blight. Aesthetic impacts and mitigation measures proposed as a result of the Proposed Project are discussed within Section 3.2.1 of the DEIR. Specifically, the potential visual impacts within the 68th Street area are discussed on page 3-54 to 3-55 of the DEIR.

“The route would continue northwest through the Goose Creek Golf Club to 68th Street near Dana Avenue. Continuing west on the south side of 68th Street, the route would have more moderate impacts as it occurs within undeveloped landscapes of common scenic quality. However, this portion along 68th Street is within the immediate foreground of residential views on the north side of 68th Street (see Photo-simulation Viewpoint 14, Figure 3.2.1-22) and VanderMolen Elementary School on the northwest corner of 68th Street and Wineville Avenue. Impacts in this area would be potentially significant and immitigable, as they would degrade the visual character and quality of the interface of residential and recreational uses.”

Please refer to Response to Comment DDDD-3 for impacts to future development.

Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which “describes potential hazards to public health and safety associated with construction and operation of the Proposed Project, including potential hazardous materials impacts and aviation safety impacts. This section examines how implementation of the Proposed Project would alter the present conditions of the local environment due to hazards and hazardous materials.” Additionally, please see Master Response #6 regarding EMF.

Response to Comment BBBB-4

Responses to this introductory comment are included below in Responses to Comments BBBB-5 through BBBB-16.

Response to Comment BBBB-5

See Response to Comment AAAA-4. Regarding the Sunrise Powerlink project’s relation to RTRP: that was a 100% transmission project (500 and 230 kV) and SDG&E is an investor-owned public utility regulated by the CPUC. The two projects are unique and incomparable. Under CEQA, each project must be evaluated on its own. See further justification for the City’s selection as Lead Agency in Master Response #5.

Response to Comment BBBB-6

The Proposed Project location and boundary are shown on two figures included within Chapter 2 of the DEIR: Figure 2.1-1, Regional Map and Figure 2.3-1, Proposed Project. Included in the Land Use Technical Report (Appendix B to the DEIR) are detailed maps indicating the proposed alignment of all transmission and subtransmission lines associated with the Proposed Project (Figures 1 through 4); therefore, the DEIR Project description is not inadequate for public review or for the Lead Agency to make a decision on the Proposed Project. Thus, the Proposed Project has been depicted in a manner sufficiently detailed to present the Project to the public to evaluate and review potentially significant impacts. However, since minor adjustments to the alignment have been made in response to comments received on the DEIR, additional detailed mapping for the 230 kV transmission line has been provided in this FEIR; see Attachment D.

Response to Comment BBBB-7

The DEIR aesthetic impact analysis fully considered and analyzed views and settings of developed areas as detailed in the visual integrity analysis and visual simulations developed for the Proposed Project. The assessment of developed area impacts was based partially on the “visual integrity” value, expressed as Class A, B or C, of each developed area rating unit, as well as visual sensitivity. The simulations developed for the Proposed Project are predominantly located in developed, urban settings. The results of the inventory, based on a scenic quality/visual integrity analysis and review of community values expressed in general and regional plans as fully described in the Aesthetics and Visual Resources Technical Report in Appendix B of the DEIR, determined the visual quality and character of the Proposed Project area (see pages 7 and 18 and Tables 4, 5 and 9 of the Aesthetics and Visual Resources Technical Report). While the DEIR states that the Proposed Project is located primarily in highly developed urban areas, it also recognizes that some of these areas also have B or A (above average or unique/cohesive) visual integrity ratings (e.g., Live Oak Drive Neighborhood), and, therefore, have value. Therefore, contrary to the commenter’s assertion that the DEIR assumes no value in the developed landscape, the rating of landscapes as A or B in the DEIR, as described above, provides a basis for developed landscape evaluation. Based on the visual integrity ratings of most developed areas where the Proposed Project is located, the Proposed Project does not cross high value (e.g., Class A) developed areas. Therefore, the significance conclusions presented in the DEIR are supported by substantial evidence.

Response to Comment BBBB-8

Existing and planned land uses traversed by the 230 kV transmission line include commercial/industrial properties, agricultural ancillary structures, and approved undeveloped or planned residential developments (Figure 3.2.9-1, SCE 230 kV Existing and Planned Land Use, in the DEIR). Impacts to these uses are discussed in the DEIR in Chapter 3, Section 3.2.9, Land Use and Planning. Impacts to these land uses are also discussed in the Land Use Technical Report, Section 5.4, Impact Analysis, as depicted in Appendix B, Figure 1, SCE 230 kV Existing & Planned Land Use (Appendix B to the DEIR). Additional land use data are provided in Appendix A, Table 4.1-2, Existing and Planned Land Uses Traversed by the 230 kV Transmission Line, and Table 4.1-7, Jurisdiction, General Plan Land Use Designation, and Zoning-230 kV. The Proposed Project is not anticipated to cause permanent restrictions on access to properties. As detailed in Master Response #12, failure to comply with local land use policies alone would not result in a significant impact to natural views or other aesthetic or visual

resources. While a proposed project may be approved even though an inconsistency with applicable land use plans or policies may occur, CEQA requires that the evaluation be made, and any inconsistencies identified and analyzed, for consideration by decision-makers. Where there is an inconsistency between the Proposed Project or alternatives and a local plan, such inconsistencies have been identified but would not require plan amendments, as the CPUC has land use authority over transmission lines and substations in local jurisdictions. Inconsistency with the plan alone does not mandate a significant impact finding, but may go into consideration of impact significance. Significant aesthetic impacts were identified in the DEIR.

Response to Comment BBBB-9

For responses to socioeconomic and environmental justice comments, please see Master Response #7.

Response to Comment BBBB-10

For responses related to underground comments, please see Master Response #10a. Also see Master Response #7 regarding social and economic issues.

Response to Comment BBBB-11

As stated in Section 5.3 of the DEIR, “Standard CEQA analysis does not include a discussion of potential environmental impacts from electric and magnetic fields (EMF) due to the lack of a consensus among scientists that EMF exposure poses a risk to human health. Nor are there any CEQA standards regarding the analysis of potential human health risks caused by EMF exposure.” CPUC policy on this topic is further discussed on page 5-6 of the DEIR.

“In 2006, the CPUC completed its review and update of its EMF Policy in Decision 06-01-042 (CPUC 2006). This decision reaffirmed the finding that state and federal public health regulatory agencies have not established a direct link between exposure to EMF and human health effects, and the policy direction that (1) use of numeric exposure limits was not appropriate in setting utility design guidelines to address EMF, and (2) existing ‘no-cost and low-cost’ precautionary-based EMF policy should be continued for proposed electrical facilities.”

Therefore, an impact analysis for EMF exposure within Section 3.2.7, Hazards and Hazardous Materials, was not included within the DEIR. Electric and magnetic fields are addressed in Chapter 5, Section 5.3 and Appendix C of the DEIR. Please also see Master Response #6.

Response to Comment BBBB-12

Although the EPA lists exposure to electromagnetic fields and falling power lines as potential hazards relevant to the siting of schools, such exposure is not included in its guide to environmental issues or its factors influencing exposures and potential risks (both available at <http://www.epa.gov/schools/siting>). For responses related to EMF, please see Master Response #6 and Response #BBBB-11. The California Department of Education provides Power Line Setback Exemption Guidance such that the education institution shall meet Title 5 Section 14010(c) setbacks as measured from the edge of easement of overhead transmission lines to the usable portions of the school site (including usable joint-use areas, but excluding gross acreage

not available for school uses). Please see Response to Comment V-1 regarding siting of utility infrastructure near schools.

Response to Comment BBBB-13

For responses related to EMF, please see Master Response #6. “Extremely low frequency” refers to electromagnetic fields in the range from 3 to 300 Hertz, which includes power systems, which typically operate at 60 Hertz.

Response to Comment BBBB-14

For responses related to EMF, please see Master Response #6. The measures to reduce EMF will be included in the Field Management Plan.

Response to Comment BBBB-15

For responses related to underground comments, please see Master Response #10b. For responses related to plan and policy consistency, please see Master Response #12. The land use plans and policies referenced by the commenter allow for undergrounding of transmission lines “where feasible” (JURAP 7.13; EAP 1.13); as undergrounding all or a portion of the 230 kV transmission line is infeasible as discussed in Chapter 6, Section 6.4.3, the Proposed Project has met the provisions of the land use plans and is therefore consistent.

Response to Comment BBBB-16

For responses related to the City of Jurupa Valley comment letter, please see Master Response #8 and Responses to Comment letter P.

Response to Comment BBBB-17

Please see Master Response #12 regarding land use plan consistency. The Lead Agency does not assume any property that is currently undeveloped or agricultural areas will remain so, but the Project would not adversely affect the development potential of I-15 frontage. Please see Response to Comment P-127, Response to Comment BBBB-3, and Master Response #7 regarding social and economic impacts.

Response to Comment BBBB-18

For responses related to aesthetic comments, please see Response to Comment BBBB-7.

Response to Comment BBBB-19

Please see Response to Comment BBBB-3 and BBBB-17. For responses to socioeconomic comments, please see Master Response #7.

Response to Comment BBBB-20

Please see Response to Comment P-14 and Master Response #7 regarding social and economic impacts.

Response to Comment BBBB-21

Please see Master Response #6 regarding EMF, Master Response #7 regarding economic and social impacts, and Response to Comment BBBB-3. As described in the DEIR, the Proposed Project's 230 kV transmission line traverses almost entirely open areas. No condemnation of occupied dwellings is indicated in the DEIR. A single unused farming out-building exists within the ROW. How the Proposed Project would thus effect ingress/egress was not identified during analysis or substantiated in the comment. Accordingly, no further response can be provided. See Master Response #2.

The DEIR considered the views and sensitivity of I-15 viewers as discussed on page 3-55 of the DEIR, and the commenter's conclusion that the Proposed Project along freeway frontage would adversely affect commercial branding and site visual accessibility is unsupported. Significant aesthetic impacts of a project, according to CEQA, relate to impacts on "scenic vistas," the "damage of scenic resources" "within a state scenic highway," degradation of the "existing visual character or quality of a site and its surroundings," and the creation of new sources of "substantial light or glare," and not visual accessibility or branding of commercial areas. However, a decline in "visual accessibility" is not typically associated with transmission lines because most of the right-of-way is occupied only by the conductor wires, which do not substantially impede visibility. Furthermore, visual access is largely dependent on the characteristics of the viewer (viewing orientation, view exposure, viewing duration, etc.). The commenter does not provide any supporting evidence that the presence of transmission line conductor wires and widely spaced structures adversely affect commercial area "branding." The placement and opportunity for commercial signage and visual accessibility to signage would not be adversely affected because such signage will remain visible to communicate the presence, location, and nature of the commercial site.

Response to Comment BBBB-22

Signage as well as other potential uses within the proposed transmission line ROW would be required to meet clearances from the transmission line conductors per CPUC General Order 95. As discussed in Master Response #7, an economic impact study was not conducted for environmental impacts within the DEIR.

Response to Comment BBBB-23

Please see Master Response #7 regarding economic and social impacts and Master Response #6 regarding EMF. As discussed in Response to Comment BBBB-17, the Lead Agency does not assume any property that is currently undeveloped or agricultural areas will remain so, and the Project would not adversely affect the development potential of I-15 frontage. Please see Response to Comment P-127, and Response to Comment BBBB-3. Implementation of the Proposed Project will not result in any foreseeable "chain reaction of store closures and long-term vacancies, ultimately destroying existing neighborhoods," as supported by the environmental analysis as presented in the DEIR.

Response to Comment BBBB-24

Please see Master Response #7 regarding economic and social and economic impacts/environmental justice, Master Response #14 regarding local benefits of the Proposed Project, and Master Response #6 regarding EMF.

Response to Comment BBBB-25

Please see Response to Comment AAAA-11 and Response to Comment AAAA-4.

Response to Comment BBBB-26

The Proposed Project does not include the undergrounding of existing transmission lines. Infeasibility of undergrounding is discussed in Chapter 6, Section 6.4.3 of the DEIR. The discussion included within Chapter 6 focuses on the undergrounding of the proposed double-circuit 230 kV transmission line and 69 kV subtransmission lines associated with the Proposed Project and should not be considered a relevant discussion related to the feasibility of undergrounding of telecommunication lines or distribution lines associated with the Proposed Project. Telecommunication lines and distribution lines are considerably different related to technology and construction practices in undergrounding procedures as related to the higher voltage subtransmission lines (69 kV) and transmission lines (230 kV) associated with the RTRP. Also see Master Response #10a regarding undergrounding.

Response to Comment BBBB-27

Section 6.4.3 of the DEIR includes substantial evidence from existing studies completed for underground transmission lines. The studies from the Electric Power Research Institute (EPRI) and the International Council on Large Electric Systems (CIGRE) are in reference to both economic and technological factors relating to the infeasibility of undergrounding the double-circuit 230 kV transmission line. Both of these studies include research of both overhead and underground transmission systems that were utilized in analyzing the feasibility of this alternative for the Proposed Project. Please see Master Response #10a for additional response related to the feasibility of an underground alternative.

Response to Comment BBBB-28

A detailed engineering design was not necessary for the consideration of the underground alternative in order to reach a determination that it was not considered feasible for detailed consideration within the DEIR. Therefore, specific design elements such as telecommunication and distribution line relocation was not necessary when evaluating the feasibility of the economics of the alternative, which, as stated in the DEIR, is magnitudes higher than a similar overhead transmission line. Analysis in the DEIR fully considered the potential cost offsets of undergrounding the transmission line versus constructing the overhead transmission line, and ratios on cost consideration were correct, because even after the potential savings of not constructing the above-ground transmission line with implementation of an underground alternative, undergrounding the transmission line would be 10 to 20 times more expensive than installation of traditional overhead transmission lines. Additionally, undergrounding as an alternative to the Proposed Project was rejected as infeasible due to engineering, technological, and other factors, along with environmental impacts. Please see Master Response #10a for additional response related to the feasibility of an underground alternative.

Response to Comment BBBB-29

RPU's current electrical rates and whether they justify this Project are outside of the scope of the environmental review contained within the DEIR. See also Master Response #1. Cost is only one factor, and not the deciding factor, considered regarding undergrounding of the Proposed

Project's 230 kV transmission line. Undergrounding presents far greater potentially significant environmental impacts compared to overhead construction of the Proposed Project. See Master Response #10a regarding undergrounding.

Response to Comment BBBB-30

The DEIR included a broad range of alternatives. As stated within the comment and as analyzed within Section 6.4 of the DEIR, the alternatives included alternate voltages (69 kV, 115 kV, 500 kV), new generation within the load area, distributed generation, energy conservation and load management, and alternative technologies (underground, direct current transmission, alternative conductor types). The alternative route analysis started with the 2006 Siting Study (Appendix D of the DEIR), in which a reasonable study area boundary was identified, alternative corridors and routes within the study area boundary were identified, and several of the routing alternatives were then studied in detail. Through the analysis of these route alternatives, several were dismissed for reasons stated in the CEQA Guidelines (Section 15126.6), including the failure to meet most of the basic project objectives, infeasibility, or the inability to avoid significant environmental impacts. Please also see Master Response #10 for additional explanation of alternatives considered for the RTRP that were compared to the Proposed Project.

Response to Comment BBBB-31

The DEIR included a detailed analysis of alternatives at a level sufficient to reach a conclusion as being either infeasible, not meeting most Project objectives, or not reducing potentially significant impacts in comparison to the Proposed Project. This analysis is detailed throughout Chapter 6 of the DEIR and also included within Appendix D (Siting Study). Although the 230 kV transmission line routing alternatives would meet some of the Project objectives, none of these alternatives would meet most of the basic Project objectives while also reducing or avoiding the potentially significant impacts of the Proposed Project. Please see Master Response #10 for additional explanation of alternatives considered for the RTRP that were compared to the Proposed Project, including the Eastern Route Alternative (Master Response #10b).

Response to Comment BBBB-32

The commenter incorrectly states that the Eastern Route was rejected from consideration based solely on the need for additional federal permits. This statement in the DEIR regarding a take permit under the federal Endangered Species Act was considered in the feasibility of the Eastern Route alternative because it was expected to greatly impact the stated Project's purpose and need for the in-service date. The requirement for additional federal Endangered Species Act permitting and that effect on meeting Project objectives, including the Project schedule for in-service date, was only a part of the consideration for the elimination of the Eastern Route. Primary consideration was given to the lack of the alternative's ability to reduce significant impacts associated with the Proposed Project and which would actually increase many environmental impacts associated with the RTRP. A detailed discussion supporting the alternative analysis within the DEIR is included as Master Response #10, which includes additional explanation of alternatives considered for the RTRP that were compared to the Proposed Project, including the Eastern Route Alternative (Master Response #10b).

The commenter further incorrectly states that the DEIR did not consider a "range of reasonable alternatives" for the 69 kV lines. The DEIR considered a wide range of alternatives, including

routing alternatives for the 69 kV subtransmission lines, as discussed in Chapter 6 and Appendix D of the DEIR. As discussed in this response, a considerable effort was undertaken to analyze a wide range of alternatives for comparison to the Proposed Project and, therefore, the DEIR is not flawed, as the commenter suggests.

Response to Comment BBBB-33

A detailed discussion supporting the alternative analysis within the DEIR is included as Master Response #10, which includes additional explanation of alternatives considered for the RTRP that were compared to the Proposed Project, including the Eastern Route Alternative impacts (Master Response #10b). A permit may be necessary for the Proposed Project; although a perpendicular crossing of the Santa Ana River as compared to a parallel alignment that would be required for any of the Eastern Route alignments considered would likely be more impactful to the operations of the Riverside County Flood Control and Water Conservation District. Please see Figure 6.2-3 for a map that depicts the many Eastern Route alignments that were considered for the RTRP. An exhaustive effort was made to locate a feasible alignment, none of which could be located outside of the floodplain or MSHCP criteria cells, as the commenter suggests.

Any place where the surface is disturbed for the purpose of construction would experience a change to topography, which is an alteration of drainage patterns as well as floodplains (where construction occurs within a floodplain). This type of impact would occur throughout the Proposed Project, regardless which alternative is constructed; therefore, one must focus in to see which areas would be most sensitive to an impact resulting from an alteration of drainage patterns.

While the proposed alternative would be located nearby wetlands (which are not mentioned in the comment BBBB-33 but which figured into the determination of infeasibility of the Eastern Route), the Eastern Route would have been located within several types of wetlands, including emergent wetlands where several feet of standing water was present when botanical surveys and habitat assessments were conducted (refer to Section 6.4.4 of the DEIR). To construct the 230 kV line, including access roads, in these wetlands would have constituted a significant impact to these wetlands, even after mitigation, because the natural drainage patterns would have been severely altered with construction of access roads, which would require placing a significant amount of fill.

With regard to the issue of permitting, where the Eastern Route was concerned the issue was not merely one of obtaining a permit to construct within the floodplain. The route would have required construction of the 230 kV line along the banks of the Santa Ana River and, since space is limited, the line would have needed to be placed on the flood control levies that border the river on both sides. Construction of a transmission line on these levies could significantly destabilize them and possibly result in their failure in the case of a flood event. Some of these levies are under the jurisdiction of the flood control and water conservation district (FCWCD), but others are under the jurisdiction of the U.S. Army Corps of Engineers, who indicated to POWER early in the analysis process that construction on their berms would not be permitted (meeting with Forrest Vanderbilt and Melanie Stalder of the Los Angeles District Office, March 17, 2009). A significant portion of the Eastern Route was therefore unlikely to be permitted, and this factored into the decision that construction along this route was infeasible.

Response to Comment BBBB-34

The Lead Agency has made available the Preliminary Geology and Geotechnical Evaluation as part of this FEIR; see Attachment C in Volume I.

Response to Comment BBBB-35

The Lead Agency developed the RTRP in response to the CAISO directive, which evaluated three separate scenarios (Chapter 1, Section 1.2, of the DEIR). In addition to this, Chapter 6 of the DEIR provides details regarding the numerous project alternatives, routing alternatives, and alternative technologies that were considered for the RTRP. Moreover, the Project objectives are not unduly narrow under CEQA. The EIR evaluated a broad range of options for potentially meeting electricity demand, including new generation and a variety of potential technologies as recommended by the commenter. However, none of those potential alternatives met the fundamental Project objective of increasing the long-term reliability of the RPU electricity grid in order to meet future demand. Further, the Project objectives developed by the City met CEQA's fundamental purpose, which was to allow for the consideration and evaluation of a reasonable range of alternatives. This is evident through the City's extensive consideration of multiple routing options for the Project's lines. Finally, the Santa Ana River East corridor was not eliminated; rather, several alternative alignments within the corridor were considered and eliminated due to many reasons related to feasibility, environmental impacts, and inability to meet Project objectives.

Response to Comment BBBB-36

Please see Master Response #9 for a response to *post hoc* rationalization comments.

Response to Comment BBBB-37

Please see Master Response #4 for a response to comments suggesting that the DEIR needs to be recirculated.

Response to Comment BBBB-38

Please see Master Response #7, regarding economic and social issues, for responses to comments suggesting that the Project will adversely affect property values, socioeconomic and environmental justice comments, and urban decay comments; Master Response #5 for a response related to the selection of the CEQA Lead Agency comments; Master Response #2 for a response related to a non-specific project description comments; Master Response #10 for a response related to alternatives analysis comments; Master Response #9 for a response to *post hoc* rationalization comments; and Master Response #4 for a response to comments suggesting that the DEIR needs to be recirculated.

Riverside Transmission Reliability Project**From:** Ed Hawkins <edandtroy@gmail.com>**Sent:** Wednesday, November 30, 2011 2:48 PM**To:** Riverside Transmission Reliability Project**Cc:** rstephenson@jurupavalley.org; DAVID BARNES**Subject:** Riverside Transmission Reliability Project

Riverside Transmission Reliability Project November 30, 2011

I respectfully request answers to the following questions:

1. In your first route considerations, was there not an Eastern route which came south through Agua Mansa, crossed the river at Market Street bridge or Mission bridge, and followed the river in Riverside to the new substation?
2. Was there a route east of this (question 1) which followed a 69 kv line in the north, in or near San Bernardino County, which crossed the river north of the Market Street bridge with little or no right-of-way through the City of Jurupa Valley?
3. Did the route in question 2, if it was ever listed for consideration, have a power line access road along the 69 kv line in or near the north part of Jurupa Valley?
4. Were there objections from Riverside citizens about having the unsightly 230 kv towers in their view on their side of the river?
5. Was Mayor Ron Loveridge either a formal or informal complainant?
6. What Riverside City Council members complained either formally or informally about the tower location if the route from Market Street or Mission Bridge to the substation was to be in Riverside City?
7. Treatment of the Eastern Route in the Draft EIR was terse and short. It posited a rationale that there would or could be flood problems where towers were located in the wetlands in the North, and accommodations to environment and wild life would be required. The EIR did not list specifics. What are the specific requirements and what would each cost to follow this route instead of bisecting residential portions of Jurupa Valley?
8. EIR references were made to routes along the I-15 corridor, along the railroad parallel to Van Buren, along Bain Street canal, possibly passing through Indian Hills, and using an Eastern route. No specific dollar costs or estimated dollar costs were included except as comments about 'something being expensive' or 'something costing more than something else.' What are the estimated installation costs of a tower line for each of these routes? What are the estimated costs for underground installations on each route?
9. In reference to question 8, what would estimated operational costs be for each tower route?
10. In reference to question 8, what would estimated operational costs be for each underground route?
11. Some EMF studies are vague or even contradictive. That is not true with the widespread general agreement that EMF creates significant risk of leukemia, particularly with children. What is your response to this specific hazard near schools, where students are legally required to spend many hours?
12. In reference to question 11, do you contend that tower height is equal to ground distance across land mass?

CCCC-1

CCCC-2

CCCC-3

CCCC-4

CCCC-5

CCCC-6

13. Which of our Planning Commissioners and City Council members and your Mayor are planning to recuse themselves from voting on this project because of a personal benefit conflict of interest?

CCCC-7

I have been a resident of Jurupa Valley since I became Superintendent of Schools here in 1969. In 18 years in that position I became familiar with what are now current issues. Years ago, about 1975 to 1980, I had a school nurse spend several days in the UCR library reviewing research on hazards of Electro Magnetic Fields because you were proposing a smaller voltage tower installation past three elementary schools and a junior high school in Jurupa. There was then a very mixed set of findings, much of which was based on research of low quality. Ultimately, you routed along existing corridors and the problem went away.

CCCC-8

Today, the research is much more adequate. Findings, in general, have Europeans requiring undergrounding of many high power transmission lines in populated areas.. The State of Virginia has some sensible similar requirements. That simple logic is the basis for my cost questions because your rejection of an Eastern route combined with the EMF risks and unsightly giant towers is an insult without undergrounding.

CCCC-9

I really believe you should start over because your EIR is voluminous with scarce substance.

CCCC-10

Edward E. Hawkins, EdD (951) 685-3110. 7690 Lakeside Drive, Jurupa Valley CA 92509.

Cc: Roy Stephenson, City Engineer, City of Jurupa Valley

Comment Letter CCCC: Edward E. Hawkins, EdD**Response to Comment CCCC-1**

The City has received a number of comments regarding eastern routes along the Santa Ana River, their feasibility, and environmental impacts. Please refer to Master Response #10b regarding the Eastern Route. There were numerous routes investigated in this area.

Response to Comment CCCC-2

Analysis of proximity to residences was conducted without consideration of jurisdiction. In addition, please see Master Response #10b regarding the Eastern Route.

Response to Comment CCCC-3

In addition, please see Master Response #1 regarding non-environmental issues.

Response to Comment CCCC-4

Analysis of eastern routes was sufficient for elimination. Additional details on eastern routes and their impacts are provided in Master Response #10b. The Proposed Project would not bisect residential portions of Jurupa Valley. In addition, please see Master Response #8 regarding the City of Jurupa Valley.

Response to Comment CCCC-5

Please see Master Response #1, regarding non-environmental issues, and Master Response #10a, regarding undergrounding.

Response to Comment CCCC-6

Siting distance between the Proposed Project lines and existing schools exceeds that recommended by the California Department of Education. In addition, please see Master Response #6 regarding EMF. Please refer to Master Response #2, Vague or Conclusory Comments, regarding the commenter's statement on tower height.

Response to Comment CCCC-7

Please see Master Response #1 regarding non-environmental issues.

Response to Comment CCCC-8

Please see Master Response #6 regarding EMF.

Response to Comment CCCC-9

Please see Master Response #6 regarding EMF.

Response to Comment CCCC-10

Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project

From: Chase, Paige <pchase@allenmatkins.com>
Sent: Wednesday, November 30, 2011 11:35 AM
To: Riverside Transmission Reliability Project
Subject: Sent on behalf of K. Erik Friess: Comments on the Riverside Transmission Reliability Project Draft EIR
Attachments: Letter George Hansen re Comments on RTRP.pdf

Mr. Hanson: Please see the attached correspondence sent on behalf of Mr. Friess. A hard copy will follow via regular mail. If you should have any questions, please do not hesitate to contact our office.

Paige M. Chase

Legal Secretary
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Via Email/U.S. Mail

November 30, 2011

George Hanson, Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, California 92501
RTRP@riverside.ca.gov

Re: Comments on the Riverside Transmission Reliability Project Draft Environmental Impact Report

Dear Mr. Hanson:

We represent CV Communities, LLC ("CV"). CV has commenced the processing of a 468-unit single-family residential project in the city of Jurupa Valley ("CV Project"), on a 209-acre property. A copy of the Project's proposed site plan is attached as Exhibit 1 to this letter.

As discussed below, CV is concerned that the Riverside Transmission Reliability Project ("RTRP") will have significant unavoidable impacts on the environment and on the CV Project that were not addressed in the draft environmental impact report ("DEIR"). Because of CV's concern that the RTRP would destroy the value of the CV Project and the underlying property, CV made numerous requests to meet with the City of Riverside Public Utilities Department ("RPU") and the Southern California Edison Company ("Edison") to learn more about the scope of the RTRP, but both RPU and Edison refused to meet with CV, necessitating the preparation of this comment letter.

DDDD-1

Based upon the inadequacies of the DEIR in general, and as it relates to the CV Project, the document must be revised and then be recirculated so CV and the public can comment on the full scope of the RTRP. Our comments in this letter do not represent all of our comments on the DEIR, just the most critical ones. Additional comments are included in the attached table.

1. Based upon the RTRP Impacts on the CV Project, the DEIR Must be Recirculated

a. The DEIR project description is inadequate. Various Figures in the DEIR depict the RTRP components (*see, e.g.*, Figure 2.3-3). Apparently, the RTRP includes a 230 kV line which is to be placed directly on the CV Project site. DEIR, Figure 2.3-3. However, the scale of

DDDD-2

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this and other Figures in the DEIR make it impossible for CV, the public and the decisionmakers to determine where these proposed lines are to be situated.

This issue is especially acute because the DEIR provides that there will only be 100-foot-wide easements used for 230 kV lines. DEIR at 2-42. Further compounding this concern is RPU's and Edison's refusal to provide more detail concerning the actual siting of the RTRP, as Edison has informed CV that a greater level of detail only will be known when final engineering and construction documentation is completed, and such documentation has not been completed. This lack of information renders the DEIR inadequate as an information document, contrary to the explicit purpose of the California Environmental Quality Act, Public Resources Code §§ 21000 *et seq.* ("CEQA"). See, *Rural Land Owners Association v. City Council* (1983) 143 Cal.App.3d 1013, 1022; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1106; *Friends of Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 882. There simply is inadequate information for RPU or Edison to subsequently commence condemnation proceedings, if the DEIR is to serve as the CEQA document for future condemnation activities.

↑
DDDD-2

b. **The DEIR discussion of CV Project impacts is inadequate.** Although it is unclear exactly how many of the 468 homes of the CV Project would be directly impacted by the RTRP, the DEIR must discuss these potential impacts in more detail. For example, the DEIR must analyze the aesthetics and glare impacts which would be generated by these 230 kV lines, which are 90-180 feet high, with structure footprints 6-10 feet in diameter, or 34 feet by 34 feet, with 7 to 8 such structures per mile. DEIR, Table 2.4-1.

DDDD-3

Noise impacts also need to be discussed. While the DEIR states that "Corona effects" will not result in noise levels in excess of local standards (DEIR at 3-271), the DEIR does not provide any detail concerning what "local standards" are being used, and what impacts would be expected with sensitive receptors within 100 feet of the structures. The DEIR's only discussion of noise impacts, based upon the distance from the RTRP to various existing uses, is the use of a 2700-foot distance, the closest distance between a substation and a residence. DEIR at 3-271. This criterion is inadequate to disclose noise impacts on the CV Project.

DDDD-4

While the DEIR addresses possible health risks associated with electric and magnetic fields ("EMF"), the DEIR does not analyze such impacts in sufficient detail, given the RTRP's location within 100 feet of sensitive receptors, such as the future homes of the CV Project. The proposed "mitigation" is "no-cost and low-cost measures to reduce magnetic fields." There is no discussion as to what these measures entail, and how they would mitigate EMF impacts. Such an approach is improper deferred analysis and improper deferred mitigation, especially given the proximity of the RTRP to future sensitive receptors. See, *City of Long Beach v. Los Angeles Unified School District* (2009) 176 Cal.App.4th 889, 915; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 95.

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2. The DEIR Discussion of Alternatives is Inadequate

CEQA requires a discussion of project alternatives to identify ways to reduce or avoid significant effects on the environment. *Laurel Heights Improvement Association v. Regents of University of California* (1988) 47 Cal.3d 376, 403. An EIR should analyze alternatives that offer substantial environmental advantages over a proposed project, and there must be a reasonable range of alternatives presented for comparison. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 566; 14 Cal.Code Regs. ("CEQA Guidelines") § 15126.6(a). Despite this clear instruction, the DEIR goes out of its way to make a case *against* undergrounding the RTRP as a project alternative, shutting down the discussion with only a brief rejection in Chapter 6, Project Alternatives. The summary denial language is then repeated throughout Chapter 3, Environmental Analysis. The DEIR's argument against undergrounding seems to have been a foregone conclusion, since undergrounding is allegedly against current RPU policy. The DEIR relies on the Sixth Appellate District Court's decision in *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957 to support its conclusions, but that case does not stand for the proposition that an EIR may include infeasibility findings based on policy grounds.

DDDD-6

As a result, we believe that a refusal to consider undergrounding, particularly in the environmentally sensitive Santa Ana River corridor area and in the undeveloped rural areas, is short-sighted and contrary to the principles of the CEQA. We urge the RPU to fairly analyze partial or full undergrounding and recirculate a subsequent revised EIR that includes a proper scrutiny for further public review.

Next, the DEIR analyzes only two alternative options, the No Project and the Van Buren Offset Alternative, after dismissing a host of alternative technologies and routes without valid consideration or explanation. Two alternatives do not comply with the CEQA requirement that an EIR must analyze a "range of reasonable alternatives." See, 14 CEQA Guidelines § 15126.6(a). The DEIR is inadequate on this point, and additional analysis is required. For example, the DEIR North Santa Ana River Alternative situates the power lines primarily within the City of Riverside ("City"). Why was this alternative summarily dismissed? Was it dismissed so the impacts of the RTRP will be borne by those outside the City?

It is because of the lack of alternatives to the RTRP that the DEIR improperly concludes that the RTRP is the environmentally superior project. CEQA requires that an EIR evaluate which of the alternatives is environmentally superior to the proposed project, and if the no project alternative is superior, then the CEQA Guidelines state that "the EIR shall also identify an environmentally superior alternative among the other alternatives." See, CEQA Guidelines § 15126.6(e)(2). By selecting the RTRP as environmentally superior, the DEIR violates CEQA – the RTRP is not an alternative so it cannot satisfy the requirements of Section 15126.6(e)(2). It is the absence of another alternative that includes either a different route, a different technology, or a difference scope that allows the DEIR to select the proposed project itself as the environmentally superior

DDDD-7

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alternative. This erroneous decision demonstrates exactly why the EIR must include more than just the No Project alternative and one other alternative. An additional alternative must be added, and the DEIR must be reviewed and recirculated for public comment.

Furthermore, the one alternative considered, the Van Buren Alternative, would not result in a decrease in significant environmental impacts in comparison to the RTRP. In light of that conclusion, the only alternative (other than the No Project alternative) analyzed in the DEIR is a false alternative. CEQA mandates that an EIR focus on alternatives that can avoid or substantially lessen a project's significant environmental impact. Pub. Res. Code § 21002; CEQA Guidelines § 15126.6(a), (b). A lead agency must consider and analyze alternatives that meet most project objectives, while reducing the level of environmental impacts. *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1089. Since the Van Buren Alternative does not satisfy this criteria, it is not a true alternative. Absent a proper analysis of a sufficient number of alternatives that comply with the requirements of CEQA, the RTRP cannot be approved by the decisionmaker.

DDDD-7

Moreover, considering the recent blackout that severely impacted San Diego County when two separate power lines were concurrently interrupted, it does not make sense to add new transmission lines to carry external power from outside California into Riverside County. An alternative that considers energy generated within Riverside County should be properly analyzed in the DEIR.

In the same vein, the RTRP does not increase the RPU's ability to utilize renewable energy sources, rather it directly contradicts the City of Riverside's General Plan policies to continue and expand the use of renewable energy sources and to continue and expand the locally based solar power. In effect, the DEIR fails to adequately review alternatives that provide in-County and/or renewable energy sources. It seems as though it would be far cheaper and much more environmentally sensitive for RPU and Edison to provide incentives to businesses and residents to install solar panels on rooftops. A renewable energy alternative could eliminate the need for the RTRP, or possibly reduce the kV capacity required for the RTRP. Additional analysis and recirculation are required.

DDDD-8

3. The RTRP does not comply with the MSHCP and the DEIR Discussion of Biological Impacts is Inadequate

Contrary to the discussion in the DEIR, the RTRP is not consistent with the MSHCP. As such, the RTRP is not entitled to the take authorization of the MSHCP Covered Species, and the DEIR cannot rely upon MSHCP compliance as a mitigation measure.

DDDD-9

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a. The RTRP is subject to the HANS and JPR processes.

The DEIR states that the RTRP would be subject to the Habitat Evaluation and Acquisition Negotiation Strategy ("HANS"), and Joint Project Review ("JPR"). DEIR at 3-123. Yet there is no explanation as to why HANS and JPR were not undertaken early on in the approval process, so that the DEIR could address the impacts associated with these processes. HANS generally is to be undertaken as soon as possible in the development process, to determine what property is needed to be included in the MSHCP Conservation Area. MSHCP § 6.1.1.

The DEIR concludes that the RTRP is consistent with the restrictions specified in the Criteria Cells, even though the RTRP has not gone through HANS. DEIR at 3-123. The DEIR concludes that there should be no need to go through HANS, due to the DEIR's unilateral determination that the RTRP is consistent with HANS. The DEIR also states, based upon "preliminary meetings" with the Regional Conservation Authority ("RCA"), that the RTRP may not need to go through JPR. DEIR at 3-123. Such an assertion with no written documentation renders the assertion meaningless. The MSHCP contains no exceptions which would somehow eliminate the need for the RTRP to proceed through HANS and JPR, or allow RPU to issue a unilateral HANS determination. Also, as stated in the DEIR, it is unlikely that the City could make any determinations concerning MSHCP consistency outside the city boundaries; the County of Riverside, the City of Norco and possibly the City of Jurupa Valley would have to determine RTRP consistency with the MSHCP. DEIR at 3-123, 3-124. The DEIR analysis is at best misleading concerning how the RTRP is consistent with the appropriate Criteria Cells, first, because there has been no formal HANS and JPR processing, and second, because the appropriate Criteria Cells are located outside the city boundaries, the City cannot issue such MSHCP determinations. MSHCP § 6.1.1.

DDDD-9

b. The DEIR biological studies are inadequate.

The underlying biological studies prepared for the DEIR are inadequate. The DEIR asserts that the RCA, the US Fish & Wildlife Service and the California Department of Fish & Game have determined that "baseline surveys" prepared between 2006 and 2008 are sufficient for CEQA. DEIR at 3-96. Given our experience in representing numerous clients on numerous project throughout the MSHCP Study Area, our clients have never been allowed to rely upon biological studies that are greater than 3 years old. Please provide documentation which supports assertions in the DEIR that RCA and the Wildlife Agencies will accept biological studies greater than 3 years old. This determination violates CEQA. CEQA requires that an EIR's evaluation of environmental impacts measures the changes in physical conditions as they exist when the notice of preparation is published, or at the time the environmental analysis begins. CEQA Guidelines § 15126.2; *Save Our Peninsula Comm. v. Monterey County Bd. of Supervisors*, 87 Cal.App.4th 99 (2001).

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Such an approach is also inconsistent with the MSHCP. The MSHCP requires that generally accepted survey protocol are to be used (MSHCP § 6.3.2), and typically, most survey protocols provide that the survey results are only valid for one year. Therefore, the RTRP is not consistent with the MSHCP.

DDDD-10

c. RTRP is inconsistent with the MSHCP Riparian/Riverine Policies.

The RTRP is inconsistent with the MSHCP Riparian/Riverine Policies. Section 6.1.2 provides that if there cannot be avoidance of riparian/riverine areas, a Determination of Biologically Equivalent or Superior Preservation ("DBESP") is required, whether these impacts are permanent or temporary in nature. The DEIR concludes that the RTRP will cross the Santa Ana River, and that it is possible that there could be temporary impacts to riparian/riverine areas, but the DEIR is unclear whether the RTRP will be subject to the DBESP process. DEIR at 3-143, 3-144. However, it is clear that a DBESP will be required, due to these temporary impacts, and the probable permanent impacts of 230 kV power line structures crossing the Santa Ana River.

DDDD-11

d. The RTRP is inconsistent with the MSHCP Species Objectives.

The Riparian/Riverine policies are intended to protect numerous species, including the least Bell's vireo ("LBV"), a federally and state-listed species. The DEIR states that as of 2007 and 2008, there were an estimated 95 pairs of LBV in or adjacent to the RTRP study corridors. DEIR at 3-111. The DEIR nonetheless concludes that there will be no significant unavoidable impacts generated by the RTRP, notwithstanding the RTRP extensive intrusion into LBV habitat areas, and the incompatibilities between birds and power lines. DEIR at 3-132. The MSHCP contains four Species Objectives which must be satisfied for LBV (MSHCP Species Accounts, LBV), yet the DEIR does not address whether these Objectives can be satisfied. Without such an analysis, the DEIR's discussion is inadequate.

DDDD-12

Although the DEIR asserts that the RTRP's ground disturbance footprint is not within the critical habitat mapped for the LBV or the Santa Ana sucker, the DEIR admits that the RTRP will include an aerial crossing of the critical habitat of each species. DEIR at 3-95, 3-98, 3-99. The DEIR concludes, with little explanation, that because only an aerial crossing is involved, there will be no direct or indirect significant effects to the LBV or Santa Ana sucker critical habitat. However, the DEIR states in multiple places that the actual RTRP footprint will not be determined until the engineering stage. Because of the improper delay in defining the project, it is more than possible that ground disturbance will significantly directly or indirectly impact critical habitat for the LBV or the Santa Ana sucker. In light of RPU's improper efforts to delay defining the project, coupled with the DEIR's premature and inaccurate significance determination, the impacts analysis must be redrafted, and the DEIR recirculated.

DDDD-12a

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e. There is an apparent inconsistency between the DEIR biological impacts analysis and mitigation measure.

On the one hand, the DEIR states that apparently RTRP will require permits from the U.S. Army Corps of Engineers, the Santa Ana Regional Water Quality Control Board and the California Department of Fish & Game. DEIR, Table 2.9-1. On the other hand, mitigation measure BIO-10 provides that the RTRP is to avoid impacts to federal and state jurisdictional wetlands, and the DEIR implies that no permits from these resource agencies will be needed. DEIR at 3-128. As was discussed above concerning the DEIR's flawed analysis concerning whether the RTRP will require a DBESP, the DEIR discussion concerning whether permits from these regulatory agencies will be required is inadequate, as it is not clear what are the true impacts of the RTRP. Further, based upon the approximately 95 pairs of LBV in or near the RTRP corridor, and because the LBV is both a federally and state-listed species, it is likely that RTRP will have to obtain take authorizations from the U.S. Fish and Wildlife Service and the California Department of Fish & Game because, as discussed above, the RTRP's inconsistency with the MSHCP defeats RPU's ability to avail itself of the take authorizations provided in the MSHCP.

DDDD-13

4. The DEIR Does Not Adequately Analyze Project Impacts

The DEIR contains an insufficient and conclusory analysis of the RTRP's potential fire risk. The less than significant impact determination is a serious concern, especially in light of the possibility that power lines similar to the RTRP may have been involved in wildland fires in other portions of Southern California. In-depth analysis and recirculation are required. Similarly, considering that San Diego Gas & Electric was forced by the California Public Utilities Commission to ground helicopters involved in the construction of the Sunrise Powerlink in September of 2011, the potential environmental impacts caused by the use of helicopters on the RTRP should be thoroughly analyzed in the DEIR, and the document should be recirculated.

DDDD-14

DDDD-15

Lastly, the City improperly defers the necessary analysis of the "no-cost and low-cost measures" to reduce impacts caused by the exposure to electric and magnetic fields ("EMF") until a later date. As drafted, these measures are meaningless. These measures must be identified now and there must be an analysis of how such measures will mitigate EMF impacts so that the public and the decisionmakers can adequately understand this issue.

DDDD-16

We look forward to receiving full responses from the City of Riverside, as required by CEQA, and we request that this letter be included in the RTRP administrative record. We also anticipate being involved in the permitting and environmental review on behalf of our client as the process moves forward, and therefore, ask to be formally added to the RTRP notice list.

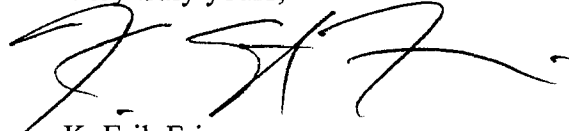
DDDD-17

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

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If you have any questions, or would like to discuss any of our comments further, please do not hesitate to contact me.

Very truly yours,



K. Erik Friess

KEF:hsr

EXHIBIT A

PROJECT'S PROPOSED SITE PLAN



EXHIBIT B

COMMENT TABLE

**SPECIFIC COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RIVERSIDE
TRANSMISSION RELIABILITY PROJECT ("RTRP")**

SUBMITTED BY ALLEN MATKINS ON BEHALF OF CV COMMUNITIES, LLC

Page	Paragraph Heading	Comment	
1-8	Present Work to Address Load and Reliability Needs	The 2006 Siting Study, attached as Appendix D, is outdated and should have been updated when the revised Notice of Preparation ("NOP") was distributed in Fall of 2009.	DDDD-18
1-16	System Reliability With Regard To Capacity	There is no adequate basis provided for discounting Springs generation capabilities.	DDDD-19
2-11	Figure 2.3-3	The scale of Figure 2.3-3 and other Figures in the Draft EIR are improper, and prevent the public and the decisionmakers from understanding the scope of the RTRP.	DDDD-20
2-28	Location 5 – Crossing Location at Pedley Substation off Arlington Avenue	Power lines in this location will be undergrounded. That fact undermines the Draft EIR's conclusion that undergrounding cannot be accomplished for the Proposed Project.	DDDD-21
2-39	Proposed SCE Telecommunications Routes	No proper explanation is given as to why the 230kV and telecommunications routes are different. Both the 230kV and telecommunications lines should follow the route outlined for the telecommunications line and both should be undergrounded along that route.	DDDD-22
3-2	General Assessment Methodology	The 2006 Siting Study, attached as Appendix D, is outdated and should have been updated when the revised NOP was distributed in the Fall of 2009.	DDDD-23
3-3	General Assessment Methodology	The City of Riverside ("City") cannot legitimately rely on mitigation measures that will be implemented by Southern California Edison ("SCE") and RPU.	DDDD-24

3-20	230 kV Transmission Corridors	The Draft EIR improperly uses "impact modifiers" to adjust the Proposed Project's aesthetic impact analysis.	DDDD-25
3-21	Photo-Simulations	Only eighteen key observation points ("KOPs") were analyzed in the Draft EIR. Because of the Proposed Project's extensive scope, more KOPs and analysis need to be completed.	DDDD-26
3-29; 3-32; 3-41; 3-43; 3-49	Viewpoints 4, 5, 14, 15, and 18	Each of these figures shows a massive aesthetic impact caused by the Proposed Project. The Draft EIR improperly downplays these impacts.	DDDD-27
3-53	c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	<p>The Draft EIR goes out of its way to make a case against undergrounding the RTRP, shutting down the discussion with only a brief rejection in Chapter 6, Project Alternatives. The summary denial language is repeated here. The Draft EIR's argument against undergrounding seems to have been a foregone conclusion, since undergrounding is allegedly against current Riverside Public Utilities ("RPU") policy. The Draft EIR relies on the Sixth Appellate District Court's decision in <i>California Native Plant Society v. City of Santa Cruz</i> (2009) 177 Cal.App.4th 957, to support its conclusions, but that case does not stand for the proposition that an EIR may include infeasibility findings based on policy grounds.</p> <p>The Draft EIR's refusal to consider undergrounding, particularly in the environmentally sensitive Santa Ana River corridor area and in the undeveloped rural areas, is short-sighted and contrary to the principles of the California Environmental Quality Act ("CEQA"). The Draft EIR must fairly analyze partial or full undergrounding and recirculate a subsequent revised EIR that includes a proper scrutiny for further public review.</p>	DDDD-28
3-67	230 kV Transmission Line Construction	The Draft EIR improperly assumes that implementation of Mitigation Measure ("MM") AGR-01 would work and that agricultural lands would be restored to pre-project conditions.	DDDD-29

3-69	e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.	The effectiveness of MM AGR-02 cannot be presumed. The City, as lead agency, cannot guarantee that the Proposed Project will maintain irrigation facilities to ensure that no additional Farmland is indirectly converted to non-agricultural use. Thus, the less than significant impact after mitigation determination is in error.	DDDD-30
3-76	Sensitive Receptors	The Draft EIR improperly relies upon an unsupported 100 foot boundary in the air quality analysis. By using a 100 foot boundary – which is only 1/3 the length of a football field – the Draft EIR limits the number of sensitive receptors that are analyzed for impacts caused by the Proposed Project.	DDDD-31
3-88	b) Violate any air quality standards or contribute substantially to an existing or projected air quality violation?	The Draft EIR fails to explain how it has quantified the reduction of impacts allegedly caused by the implementation of MM AQ-1 through AQ-13, such that the Proposed Project results in a less than significant impact.	DDDD-32
3-93	b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	The Proposed Project, which will import energy from outside California, directly contradicts the City's General Plan policies to continue and expand the use of renewable energy sources such as wind, solar, water, landfill gas, and geothermal sources; and to continue and expand the creation of locally-based solar photovoltaic power stations in Riverside.	DDDD-33
3-96	Methodology for Resource Inventory and Other Data Collection	<p>The underlying biological studies prepared for the Draft EIR are inadequate. The Draft EIR asserts that the Regional Conservation Authority ("RCA"), the US Fish & Wildlife Service and the California Department of Fish & Game have determined that "baseline surveys" prepared between 2006 and 2008 are sufficient for CEQA.</p> <p>This determination violates CEQA. CEQA requires that an EIR's evaluation of environmental impacts measures the changes in physical conditions as they exist when the notice of preparation is published, or at the time the environmental analysis begins. The necessary surveys must be redone to comply with CEQA, and the Draft EIR must</p>	DDDD-34

		<p>be revised and recirculated based on the results of the new surveys.</p> <p>In addition, the outdated surveys are inconsistent with the Multiple Species Habitat Conservation Plan ("MSHCP"). The MSHCP requires that generally-accepted survey protocol are to be used (MSHCP section 6.3.2), and typically, most survey protocols provide that the survey results are only valid for one year. Therefore, the Draft EIR is not consistent with the MSHCP.</p>
3-98	Critical Habitat	<p>Although the Draft EIR asserts that the RTRP's ground disturbance footprint is not within the critical habitat mapped for the least Bell's vireo ("LBV") or the Santa Ana sucker, the Draft EIR admits that the RTRP will include an aerial crossing of the critical habitat of each species. The Draft EIR concludes that because only an aerial crossing is involved, there will be no direct or indirect significant effects to the LBV or Santa Ana sucker critical habitat. However, the Draft EIR states in multiple places that the actual RTRP footprint will not be determined until the engineering stage.</p> <p>Because of the improper delay in defining the project, it is more than possible that ground disturbance will significantly directly or indirectly impact critical habitat for the LBV or the Santa Ana sucker. In light of RPU's improper efforts to delay defining the project, coupled with the Draft EIR's premature and inaccurate significance determination, the impacts analysis must redrafted, and the Draft EIR recirculated.</p>
3-105	Critical Habitat	<p>Although the Draft EIR asserts that the RTRP's ground disturbance footprint is not within the critical habitat mapped for the least Bell's vireo ("LBV") or the Santa Ana sucker, the Draft EIR admits that the RTRP will include an aerial crossing of the critical habitat of each species. The Draft EIR concludes that because only an aerial crossing is involved, there will be no direct or indirect significant effects to the LBV or Santa Ana sucker critical habitat. However, the Draft EIR states in multiple places that the actual RTRP footprint will not be determined until the engineering stage.</p> <p>Because of the improper delay in defining the project, it is more than possible that ground disturbance will significantly directly or indirectly impact critical habitat for the LBV or the Santa Ana sucker. In light of RPU's improper efforts to delay defining the project, coupled with the Draft EIR's premature and inaccurate significance</p>

DDDD-35

DDDD-36

		determination, the impacts analysis must redrafted, and the Draft EIR recirculated.
3-111	Least Bell's Vireo	The MSHCP's Riparian/Riverine policies are intended to protect numerous species, including the LBV, a federally- and state-listed species. The Draft EIR states that as of 2007 and 2008, there were an estimated <u>95 pairs</u> of LBV in or adjacent to the RTRP study corridors. Yet the Draft EIR concludes that there will be no significant unavoidable impacts generated by the RTRP, notwithstanding the RTRP extensive intrusion into LBV habitat areas, and the incompatibilities between birds and power lines. The MSHCP contains four Species Objectives which must be satisfied for LBV (MSHCP Species Accounts, LBV), yet the Draft EIR does not address whether these Objectives can be satisfied. Without such an analysis, the Draft EIR's discussion is inadequate.
3-118	Santa Ana Sucker	<p>Although the Draft EIR asserts that the RTRP's ground disturbance footprint is not within the critical habitat mapped for the LBV or the Santa Ana sucker, the Draft EIR admits that the RTRP will include an aerial crossing of the critical habitat of each species. The Draft EIR concludes that because only an aerial crossing is involved, there will be no direct or indirect significant effects to the LBV or Santa Ana sucker critical habitat. However, the Draft EIR states in multiple places that the actual RTRP footprint will not be determined until the engineering stage.</p> <p>Because of the improper delay in defining the project, it is more than possible that ground disturbance will significantly directly or indirectly impact critical habitat for the LBV or the Santa Ana sucker. In light of RPU's improper efforts to delay defining the project, coupled with the Draft EIR's premature and inaccurate significance determination, the impacts analysis must redrafted, and the Draft EIR recirculated.</p>
3-123	Western Riverside County Multiple Specific Habitat Conservation Plan	Although the Draft EIR states that the RTRP would be subject to the Habitat Evaluation and Acquisition Negotiation Strategy ("HANS"), and Joint Project Review ("JPR"), there is no explanation as to why HANS and JPR were not undertaken early on in the approval process, so that the Draft EIR could address the impacts associated with these processes. These processes need to be discussed and analyzed in the Draft EIR. As a result, the Draft EIR must be revised and recirculated.

DDDD-37

DDDD-38

DDDD-39

3-123	Western Riverside County Multiple Specific Habitat Conservation Plan	The Draft EIR improperly states that the "Proposed Project is determined to comply with habitat conservation goals and requirements for the affected Criteria Cells." The Draft EIR concludes that there should be no need to go through HANS, due to the Draft EIR's unilateral determination that the RTRP is consistent with HANS. The Draft EIR also states, based upon "preliminary meetings" with the RCA, that the RTRP may not need to go through JPR. This is a conclusory statement without any support and, as such, is in error. The MSHCP contains no exceptions which would somehow eliminate the need for the RTRP to proceed through HANS and JPR. It is also unlikely that the City could make any determinations concerning MSHCP consistency outside the city boundaries; the County of Riverside, the city of Norco and possibly the city of Jurupa Valley would have to determine RTRP consistency with the MSHCP. The misleading and erroneous statements need to be revised. and the Draft EIR must be recirculated.	DDDD-40
3-126	Mitigation Measures – Biological Resources	MM BIO-02 improperly defers mitigation that would address avian protection until after project approval.	DDDD-41
3-132	Birds	The Draft EIR incorrectly relies on MM BIO-02 to address burrowing owl impacts.	DDDD-42
3-132	Birds	MM BIO-02 improperly defers mitigation that would address avian protection until after project approval.	DDDD-43
3-135	69 kV Subtransmission Lines	The Draft EIR states that the risk of collision posed by the Proposed Project "is not expected to increase," but makes no attempt to describe or analyze the current risk. Without that information, the Draft EIR is deficient.	DDDD-44
3-136	230 kV Transmission Line and Substations	MM BIO-02 improperly defers mitigation that would address avian protection until after project approval.	DDDD-45
3-137	230 kV Transmission Line	The Draft EIR fails to explain how or why it relies on a 5% limit to analyze biological impacts caused by construction of the Proposed Project. This lack of information violates CEQA.	DDDD-46
3-139	230 kV Transmission Line	The Draft EIR fails to explain how or why it relies on a 5% limit to analyze the	DDDD-47

		Proposed Project's impact on wetlands. This lack of information violates CEQA.	
3-142	230 kV Transmission Line	Although the Draft EIR states that the Proposed Project conflicts with the Riverside County General Plan, the impact is nonetheless considered to be less than significant because of the consent of the Riverside County Regional Park and Open Space District. Such a conclusion is erroneous and contrary to CEQA. Potentially significant impacts cannot be avoided by making a "deal" with a responsible agency.	DDDD-48
3-143	MSHCP Section 6.1.2 Riparian/Riverine Habitat	The RTRP is inconsistent with the MSHCP Riparian/Riverine Policies. Section 6.1.2 of the MSHCP provides that if riparian/riverine areas cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation ("DBESP") must be prepared, whether these impacts are permanent or temporary in nature. The Draft EIR concludes that the RTRP will cross the Santa Ana River, and that it is possible that there could be temporary impacts to riparian/riverine areas. Although the Draft EIR is unclear whether the RTRP will be subject to the DBESP process, a DBESP will be required, due to these temporary impacts, and the probable permanent impacts of 230 kV power line structures crossing the Santa Ana River. The DBESP must be completed and the results incorporated into the Draft EIR, prior to recirculation.	DDDD-49
3-147	Significant Unavoidable Impacts	The Draft EIR improperly concludes that the Proposed Project will not result in significant and unavoidable biological impacts.	DDDD-50
3-167	Mitigation Measures – Cultural and Paleontological Resources	MM CUL-08 is vague and undefined, and as drafted, cannot mitigate any potential impacts.	DDDD-51
3-169	230 kV Transmission Line	MM CUL-02 cannot mitigate impacts to the O Line transmission line in Riverside County. If the site cannot be avoided, the impact remains significant and unavoidable.	DDDD-52
3-198	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	The Draft EIR contains no analysis to support the conclusory statement that the Proposed Project will not have an operational impact on schools.	DDDD-53

3-202	h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	The Draft EIR contains an insufficient conclusory analysis of the Proposed Project's potential fire risk. The less than significant impact determination is a serious concern, especially in light of the possibility that power lines similar to the Proposed Project may have been involved in wildland fires in other portions of Southern California. In-depth analysis and recirculation are required.	DDDD-54
3-213	Environmental Protection Elements – Water Resources	The Draft EIR fails to address or mitigate potential impacts caused by the creation of new permanent roads.	DDDD-55
3-217	230 kV Transmission Line	There is no analysis of municipal and private wells adjacent to the Proposed Project ROW or the work areas. This is in error since the Proposed Project could have a significant impact on wells located just outside of the ROW. Thus, the significant determination is not supported.	DDDD-56
3-217	230 kV Transmission Line	The Draft EIR states that the Proposed Project would pump a "relatively small volume of water" from structure foundation, but makes no effort to explain the actual amount. Such a lack of information violates CEQA.	DDDD-57
3-224	230 kV Transmission Line	The Draft EIR states that the Proposed Project would add a "small" amount of fill to the 100-year floodplain of the Santa Ana River, but makes no effort to explain the actual amount. Such a lack of information violates CEQA.	DDDD-58
3-243	Policies (JURAP 7.13)	The Draft EIR goes out of its way to make a case against undergrounding the RTRP, shutting down the discussion with only a brief rejection in Chapter 6, Project Alternatives. The summary denial language is repeated here. The Draft EIR's argument against undergrounding seems to have been a foregone conclusion, since undergrounding is allegedly against current Riverside Public Utilities ("RPU") policy. The Draft EIR relies on the Sixth Appellate District Court's decision in <i>California Native Plant Society v. City of Santa Cruz</i> (2009) 177 Cal.App.4th 957, to support its conclusions, but that case does not stand for the proposition that an EIR may include infeasibility findings based on policy grounds.	DDDD-59

		<p>The Draft EIR's refusal to consider undergrounding, particularly in the environmentally sensitive Santa Ana River corridor area and in the undeveloped rural areas, is short-sighted and contrary to the principles of CEQA. The Draft EIR must fairly analyze partial or full undergrounding and recirculate a subsequent revised EIR that includes a proper scrutiny for further public review.</p> <p>The Draft EIR is incorrect when it states that the Proposed Project is consistent with JURAP Policy 7.13. The significance conclusion violates CEQA since the feasibility of alternative alignments is irrelevant to this impact analysis.</p>	
3-252	a) Physically divide an established community.	No proper explanation is given as to why the 230kV and telecommunications routes are different. Both the 230kV and telecommunications lines should follow the route outlined for the telecommunications line and both should be undergrounded along that route.	DDDD-60
3-252	b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction of the project . . .	<p>The Draft EIR fails to address the Proposed Project's inconsistency with the City's General Plan policies to continue and expand the use of renewable energy sources such as wind, solar, water, landfill gas, and geothermal sources; and to continue and expand the creation of locally-based solar photovoltaic power stations in Riverside.</p> <p>The Draft EIR also fails to address the fact that the Proposed Project is inconsistent with JURAP Policy 7.13.</p>	DDDD-61
3-271	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	The Draft EIR improperly minimizes the potential significant impact associated with corona noise effects, which results in an incorrect significance determination.	DDDD-62
3-271	a) Exposure of persons to or generation of noise levels in excess of standards established	The Draft EIR states that noise impacts from the RTRP would not exceed "local standards." However, the Draft EIR does not provide any detail about which local standards would be used, nor does the Draft EIR explain what impacts would be	DDDD-63

	in the local general plan or noise ordinance, or applicable standards of other agencies.	expected at sensitive receptors located within 100 feet of the towers.	
3-273	c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	The Draft EIR improperly minimizes the potential significant impact associated with corona effects, which results in an incorrect significance determination.	DDDD-64
3-287	ai) Fire Protection	The Draft EIR contains an insufficient conclusory analysis of the Proposed Project's potential fire risk. The less than significant impact determination is a serious concern, especially in light of the possibility that power lines similar to the Proposed Project may have been involved in wildland fires in other portions of Southern California. In-depth analysis and recirculation are required.	DDDD-65
3-289	c) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities?	The Draft EIR states that the Proposed Project would require the use of water for construction and a "minimal amount" of water during operation, but makes no effort to explain the actual amounts. Such a lack of information violates CEQA.	DDDD-66
3-290	e) Exceed existing water supplies?	The Draft EIR states that the Proposed Project would require a "negligible amount" of water for construction and a "minimal amount" of water during operation, but makes no effort to explain the actual amounts. Such a lack of information violates CEQA.	DDDD-67
3-318	c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Considering that San Diego Gas & Electric was forced by the California Public Utilities Commission to ground helicopters involved in the construction of the Sunrise Powerlink in September of 2011, the potential environmental impacts caused by the use of helicopters on the Proposed Project should be thoroughly analyzed in the Draft EIR, and the document should be recirculated.	DDDD-68
4-2 – 4-6	Cumulative Impacts – Table 4.1-1 – 4.1-3	The list of projects included in the cumulative impacts analysis appears outdated and insufficient. Additional analysis is required.	DDDD-69

4-11	Air Quality and Greenhouse Gas Emissions	The Proposed Project, which will import energy from outside California, directly contradicts the City's General Plan policies to continue and expand the use of renewable energy sources such as wind, solar, water, landfill gas, and geothermal sources; and to continue and expand the creation of locally-based solar photovoltaic power stations in Riverside. The Draft EIR fails to consider the potential cumulative impacts caused by the Proposed Project's inconsistency with the General Plan.	DDDD-70
4-14	Hazards and Hazardous Materials	The Draft EIR contains an insufficient conclusory analysis of the Proposed Project's cumulative fire risk. The less than significant impact determination is a serious concern, especially in light of the possibility that power lines similar to the Proposed Project may have been involved in wildland fires in other portions of Southern California. In-depth analysis and recirculation are required.	DDDD-71
4-15	Hydrology and Water Quality	The Draft EIR states that the Proposed Project would require a "negligible amount" of water for construction and a "minimal amount" of water during operation, but makes no effort to explain the actual amounts. Without such information, the Proposed Project's cumulative impacts cannot be analyzed.	DDDD-72
4-16	Land Use	Because the Draft EIR fails to address the Proposed Project's inconsistency with the City's General and with JURAP Policy 7.13, the cumulative impact analysis is insufficient.	DDDD-73
4-17	Noise	The Draft EIR's efforts to minimize the potential significant impact associated with corona noise effects results in an inadequate cumulative impacts analysis.	DDDD-74
5-2	Economic of Population Growth Factors	The Draft EIR incorrectly identifies the Proposed Project as "growth-accommodating" as opposed to "growth-inducing." This conclusion is not supported.	DDDD-75
5-6	Electric and Magnetic Fields	The City improperly defers the necessary analysis of "no-cost and low-cost measures" to reduce impacts caused by the exposure to electric and magnetic fields ("EMF") until a later date. Those measures must be identified now and their effect on potential environmental impacts must be analyzed so that the public and the decisionmakers can adequately understand this issue.	DDDD-76

5-7	CEQA Guidelines Appendix F: Energy Conservation	The Draft EIR fails to address the Proposed Project's inconsistency with the City's General Plan policies to continue and expand the use of renewable energy sources such as wind, solar, water, landfill gas, and geothermal sources; and to continue and expand the creation of locally-based solar photovoltaic power stations in Riverside.	DDDD-77
6-3	230 kV Siting Study	The 2006 Siting Study, attached as Appendix D, is outdated and should have been updated when the revised NOP was distributed in the Fall of 2009.	DDDD-78
6-7	Santa Ana River West Corridor	The Draft EIR fails to adequately explain how prior conflicts with existing commercial and residential development adjacent to I-15 were addressed such that a route within the Santa Ana River West Corridor could be analyzed.	DDDD-79
6-12	I-15 Route	The Draft EIR fails to adequately explain how previous conflicts with the river corridor open space and wildlife habitat management and current and proposed urban development were addressed such that this route became the Proposed Project.	DDDD-80
6-19	Alternatives Considered	The Draft EIR analyzes only two alternative options, the No Project and the Van Buren Offset Alternative, after dismissing a host of alternative technologies and routes. Two alternatives do not comply with the CEQA requirement that an EIR must analyze a "range of reasonable alternatives." <i>See</i> , 14 Cal.Code Regs. § 15126.6(a). The Draft EIR is inadequate on this point, and additional analysis is required.	DDDD-81
6-21	Other Voltages – Subtransmission	It is not clear with what scenario the Draft EIR compared the environmental impacts caused by other nominal voltage alternatives. Were the impacts of the other voltage scenario compared to the existing environment or to the Proposed Project or both? This lack of clarity undermines CEQA and precludes informed decisionmaking.	DDDD-82
6-22	Other Voltages - Transmission	The Draft EIR fails to explain why the Mira Loma Substation "cannot support the capacity requirements to meet the needs of this Proposed Project." Without this information, the alternative cannot be properly analyzed.	DDDD-83
6-23	Non-Wire Alternatives – New Generation	The Draft EIR does not include the Proposed Project's construction costs, thus, it is impossible to compare the allegedly excessive cost of the New Generation Alternative.	DDDD-84

6-40	Summary Regarding Undergrounding	<p>The Draft EIR goes out of its way to make a case against undergrounding the RTRP, shutting down the discussion with only a brief rejection in Chapter 6, Project Alternatives. The summary denial language is repeated here. The Draft EIR's argument against undergrounding seems to have been a foregone conclusion, since undergrounding is allegedly against current Riverside Public Utilities ("RPU") policy. The Draft EIR relies on the Sixth Appellate District Court's decision in <i>California Native Plant Society v. City of Santa Cruz</i> (2009) 177 Cal.App.4th 957, to support its conclusions, but that case does not stand for the proposition that an EIR may include infeasibility findings based on policy grounds.</p> <p>The Draft EIR's refusal to consider undergrounding, particularly in the environmentally sensitive Santa Ana River corridor area and in the undeveloped rural areas, is short-sighted and contrary to the principles of CEQA. The Draft EIR must fairly analyze partial or full undergrounding and recirculate a subsequent revised EIR that includes a proper scrutiny for further public review.</p>	DDDD-85
6-50	Recommendation for Further Analysis	The Draft EIR claims that the Eastern Route is inferior based on a 2010 preliminary geological and geo-technical evaluation. The evaluation does not appear to be included in the Draft EIR. Without that analysis, the Draft EIR fails to comply with CEQA.	DDDD-86
6-58	Summary of Alternatives' Success at Meeting Project Objectives	According to Table 6.5-2, the Van Buren Alternative "would not result in a decrease in significant environmental impacts in comparison to the Proposed Project and, in fact, increases impacts to some environmental resource categories. This alternative would also displace two single family residences." In light of that conclusion, one of the only two alternatives analyzed in the Draft EIR is a false alternative. Since the Van Buren Alternative does comport with the CEQA requirement that a lead agency consider and analyze alternatives that meet most project objectives, while reducing the level of environmental impacts, the Van Buren Alternative is <u>not</u> a true alternative. Absent a proper analysis of a sufficient number of alternatives that comply with the requirements of CEQA, the RTRP cannot be approved by the decisionmakers.	DDDD-87
6-63 – 6-66	Alternative 1 – No Project Alternative	The Draft EIR improperly speculates that RPU would "opt to construct another similar transmission project in lieu of the RTRP . . ." and that "RPU and SCE would likely be	DDDD-88

		required to design a new transmission project in order to satisfy the objectives of the Proposed Project. Potential impact from the construction, operation, and maintenance of such a project would likely be similar in significant level to the Proposed Project." These statements completely violate the purpose and intent of an alternatives analysis in an EIR, and fail to satisfy CEQA. The same improper conclusion is repeated in each impact category of the No Project analysis.
6-102	Environmentally Superior Alternative	The Draft EIR concludes that the Proposed Project is the environmentally superior alternative. That conclusion violates CEQA. This erroneous decision demonstrates exactly why an EIR must include more than just the No Project alternative and one other alternative. An additional alternative must be added, and the Draft EIR must be reviewed and recirculated for public comment.

DDDD-89

Comment Letter DDDD: K. Erik Friess, Allen Matkins Leck Gamble Mallory & Natsis LLP, representing CV Communities, LLC**Response to Comment DDDD-1**

Thank you for your comment; it has become part of the project record. In addition, please see Master Response #4 regarding recirculation, Master Response #8 regarding involvement with the City of Jurupa Valley, and Master Response #13 regarding data collection. Contrary to the commenter's statement, neither RPU nor SCE ever refused to meet; both RPU and SCE discussed the Proposed Project with the applicant by telephone and/or email during the public review period for the DEIR and referred him to the project website for more information. Rather than expressing verbal comments in the context of a meeting, the applicant was encouraged to submit DEIR comments in writing in order to accurately capture comments in the project record and to require responses in the FEIR.

Response to Comment DDDD-2

The Proposed Project location and boundary are shown on two figures included within Chapter 2 of the DEIR: Figure 2.1-1, Regional Map and Figure 2.3-1, Proposed Project. Included in the Land Use Technical Report (Appendix B to the DEIR) are detailed maps indicating the proposed alignment of all transmission and subtransmission lines associated with the Proposed Project (Figures 1 through 4); therefore, the DEIR Project description is not inadequate for public review or for the Lead Agency to make a decision on the Proposed Project. However, since minor adjustments to the alignment have been made in response to comments received on the DEIR, additional detailed mapping for the 230 kV transmission line has been provided in this FEIR; see Attachment D.

Response to Comment DDDD-3

Please see Master Response #13 regarding data collection. As evidenced in Section 3.2.9 of the DEIR and the Land Use Technical Report, existing and planned land uses were fully analyzed under CEQA. With regards to the CV Properties and the commenter's assertion that the Proposed Project would potentially impact the residences proposed in the plan identified in the comment letter, there is insufficient information on submittal dates, approval dates, or other information to attribute an adverse visual impact to the currently undeveloped property. The layout of the residential lots shown in the comment attachment (Exhibit A-Project's Proposed Site Plan) has no submittal or approval dates included. Data was collected on proposed developments submitted to the county well beyond the publication of the November 2009 NOP and, according to Riverside County, the CV Project was not proposed at any time during that data collection effort. See also Response to Comment BBBB-1. Preliminary engineering information is included as Attachment D to this FEIR, which was the basis for the City's worst-case scenario analysis of environmental impacts; based upon this information, the Proposed Project, if approved, would place six structures on the subject property.

Response to Comment DDDD-4

Local noise/land use noise compatibility criteria were obtained from the City of Riverside's Noise Ordinance (Ord. 6273 § 1 (part), 1996, Title 7) and the County of Riverside General Plan, Chapter 7 Noise Element. Riverside County adheres to California State laws with regard to noise levels and also uses the California State Land Use Compatibility Chart as a guide to establish that the proposed land is: 1) a potential high noise producer; or 2) a potential noise-sensitive

receptor. These criteria are provided in Chapter 3, Section 3.2.11, in Table 3.2.11-4 (Riverside County) and Figure 3.2.11-1 (City of Riverside). In addition, please see Master Response #13 regarding data collection. There is one school, Lovett's Children, Inc., within 100 feet of the 69 kV portion of the Proposed Project; see Comment Letter KKKKK. The closest residences to the proposed Wilderness/Wildlife Substations are a distance of approximately 2,200 feet north of the substations, not 2,700 feet as previously noted in the DEIR. This distance has been changed in the DEIR. The existing noise environment within the Proposed Project area, including the I-15 freeway, was considered in analyzing both operation and temporary construction noise. The I-15 freeway runs along the western margin of the Proposed Project area, closely paralleling approximately one half of the proposed 230 kV transmission line. Freeway noise here is 70 dB(A) (Community Noise Equivalent Level) to a distance of approximately 1,000 feet from either side of the highway and 60 dB(A) to a distance of approximately 4,000 feet from either side of the highway (refer to Riverside General Plan 2025 Figure N-6). Nearly the entire CV subject property falls within 4,000 feet of the I-15 freeway. The calculated audible operational noise level (essentially line noise associated with corona effects) at a distance of 50 feet from the center of the transmission line is 28 dB(A), which is significantly below the local standards discussed in the DEIR—far quieter than the I-15 freeway adjacent to the CV subject property—and would be comparable to typical noise levels of a bedroom at night (U.S. Department of Housing and Urban Development, *The Noise Guidebook*). Contrary to the commenter's assertion, the DEIR fully analyzed potential impacts to sensitive receptors; please see DEIR Sections 3.2.3, Air Quality, and 3.2.11, Noise.

Response to Comment DDDD-5

Please refer to Master Response #6, regarding EMF, and Master Response #13.

Response to Comment DDDD-6

Please refer to Master Response #6, regarding EMF, and Master Response #10a, regarding undergrounding. Contrary to the comment, the DEIR did thoroughly consider undergrounding. As discussed in Section 6.4.3 (Alternative Technologies) of the DEIR, an alternative that would underground the Proposed Project's 230 kV and 69 kV lines in their entirety would be infeasible due to engineering, technological, and other factors. An underground alternative would also be economically infeasible. An underground alternative would not meet the Proposed Project's fundamental goal of increasing long-term reliability of the transmission and distribution system in the area to the same extent as the Proposed Project. Finally, an alternative that undergrounds the Proposed Project would help to reduce aesthetic impacts but would also result in other new, significant environmental impacts and increased significant impacts (e.g., air quality, land use disturbance) as compared to the Proposed Project. Thus, an underground alternative to the entire Proposed Project is not reasonable or feasible and would not avoid or reduce the Proposed Project's overall significant impacts. Thus, full undergrounding was eliminated from further consideration. Undergrounding a section of the proposed 69 kV subtransmission line along Doolittle Avenue from Jurupa Avenue to Morris Avenue (approximately 2,250 feet) in the vicinity of the Riverside Municipal Airport was retained to reduce impacts to airport land use compatibility.

Moreover, and contrary to the commenter's statement that the DEIR provided only a "brief rejection" of undergrounding as an alternative, Chapter 6 of the DEIR actually provides 15 pages of detailed discussion regarding the infeasibility of undergrounding both as to SCE's proposed

230 kV lines and the City's proposed 69 kV lines (DEIR pp. 6-26 through 6-40). Regarding undergrounding the proposed 230 kV lines, the DEIR set out specific engineering, technological, environmental, and other reasons why an underground alternative is infeasible (see *ibid*). Additionally, undergrounding would introduce new significant environmental impacts as compared to the proposed overhead Project, and would not meet the Project objectives due to the potential for lengthy transmission outages (*ibid*). Thus, undergrounding the 230 kV lines was eliminated from further consideration. Similarly, the analysis of undergrounding the 69 kV lines as a Project alternative set out the same specific engineering, technological, environmental, and other reasons why undergrounding the lines was infeasible; it would also introduce significant new environmental impacts and would not meet the Project objectives. Particularly as to the proposed 69 kV lines, undergrounding would require tearing up the existing urbanized environment and cause severe disruptions to roadways, businesses, and residential communities, whereas the proposed Project would place those 69 kV lines on or adjacent to existing above-ground distribution facilities, thus minimizing disruption (see e.g., DEIR p. 6-39).

It was only following that extensive discussion based upon substantial evidence that the DEIR noted undergrounding that the lines would likewise be infeasible based on a conflict with existing City policies regarding the placement of electrical infrastructure overhead. Contrary to the commenter's statement, the ability to reject alternatives based on policy considerations where, as here, they are supported by substantial evidence, is well-supported by existing case precedent. Specifically, at least one court has upheld the rejection of alternatives where a lead agency found the "alternatives identified in the EIR were infeasible on policy grounds" (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 996). The court went on to state that:

"Here, the City's infeasibility findings likewise are based on policy considerations, particularly the City's interest in promoting transportation alternatives as well as access to its open space for persons with disabilities. Such policy considerations are permissible under the relevant statute, which calls for a determination that 'economic, legal, *social*, technological, *or other considerations* ... make infeasible the mitigation measures or alternatives identified in the environmental impact report.' Under this authority, an alternative that 'is impractical or undesirable from a policy standpoint' may be rejected as infeasible" (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [emphasis in original] [internal citations omitted]).

Accordingly, it was completely appropriate for the City to conclude that—in addition to other independent infeasibility conclusions—undergrounding the Project was also infeasible from a policy perspective based on the substantial evidence presented in the record.

The commenter mentions two particular areas (environmentally sensitive Santa Ana River, undeveloped rural areas) where refusal to consider undergrounding is contrary to the principles of CEQA. The DEIR did consider undergrounding in these areas and determined that it was not feasible for a number of reasons as reiterated herein. With regard to the Santa Ana River, the construction, operation, and maintenance of undergrounding have the potential to directly and indirectly affect sensitive plants and animals and Critical Habitat. Construction would typically include hauling of excavated material and drilling mud to an approved disposal site, with a potential disturbance of up to 0.5 acre of non-native grassland for the bore and exit pits. A horizontal directional drill (HDD) would likely be used for construction and could result in a

frac-out, whereby the drilling mud, inert bentonite, could rupture through micro-fissures and exit surface cracks within the limits of the river. If expelled, the bentonite could settle along the riverbed and be dispersed as a suspended material in the water. A crossing of the Santa Ana River would require drilling beneath the river across its associated wetland areas. Undergrounding of a transmission line beneath wetlands could potentially disrupt the hydrology of the wetland system, temporarily or permanently eliminating wetland and riparian vegetation and disrupting associated wildlife communities. This would result in significant immitigable impacts to wetlands and wetland communities.

Undergrounding a transmission line would also involve trenching. Trenches required for undergrounding would alter local drainage patterns which would, in turn, increase erosion and sedimentation downstream, which would impact water quality. Trenching would also temporarily change surface water flows, as tributaries to the Santa Ana River would require diversion during construction. Prolonged water diversion could potentially alter riparian and wetland communities downstream, with the effects described above.

Both HDD and trench methods would potentially encounter groundwater, given the relatively high groundwater levels within the area. As with conventional construction, if groundwater is encountered, dewatering would be necessary. Depending on the method used and the volume of water removed, dewatering could potentially lower the existing water table which would, in turn, significantly impact surrounding vegetation (including wetlands), soils and hydrology. Trenching and dewatering both have potential to permanently alter existing groundwater flows, which would also affect local vegetation communities and soils. These impacts have the potential to be significant, and would be immitigable.

The construction activity would have the potential to affect sensitive wildlife, including Santa Ana sucker and its Critical Habitat. This action would have to be mitigated through the Multi-Species Habitat Conservation Plan (MSHCP) and with the U.S. Fish and Wildlife Service for the potential to affect Santa Ana sucker Critical Habitat, which is not covered by the MSHCP. It is expected that the U.S. Army Corps of Engineers would be petitioned to permit this direction drill action and therefore become a lead agency for Endangered Species Act compliance and permitting under Section 7. It is determined that this alternative would not likely affect protected plant species, and has the same potential to affect sensitive plant species as presented in Chapter 3 of this DEIR.

Because of the sensitive water resources and associated protected and sensitive plant and wildlife species that could be affected by the implementation of this alternative, an aerial crossing of the river is an environmentally superior alternative.

With regard to undeveloped rural areas, the Project area is predominantly within incorporated cities. However, the DEIR evaluated areas where agricultural activity occurs for potential effects by undergrounding. The presence of the new underground project components and ROW could permanently disrupt active farming operations by dividing or fragmenting agricultural fields, obstructing access, impeding the delivery and use of water for livestock and irrigation, reducing the efficiency of windbreaks, and disrupting the operation of farming equipment. These impacts could occur within the RTRP area along the I-15 corridor, north of Limonite Ave., south of 68th St., and within some limited areas east of Pedley Substation where current, active agricultural uses exist.

Agricultural uses in the affected areas would be temporarily disrupted by construction activities associated with equipment movement into and from the ROW and within the ROW during installation of the underground transmission line. During construction, access may temporarily be lost to the agricultural users of the land. During operation of the transmission line, the ROW must be kept clear, and cropping activities would not be allowed over the top of the line, as tillage equipment could contact and damage the installation and/or disrupt the thermal backfill used to dissipate heat from the transmission line. In contrast, agricultural activities and uses are typically allowed beneath overhead transmission lines as long as the activities do not interfere with the required vertical clearances of the transmission line and clearances surrounding the structures.

Due to the environmental impacts discussed above, undergrounding parts of the 230 kV transmission line in the Santa Ana River corridor and undeveloped rural areas was determined to be infeasible. Please see Section 6.4.3 (Alternative Technologies) of Chapter 6 in Volume II of this FEIR for more information on the consideration of undergrounding.

Response to Comment DDDD-7

Please refer to Master Response #6, regarding EMF, and Master Response #10a, regarding undergrounding. Minimizing environmental impacts was included as a project objective. Therefore, the selection of the Proposed Project from among all possible alternatives was based on its minimizing of environmental impacts. The Proposed Project is considered to be the environmentally superior alternative because none of the alternatives considered or evaluated in the DEIR offer any substantial benefit over the Proposed Project or avoid any significant Proposed Project-related impacts. Determination of the environmentally superior alternative does not preclude the other alternatives from being approved by the City of Riverside City Council. Furthermore, the EIR includes a discussion of a reasonable range of alternatives. The EIR evaluated a broad range of options, including new generation and a variety of potential technologies. Further, the City considered an extensive array of routing options for the Project's overhead lines, as set forth in the DEIR's Siting Study (DEIR Appendix D).

Response to Comment DDDD-8

The purpose of the Proposed Project is to develop a means to provide additional transmission capacity to meet RPU's projected load growth and to provide a second interconnection for system reliability. SCE determined that in order to meet RPU's request, SCE should expand its regional electrical system to provide RPU a second source of transmission capacity to import bulk electric power. Increasing the RPU's ability to utilize renewable energy resources alone would not meet the purpose and need or objectives for the Proposed Project, as discussed in Chapters 1 and 2 of the DEIR. Moreover, the City did consider a variety of non-wire alternatives in DEIR Chapter 6, such as new generation, distributed generation, and energy conservation and load management. However, none of those non-wire options would meet most of the Project's basic objectives.

The commenter is incorrect that the Project is inconsistent with the City's General Plan policies. Please see Table 2-6 in Master Response #12, which describes City of Riverside objective "OS-9" as it relates to energy efficiency and renewable energy. The RTRP is consistent with this objective because the City of Riverside has implemented multiple initiatives and programs across

all City departments to promote energy efficiency and renewable energy, foster alternative fuel vehicle use, and improve water use efficiency.

Response to Comment DDDD-9

The DEIR identifies a Proposed Project resulting in the City of Riverside receiving agency and public comments per Section 15088 of the CEQA Guidelines. A cascade of other identified review processes then commenced, including MSHCP consistency determination and Joint Project Review. As described in the DEIR, documented in the project record, and actually noted by the commenter, the City of Riverside had preliminary meetings with the RCA, USFWS, and the CDFG, engaging these agencies early in the process to the greatest extent possible.

The commenter should refer to the impact analysis section of the DEIR, specifically pages 3-145 and following. The DEIR clearly states, “The Proposed Project will require an MSHCP Consistency determination requiring an assessment of specific resource areas, MSHCP requirements and applicable mitigation” (page 3-145). The DEIR does not conclude that the Proposed Project is consistent with conservation restrictions for criteria cells. Page 3-148 of the DEIR states, “The Proposed Project has the potential to adversely affect several sensitive species protected by the MSHCP, and would affect criteria cells 610, 617 and 700. The 230 kV Proposed Project component will also affect Existing Core Area A, identified as the Santa Ana River wildlife corridor. The City will complete the MSHCP consistency determination process, including compliance with MSHCP sections 7.2.4 and 7.3.9 as applicable, and consult with the RCA and Wildlife Agencies as part of the Joint Project Review Process.” The Proposed Project as designed does not significantly affect any criteria cell species or conservation goals, and does not affect sensitive habitat within criteria cells. However, this does not relieve the City of Riverside of its responsibilities under MSHCP, and the DEIR does not imply this. A Joint Project Review application, including a Determination of a Biological Equivalent or Superior Preservation (DBESP), has been submitted to the RCA. If this process is successfully completed, “the City of Riverside would require Consistency Determinations from the County of Riverside, City of Norco, and, if the Implementation Agreement is satisfactorily amended at the completion of the City’s consistency review, the City of Jurupa Valley” (DEIR p. 3-126). The DEIR is not misleading, as suggested by the commenter.

Response to Comment DDDD-10

Contrary to the comment, biological resources surveys for the Proposed Project were conducted throughout the period from 2006 to 2011. Meetings were held with the RCA, CDFG, and the USFWS (March 2010) wherein approach to data collection and analysis were found to be adequate by these agencies at the time the data was presented. See also Response to Comment P-17.

Surveys conducted to establish environmental baseline and assess potentially significant impact for CEQA analysis are different from surveys conducted prior to ground disturbing activities to support MSHCP goals and objectives; the Lead Agency does not confuse the two. Since the Project start date is unclear (based on timing of additional required certifications, reviews, approvals and permits) and at least a year hence, a variety of new surveys would be required for MSHCP compliance. (As the Project is complex and linear, actual construction “starts” across particular Project locations may be spread over two or more years.) Per Mitigation Measure BIO-03, focused breeding season and pre-construction surveys for sensitive species and habitats

would be conducted at appropriate times of the year not more than one year before construction as required by the MSHCP. Agency correspondence is retained in the project record. Contrary to the commenter's implication that performing additional future surveys is somehow a defect, the requirement to perform additional surveys at a future date evidences the conservative nature of the EIR and provides even greater assurance that no potentially significant impacts will result.

Response to Comment DDDD-11

The DEIR is not inconsistent with MSHCP Riparian/Riverine policies. As stated in the DEIR, no impacts to riverine/riparian habitats are expected, as shown on Table 3.2.4-4. However, because a potential to affect exists (because of proximity), a Joint Project Review application, including a proposed DBESP, has been submitted to the RCA. See DEIR pages 3-141 and 3-142.

A crossing of the Santa Ana River by the proposed 230 kV line would not constitute a permanent impact to riparian/riverine habitats.

Response to Comment DDDD-12

As discussed in the DEIR, an aerial crossing of least Bell's vireo and Santa Ana sucker designated critical habitat would occur (see pages 3-100, 3-107 to 3-108, 3-109, 3-113, and 3-120). An explanation for a "no effect" determination is provided on the aforementioned pages. Habitat would not be impacted because it would be spanned by the 230 kV line. These animals would not be affected because their habitat would be spanned. It is not reasonable to assert that overhead conductors would affect these species in any way because the 230 kV line would not impact the habitat of these species. Fish certainly would not be at risk, as the 230 kV line would span the water where the fish live. Small-bodied resident birds occupying relatively low riparian willow habitat (such as least Bell's vireo) would be at negligible risk. See discussion of avian collision risk on pages 3-134 and 3-135 of the DEIR. Small, maneuverable birds are not considered at risk from collision with transmission lines. The DEIR discloses that the Proposed Project "has the potential to result in temporary indirect impacts to this species" (least Bell's vireo), as a result of flushing of birds from concealment during construction. Mitigation Measure BIO-08 would enforce nest avoidance of all birds (including least Bell's vireo). Mitigation Measure BIO-01 ensures that the Proposed Project would comply with all MSHCP requirements. Please see Master Response #2 regarding vague or conclusory comments.

Response to Comment DDDD-12a

The commenter presents an incorrect argument that, because final engineering is not complete, significance determination regarding federally listed species (least Bell's vireo and Santa Ana sucker) cannot be made. Environmental constraints (including mapped designated critical habitat) are included in preliminary engineering to allow for impact avoidance; in addition, construction work limits are set to restrict disturbance. Preliminary structure locations, which have been identified through preliminary design and represent likely locations for structures, also have constraints imposed to ensure that final design locations minimize impacts within localized areas. This is standard practice. Impact determinations are based on conservative "worst-case" scenarios within this framework. Additional detailed mapping for the 230 kV transmission line has been provided in this FEIR; see Attachment D. The DEIR does not present improper deferral. Significance determinations are neither premature nor inaccurate. Please see Master

Response #2 regarding vague or conclusory comments. Please see Master Response #4 regarding recirculation.

Response to Comment DDDD-13

The DEIR is not inconsistent. Table 2.9-1 lists the major federal, State, and local permits, approvals, and consultations identified for the construction and operation of the Proposed Project and alternatives. The list of permits in Table 2.9-1 was based on analysis that included reasonably foreseeable parameters and worst-case impacts of the Proposed Project, and may be modified following final engineering and agency coordination. Per Section 15124(d) (1) of the CEQA Guidelines, this information was provided “to the extent that the information is known to the Lead Agency.” A wetland delineation would be conducted during final design of the Proposed Project. As required by Mitigation Measure BIO-10, if it is determined during the wetland delineation that impacts to jurisdictional Waters of the U.S., including wetlands, cannot be avoided, SCE would consult with the U.S. Army Corps of Engineers on preparing a permit application for placing fill/dredging Waters of the U.S. Regarding DBESP reporting, see Response to Comment DDDD-11. In addition, RTRP will be consistent with MSHCP requirements (see Response to Comment DDDD-9). Please refer to Response to Comment O-9.

The conclusion that the Proposed Project would require take permits is unsupportable. Although construction activity may result in the displacement of Least Bell’s vireo individuals (i.e., adults and juveniles), depending on the construction season, these are covered species and adequately conserved by the MSHCP; compliance with the MSHCP, as described in MM BIO-01, would mitigate indirect impacts to a less than significant level (DEIR page 3-133). A Joint Project Review application, including a DBESP, has been submitted to the RCA.

Response to Comment DDDD-14

The commenter asserts that the DEIR contains an insufficient, conclusory analysis of the Proposed Project’s fire potential without suggesting what is insufficient or conclusory, and states that “power lines similar to the Proposed Project may have been involved in wildland fires in other parts of Southern California.” The commenter does not state why the presence and construction of transmission lines, access roads, and other project features would create “significant risk.” Significant impacts related to risk of loss, injury, or death involving wildland fires were covered on page 3-202 of the DEIR. Please see Master Response #2 regarding vague or conclusory comments.

Fire occurrence related to transmission lines, especially in urban environments, is rare. As stated in Chapter 3 of the DEIR, the risk of fire would be reduced by the periodic clearing of vegetation and tree limbs within Proposed Project rights-of-way, in conformance with CPUC General Order 95 and Public Resources Code Section 4293.

As further stated in the DEIR, SCE would implement EPE NOI-02 (see Section 3.2.11, Noise), which requires that construction crews avoid the idling of vehicles and power equipment when not in use, which would also minimize the potential for fire. To further reduce the likelihood of fire incidences in the proposed RTRP area, RPU and SCE would implement MM HAZ-03, which would require development and enforcement of a Proposed Project-specific Fire Management Plan. Fire safety standards established in the RTRP Fire Management Plan would be followed relative to Proposed Project construction, and construction personnel would be

trained to use proper fire prevention and management techniques. As a standard precautionary measure, power would be automatically removed from the line if conductor failure were to occur. Lightning protection would also be provided by overhead groundwires along the line. Prior to construction, SCE would also coordinate with the Riverside County Fire Department to ensure that construction activities and associated lane closures would not hinder firefighting response pathways or delay response time. Please also see Response to Comment DDDD-54.

Response to Comment DDDD-15

The grounding of helicopters related to the project the commenter cites was due to incidents regarding the safety of operations and reporting protocols. Related to helicopter operations, CEQA requires the analysis of potential conflicts between the Proposed Project and airport operations in the vicinity of a public airport or public use airport that may result in a safety hazard and the potential alteration of air traffic patterns. Contrary to the commenter's assertion, the potential environmental impacts caused by the use of helicopters was analyzed on page 3-318 of the DEIR. As stated in the DEIR (pages 2-85 and 3-318), a helicopter lift plan would need to be submitted to the FAA as required by law. The increased flights by one helicopter would not create substantial safety risks to the helicopter operator or to the areas where the helicopter construction is proposed (DEIR page 3-318). Please also see Master Response #4 regarding recirculation.

Response to Comment DDDD-16

Please refer to Master Response #6 for information related to EMF and the “no-cost” and “low-cost” measures to reduce EMF. In particular, note that EMF is generally not considered a CEQA impact issue. The CPUC requires a Field Management Plan as part of the application for a CPCN. The Field Management Plan will include both “no-cost” and “low-cost” measures and the CPUC would ensure that they are implemented into the final design of the 230 kV line components.

Response to Comment DDDD-17

Please see Master Response #1, found in Section 2.2.1 herein. The commenter and project applicant have been added to the project mailing list.

Response to Comment DDDD-18

The purpose of the Siting Study was to determine potential corridors and preliminary route alternatives for RTRP. SCE and RPU continued a process of alternate route refinement, data collection, and inter-agency consultation up to the point that the Lead Agency published the November 2009 NOP indicating its intention to prepare a Draft EIR for RTRP. Data collection and route refinements were specifically conducted as part of the process in preparing the DEIR. Please see Master Response #13, regarding data collection and baseline conditions.

Response to Comment DDDD-19

Springs is not designed or permitted baseload generation. It is permitted for only a limited number of hours per year by requirement issued by the SCAQMD (DEIR page 1-14). This is clearly explained in Chapter 6 (Section 6.4.2) of the DEIR.

Response to Comment DDDD-20

The scale in all maps and figures is proper to present Proposed Project elements and impacts; please see Response to Comment DDDD-2. Please refer to Master Response #2 regarding vague or conclusory comments. In addition, to provide further clarification, more detailed exhibit maps have been prepared and are included in Attachment D of this FEIR.

Response to Comment DDDD-21

Undergrounding refers to the relocation of distribution lines and not transmission lines. Please see Master Response #10a regarding undergrounding.

Response to Comment DDDD-22

As clearly explained in the DEIR (page 2-35), telecommunications Path 1 follows the proposed 230 kV route using optical ground wire. Multiple connections (redundancy) are needed to meet SCE reliability standards. Additional pathways allowing for necessary communication redundancy are also described in the DEIR. Please see Response to Comment DDDD-60.

Response to Comment DDDD-23

Please see Response to Comment DDDD-18.

Response to Comment DDDD-24

Please refer to Master Response #5 regarding Lead Agency. The CPUC serves as the Responsible Agency under CEQA. In its development of the FEIR for RTRP, the Lead Agency has developed enforceable mitigation to reduce potentially significant impacts with input from the Responsible Agency and commenting public agencies. Adoption and implementation of mitigation measures as documented in the certified FEIR would be a condition of approval by the CPUC of SCE's CPCN application. Under CEQA, lead and responsible agencies coordinate their mitigation monitoring and reporting. For discussion regarding enforcement of mitigation measures, please refer to Response to Comment P-51.

Response to Comment DDDD-25

Impact modifiers (unique conditions occurring in the viewing condition from a sensitive viewpoint that reduces an otherwise higher anticipated impact) are used during visual assessment to determine actual observed visual conditions that may alter an "expected" high or significant impact based on preliminary impact criteria (i.e., sensitivity analysis, contrast model, GIS viewshed modeling) that do not capture specific viewing conditions. The commenter does not state how this methodology is improper. Please see Master Response #2 regarding vague or conclusory comments.

Response to Comment DDDD-26

The purpose of photos shown in the DEIR is to:

- 1) provide examples of the types and categories of landscape character types present in the analysis area;
- 2) aid in the development of visual simulations used to illustrate for the public the reasonable expected visual changes based on preliminary engineering; and
- 3) allow for the evaluation of accuracy and verification of impacts at representative locations.

Fourteen simulations were ultimately presented in the body of the DEIR. The number of Key Observation Points (KOPs) identified during the development of the DEIR was based on reasonably representing a range of sensitive viewpoints occurring across the Proposed Project area. The commenter does not state where more KOPs are necessary. Eighteen KOPs for photo simulation study were selected from throughout the visual study area as representative of the Proposed Project's design and environmental context. These KOPs were identified based on expected visibility in terms of number of viewers (e.g., I-15, Van Buren Blvd.), sensitive recreational views (Hidden Valley Wildlife Area Nature Center, Santa Ana River Trail), and representative residential views, primarily. This resulted in an average of one simulation developed for each 1.0 to 1.5 miles of transmission and subtransmission line. "Extensive scope" of the Proposed Project is not defined by the commenter. A ten-mile transmission line would not be considered extensive by any standard. For example, the Devers to Palo Verde transmission project consisted of a 278-mile long transmission line and presented 26 KOP visual simulations in its EIR.

Response to Comment DDDD-27

See Master Response #2 regarding vague or conclusory comments.

Response to Comment DDDD-28

Please refer to Master Response #10a regarding undergrounding and Response to Comment DDDD-7 regarding feasibility analyses.

Response to Comment DDDD-29

Please refer to Master Response #2 regarding vague or conclusory comments. The commenter does not elaborate or provide factual support as to why mitigation measure AGR-01 would not work. As such, a specific response cannot be provided.

Response to Comment DDDD-30

The text of mitigation measure MM AGR-02 reads:

Applicant and/or its contractors shall incorporate the following measures into project construction plans and specifications specific to lands designated as Farmland:

- Ensure that existing drainage systems at Proposed Project sites that are needed for farming activities function as necessary so that agricultural uses are not disrupted.
- Maintain existing levels of water available to farmers via the current irrigation system.

Implementation of MM AGR-02 would ensure that no additional Farmland is indirectly converted to non-agricultural use because of impacts to existing irrigation and other ancillary systems required for farming productivity. As such, impacts would be less than significant after mitigation.

Response to Comment DDDD-31

The commenter improperly quotes from the Air Quality environmental setting section (page 3-76 of the DEIR) and then claims that a “100-foot boundary” would somehow impose a limit on the number of sensitive receptors used for impact analysis. This is not correct. This full text states:

“The proposed 230 kV transmission line route into the new Wildlife Substation runs primarily along I-15 and crosses Van Buren Blvd. Residential areas are located less than 100 feet from the route near the intersections of Bradford Street/Julian Drive, Idyllwild Lane/Dunn Court, and Viceroy Avenue/Grulla Court. Additionally, there are a few residential areas near Limonite Avenue that are more than 100 feet from the proposed line route. There are no hospitals or schools within 100 feet of the proposed route.”

Methodologies for assessing impacts to Air Quality are described on pages 3-81 to 3-84 of the DEIR. Receptor distance, not number, is of key interest. SCAQMD’s screening LST thresholds and district-approved SCREEN3 model were utilized to analyze impacts. SCAQMD has provided LST lookup tables to allow users to readily determine if the daily emissions for proposed construction or operational activities could result in significant localized air quality impacts on sensitive receptors for projects with dimensions of five acres or smaller. For projects larger than five acres, SCAQMD recommends that the LST analysis should be performed using ISCST3. Although the entire Proposed Project footprint is larger than five acres, the Proposed Project is linear in nature and the maximum daily area disturbed is typically less than five acres. In order to more accurately represent the emissions from a linear project that would have a direct impact on the nearby sensitive receptors, the construction activities that would take place within one acre of the nearest receptor were estimated. Therefore, the look-up tables for a one-acre site were used. It should be noted that since emissions would be concentrated over a smaller area, the use of the localized significance threshold for a one-acre site represents a worst-case scenario for the LST analysis (DEIR page 3-82). As described in the text, look-up table receptor distances of 25 meters and 100 meters were used for transmission (and subtransmission) and substations, respectively.

Response to Comment DDDD-32

The DEIR does not fail to explain how reduction in air quality impacts were quantified. For a detailed description of the methods employed in air quality calculations, please see the Air Quality Technical Report in Appendix B of the DEIR. As noted in the Environmental Impacts discussion for impact category “b”, the additional implementation of a modified overlapping schedule, as required under mitigation measure AQ-14, would result in the Proposed Project not exceeding the SCAQMD regional significance thresholds. Thus, short-term construction air pollutant emissions would be less than significant.

Response to Comment DDDD-33

The purpose of the Proposed Project is to develop a means to provide additional transmission capacity to meet RPU’s projected load growth and to provide a second interconnection for system reliability. A number of alternatives were evaluated, including non-wire alternatives such as distributed generation (DG). DG is typically less than 5 MW in net generating capacity and is located on distribution feeders near customer load. Examples of DG include fuel cells, micro turbines, photovoltaic, wind, landfill gas, and digester gas. RPU’s current total or DG is less than

7 MW. The 7 MW produced by DG would not be sufficient to compensate for the predicted load growth for the RPU system. DG would not allow RPU to meet the Proposed Project objectives due to the comparatively small capacity of DG systems and the relatively high cost, cumulatively large quantities of air emissions, technological constraints, and regulatory approvals in meeting the proposed schedule. DG capacity is limited and would not meet the need for the Proposed Project to provide a second point for importing energy, including renewable energy. For this reason, as well as the technical and logistical concerns, distributed generation is not viewed as a feasible alternative to the Proposed Project. Please refer to Chapter 6, Project Alternatives, Section 6.4.2, of the DEIR, and Master Response #12 regarding General Plan consistency.

Response to Comment DDDD-34

The biological studies prepared for the DEIR's analysis were not erroneous. Studies were conducted during the period from 2006 to 2011. This is clearly stated in the DEIR and substantiated by the biological resource study reports in the project record. The baseline used for analysis was not erroneous. The Lead Agency has conducted valid baseline surveys in coordination with local, State, and federal resource regulating agencies, continued to coordinate for additional surveys with RCA, and included enforceable mitigation measures (BIO-03) to keep survey data current up to the time of construction.

Response to Comment DDDD-35

Please see Response to Comments DDDD-12 and DDDD-12a. There has been no improper delay; therefore, the commenter's assertion that "it is more than possible that ground disturbance will significantly directly or indirectly impact critical habitat for the LBV or the Santa Ana sucker" is fallacious. Please also see Response to Comment DDDD-10.

Response to Comment DDDD-36

Please see Response to Comment DDDD-35.

Response to Comment DDDD-37

Please see Response to Comment DDDD-12.

Response to Comment DDDD-38

Please see Response to Comment DDDD-35.

Response to Comment DDDD-39

Please see Response to Comment DDDD-9.

Response to Comment DDDD-40

Please see Response to Comment DDDD-9. Section 3.2.4 (page 3-123) of the DEIR states:

"The Habitat Evaluation and Acquisition Negotiations Strategy (HANS) process is used by the City, a permittee under the MSHCP, to ensure Plan compliance by identifying and delineating conservation areas on specific properties. The City is the lead agency for purposes of ensuring MSHCP compliance for the Proposed Project in coordination with RCA. Should the Proposed Project affect an identified criteria cell, it will be reviewed, as

applicable or required, by the same process. The Proposed Project would cross or require limited construction work within portions of Criteria Cells 610, 617, 643, and 700. The Proposed Project is determined to comply with habitat conservation goals and requirements for the affected Criteria Cells. Because of the limited discreet construction footprint and the ‘no effect’ from the aerial spans, it is not expected that the Proposed Project will require HANS review for an MSHCP consistency determination. Additionally, it is expected, based on preliminary meetings with RCA, that the Proposed Project will comply with Criteria Cell conservation requirements and have a minimal effect that may not require a Joint Project Review as part of the HANS process. RPU will submit the final approved alignment to the City of Riverside for a consistency determination. The City of Riverside would require Consistency Determinations from the County of Riverside, City of Norco, and, if the Implementation Agreement is satisfactorily amended at the completion of the City’s consistency review, the City of Jurupa Valley.”

Response to Comment DDDD-41

The DEIR does not improperly defer mitigation. Mitigation Measure BIO-02 refers to the application of avian-safe designs for final engineering and project construction. Avian Power Line Interaction Committee (APLIC 2006) guidelines are widely accepted in the power industry and are the standard to ensure avian safety on overhead transmission and distribution systems. The mitigation measure ensures that APLIC standards, such as minimum separation between phase conductors and covering phases or grounds where adequate separation is infeasible, will be employed by the selected construction contractors in an enforceable manner. Please see Master Response #2 regarding vague or conclusory comments.

Response to Comment DDDD-42

It appears the commenter is referring to a paragraph and specific sentences from the DEIR:

“Burrowing owls have been observed on the Proposed Project site. Direct impacts to this species could occur from the removal of active burrows and direct mortality of owls during Proposed Project activities. Indirect impacts could occur from increased noise, lighting, and dust during construction. Although this species is not currently listed by federal agencies, it is a State species of special concern and impacts to this species would be considered significant to the CDFG (Assembly Bill 3180). Implementation of MM BIO-02 would locate burrowing owls and potential nest sites before construction begins. In accordance with MSHCP and CDFG burrowing owl clearance protocols, burrowing owls would be relocated to new habitat by a trained biologist and their burrows removed to prevent owls from nesting or returning until after construction is complete. As described, the Proposed Project would comply with and participate in the MSHCP through BIO-01 and integrate MM BIO-02 and 03 and coordinate with CDFG to reduce impacts to a less than significant level” (emphasis added).

Mitigation Measure BIO-02 provides general protection to all avian species at the line-design level and is appropriately applied to burrowing owls as a species protected under the Migratory Bird Treaty Act. Mitigation Measure BIO-03 provides preconstruction surveys for sensitive species and MSHCP compliance. The commenter incorrectly states that the DEIR “relies on MM BIO-02 to address burrowing owl impacts.” The text in Section 3.2.4, Environmental Impacts,

criterion a), Birds, was modified to identify BIO-03 first, for clarification. Revisions are shown in Volume II of this FEIR.

Response to Comment DDDD-43

Please see Response to Comment DDDD-41.

Response to Comment DDDD-44

The DEIR is not deficient. The 69 kV subtransmission portion of the Proposed Project has been designed to maximally use existing structures (poles) to minimize impacts. The route passes through the City of Riverside along streets in an area of continuous development. Based on the lack of published reports, there are no habitat-based avian hazards, areas that concentrate birds, nor history of large birds flocking within the urban area. There are no identified avian risk issues on RPU's (the City's) system. It is not reasonable to expect this to change. Please see pages 3-132 and 3-133 of the DEIR for more information on avian collision risk.

Response to Comment DDDD-45

Please see Response to Comment DDDD-41.

Response to Comment DDDD-46

In six locations, the DEIR refers to the Proposed Project affecting “less than 5%” of similar habitats locally or regionally—e.g., “The direct and indirect potential impact to common and widely occurring wildlife and plant species would not result in a change of status of affected species because the Proposed Project footprint is a less than significant (less than 5 percent) percentage of the existing habitat for these species locally and regionally” (pg. 3-134 of the DEIR). The use of the word “significant” in this context is a general statement referring to biologically meaningful or statistical significance (at the 95% confidence limit) of habitat loss descriptively, not CEQA significance. The value is not presented as a CEQA conclusion. The actual Proposed Project impacts to habitats for common and widely occurring wildlife and plant species, as well as wetlands, would be much smaller relative to all habitats for species occurring locally or regionally. Table 3.2.4-4 shows that 0.8 acre of actual permanent loss of natural habitats would occur under the Proposed Project. However, as discussed in the DEIR, structure micro-siting, setting of construction work limits, and implementation of specific mitigation measures would reduce impacts to zero acres. CEQA significance criteria used for analysis are discussed on pages 3-126 and 3-127 of the DEIR. The DEIR fully discloses impacts.

Response to Comment DDDD-47

See Response to Comment DDDD-46.

Response to Comment DDDD-48

The statement on page 3-142 of the DEIR that the commenter mentions further states that the impacts would be reduced by the purchase of mitigation lands to compensate for the crossing of lands designated as OS-CH.

As noted in Chapter 3 of the DEIR, page 3-241, the proposed 230 kV transmission line would not be consistent with the OS-CH designation. Avoidance of these OS-CH lands is not possible

since they abut existing residential subdivisions to the south. RPU and SCE would comply with all regulations and policies outlined in the MSHCP and as promulgated by the RCA. These include, but are not limited to:

- a. The payment of Local Development Mitigation Fees and other relevant fees as set forth in the MSHCP;
- b. Compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools set forth in Section 6.1.2 of the MSHCP;
- c. Compliance with the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP;
- d. Compliance with survey requirements as set forth in Section 6.3.2 of the MSHCP;
- e. Compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and
- f. Compliance with the BMPs and the siting and design criteria as set forth in Section 7.0 and Appendix C of the MSHCP.

Through compliance with the RCA, along with going through the process with the RCA to ensure there would be no conflict with the provisions of the MSHCP, impacts to local, regional, or State habitat conservation plans would be less than significant.

Response to Comment DDDD-49

A DBESP report has been prepared and submitted to the City of Riverside and RCA as part of the MSHCP application for a consistency review and determination. See Response to Comment DDDD-9.

Response to Comment DDDD-50

The determinations made regarding the biological impacts within the DEIR are supported by substantial evidence, which includes protocol level biological surveys. Further, the commenter presents no specific reasoning to support their objection to the DEIR's conclusion that the Proposed Project would not result in significant and unavoidable impacts to biological resources.

Response to Comment DDDD-51

Mitigation Measure MM CUL-08 has been revised and expanded on Table 3.2.5-2 of the DEIR in response to the comment, and reads as follows:

“A final summary report shall be completed that outlines the results of the paleontological mitigation program. This report shall be prepared under the supervision of a qualified paleontologist. The report will include a description and maps of the Project area; descriptions of paleontologically sensitive or fossiliferous sediments in the Project vicinity; discussions of the methods used during monitoring and during fossil recovery; descriptions and illustrations of the stratigraphic section(s) exposed, including the geological formation, age, and stage of the site; detailed inventory and descriptions of fossils collected, including taxonomic data; photographs of the locations of recovered fossils; an assessment of the significance of the recovered fossils; complete contextual data from the fossil locality, including sedimentology and taphonomy; and a record of accession of the fossils to the selected repository, including specimen numbers.”

Response to Comment DDDD-52

The Historic “O” Line transmission line, also known as the Southern Sierras Power Line, was first recorded as a cultural resource in 2007. The power line originated at an SCE substation in San Bernardino and ran through the northeast corner of Riverside County, back into San Bernardino County, and across Chino Hills to Orange County. It once extended to a 1930s powerhouse in Seal Beach. Power at this substation was brought from Mono Lake/Owens River and Boulder Dam powerhouses.

The “O” Line has been determined eligible to the NRHP. However, the only surviving transmission structures are in San Bernardino County. More than half the transmission line, and all of the line within the RTRP area, has been lost to industrial and residential development. In Riverside County, only the ROW itself remains. Because no physical features of the “O” Line remain in the RTRP area, the proposed 230 kV transmission line would not cause a physical or visual impact by simply spanning the ROW. However, the presence of a cultural resource monitor during construction (as required by MM CUL-02) would reduce the very small potential for an impact in the unlikely event of an unanticipated discovery related to this resource.

Response to Comment DDDD-53

Operation of the Proposed Project would consist of conducting electricity through a new transmission line and would not involve routine transport, use, or disposal of hazardous or flammable materials. Hazardous or flammable materials used during construction of the Proposed Project would consist primarily of vehicle fuel and oil for construction equipment. A release or spill of these materials during construction could create a hazard to the school through toxic emissions or increased risk of fire ignition. However, implementation of construction EPEs, such as the preparation of a SPCC Plan, would serve to avoid potential hazardous spills at the Proposed Project site. Additional EPEs include an environmental training and monitoring program, proper disposal of construction waste, and a supply of emergency spill supplies and equipment, which would ensure impacts related to emitting or handling hazardous materials within one-quarter mile of an existing school would be less than significant.

Response to Comment DDDD-54

A portion of the Proposed Project would cross abundant vegetation that may pose conditions conducive to wildfires near the banks of the Santa Ana River. Welding during construction could potentially result in the combustion of vegetation located close to the welding site. The use of internal combustion motors, lighted matches, cigarettes, cigars, or other burning objects is a fire hazard, especially within the vicinity of combustible material.

During operation of the Proposed Project, power lines may pose a fire hazard if a conducting object, such as a tree limb, comes in close proximity to a line or if a live-phase conductor falls to the ground. Conductors can be fire hazards if they fall to the ground and create an electrical arc that ignites combustible material. The use of internal combustion engines (e.g., automobiles, chain saws, string trimmers) for maintenance activities also poses a potential fire hazard. Impacts resulting from the potential ignition of fires would be significant.

The Fire Prevention and Management Plan required by MM HAZ-03 for the construction and operation phases for both the substations and the 230 kV transmission line route would reduce the likelihood of the ignition and spread of a fire. The Fire Prevention and Management Plan would include preparation and implementation of the Fire Prevention and Management Plan, Riverside County Fire Department review of construction methods, practicing safe welding procedures, and fire preventive construction equipment requirements. RPU and SCE would also implement EPE NOI-02 (see Section 3.2.11, Noise, of the DEIR), which requires that construction crews avoid the idling of vehicles and power equipment when not in use, which would also minimize the potential for fire. As a standard precautionary measure, power would be automatically removed from the line if conductor failure were to occur. Lightning protection would also be provided by overhead groundwires along the line.

Response to Comment DDDD-55

The DEIR does not fail to address or mitigate impacts associated with permanent roads. As described in Chapter 3, Section 3.2.8, Hydrology and Water Quality, page 3-213 of the DEIR, construction activities of the proposed 230 kV transmission line include the creation of new permanent roads. New permanent access roads would not be paved but would be constructed of pervious materials, allowing for all-weather access while not increasing runoff. This is clearly described on page 3-219 of the DEIR.

With the exception of isolated sections of existing roads, the entire ROW and access roads would require property/easement acquisition.

The land disturbance calculations can be found in the Land Disturbance Table 2.5-3 in Chapter 2 of the DEIR. Although a preliminary Project layout has been developed, exact locations for access roads and spur roads would not be determined until final engineering, ROW survey, and environmental review.

Response to Comment DDDD-56

The commenter asserts that the Proposed Project could have a significant impact on wells located just outside of the ROW without suggesting what those impacts might be a result of. Please see Master Response #2 regarding vague or conclusory comments. Data on existing wells was evaluated as part of the environmental analysis. This is discussed in the DEIR for the 230 kV transmission line on page 3-207 and for the 69 kV subtransmission lines on page 3-208. No wells are located in the ROW or proposed work areas. Effects to groundwater are discussed on page 3-217 of the DEIR. No effects to groundwater affecting wells adjacent to project areas are expected. Potential adverse effects on groundwater would be prevented because geotechnical investigations would determine the location and extent of groundwater in construction areas. As stated on page 3-216 of the DEIR, Environmental Protection Elements (EPEs) HYDRO-03 and HYDRO-05 would address potentially adverse effects on groundwater. The Proposed Project would not deplete groundwater supplies nor interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level as described on page 3-217 of the DEIR. Additionally, pollution control measures and hazardous material handling Best Management Practices, Environmental Protection Elements, and Mitigation Measures that address potential groundwater contamination, dewatering, spill control, and hazardous material handling as required by federal, State and local law would be implemented as part of the Proposed Project. Such measures include Hazardous Waste

Operations and Emergency Response protocols, the development and implementation of Stormwater Pollution Prevention Plan (SWPPP) and Spill Prevention, Control, and Countermeasure (SPCC) plans, and other implementation procedures identified in the DEIR to prevent adverse effects to wells near Proposed Project construction areas.

Response to Comment DDDD-57

Contrary to the commenter's assertion, the amount of water from structure foundations was addressed in the DEIR. As stated on page 2-217, "[a]n average 120-foot TSP would have a foundation of approximately 40 feet deep and approximately six feet in diameter, requiring excavation of approximately 1,130 cubic feet of soil. Should the bore hole fill completely with water and require dewatering, the volume of groundwater removed for foundation construction would be approximately 0.03 acre-feet (af). Groundwater storage capacity for the groundwater basins in the Proposed Project area ranges from 207,000 af to 5,325,000 af, and would not be significantly reduced by installation of transmission structures."

Response to Comment DDDD-58

Contrary to the commenter's assertion, the DEIR states on page 3-224:

"Specifically, seven TSPs and five lattice structures would be placed within a 100-year floodplain of the Santa Ana River. Foundations for these structures would have average areas of 63.6 square feet for TSPs and 50.3 square feet for lattice structures, with height of each base varying from 0 to 4 feet above ground level. Addition of 'fill,' as presented by installation of transmission structure bases, would be small, relative to the greater area of the floodplain, and would not displace floodwater sufficient to increase base flood elevation."

This *total* structure base area would be less than 800 square feet, distributed along 10,000 feet of ROW falling within the Santa Ana River floodplain. An exact area or volume of fill in the 100-year floodplain is unknown until final surveys and engineering and geotechnical investigations are completed.

Response to Comment DDDD-59

See Master Response #10a regarding undergrounding. An alternative that has been found to be infeasible need not be carried forward for further detailed analysis, including analysis related to land use plan consistency. (such as JURAP Policy 7.13). As stated on page 6-1 of the DEIR, CEQA includes feasibility as a rationale to either consider or not consider an alternative in detail within an EIR:

"The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts" (CEQA Guidelines Section 15126.6(c)).

Response to Comment DDDD-60

The meaning of the comment cannot be discerned, and the comment does not appear to relate to the CEQA question referenced; accordingly, a more specific response cannot be provided (see Master Response #2). The DEIR describes multiple telecommunications pathways to add necessary redundancy to the system. One of these pathways (Path 1, described on page 2-35 of the DEIR) exactly follows the proposed 230 kV route. Even as to those pathways that diverge from the proposed 230 kV route, all impacts were fully accounted for in the air quality analysis, the biological vegetation and habitat analysis, and other sections of the EIR. See Master Response #10a regarding the differences between undergrounding of telecommunication lines and the 230 kV transmission line. Please also see Response to Comment DDDD-22.

Response to Comment DDDD-61

See Master Response #12 regarding land use plan consistency.

Response to Comment DDDD-62

Page 3-263 of the DEIR discusses the expected audible line noise (corona effects) from the 230 kV transmission and 69 kV subtransmission lines as well as how analysis was conducted. The commenter does not identify why the noise analysis is inadequate. No further response is required; however, please also see Response to Comment DDDD-4.

Response to Comment DDDD-63

Starting on page 3-265 under Regulatory Setting, the DEIR lists the local standards that were used for evaluating potential impacts. Additionally, sensitive receptors are listed and discussed on page 3-264 of the DEIR. The DEIR describes construction noise levels for receptors at 100 feet on page 3-272.

Response to Comment DDDD-64

Page 3-263 of the DEIR discusses the expected audible line noise from the 230 kV transmission and 69 kV subtransmission lines. The commenter does not identify why the noise analysis is inadequate. No further response is required; however, please also see Responses to Comment DDDD-4 and DDDD-62.

Response to Comment DDDD-65

The commenter asserts that the DEIR contains an insufficient conclusory analysis of the Proposed Project's fire potential without suggesting what is insufficient or conclusory, and cites states that. Please see Master Response #2. Fire protection associated with the Proposed Project is discussed in Responses to Comments DDDD-14 and DDDD-54.

Response to Comment DDDD-66

The DEIR analyzed both construction- and operation-related water use. Because it would follow city streets, no water would be used for dust abatement for the overhead 69 kV portion of the Proposed Project. A water truck would be on stand-by daily for dust control on other portions of the Proposed Project. Regularly scheduled or daily watering is not expected. In some 230 kV structure locations (depending on geotechnical investigation based on final engineering), water or drilling mud may be required to prevent sloughing of foundation bores. Typically, this

material is re-used, evaporates, or recharges groundwater. Under no circumstance would it enter the wastewater treatment stream. Conservative estimates of water truck numbers and durations of use are provided for Proposed Project elements. During construction, potable water would be imported to work sites by workers for drinking and sanitation purposes. Worker numbers would vary; however, sanitary disposal of waste associated with a Project-wide peak maximum of approximately 120 workers would be handled by licensed contractors. Water used during the construction phases for dust suppression and drinking purposes would not generate wastewater that would entail treatment or disposal. Overall, water use would be negligible, as stated in the DEIR. The amount of water that would be used during construction of the Proposed Project would vary and is difficult to estimate without the benefit of a soil analyses, existing weather conditions at the time of construction, and other unknown factors. However, it is estimated that water usage during construction of new access roads and the 230 kV transmission line may require up to 18,000 gallons of water per mile per day. In operation, the Proposed Project would neither create a new source of water use nor generate appreciable amounts of wastewater. Normal maintenance would not involve water; personnel visiting unmanned substations may use some water for personal convenience. Any view-filtering or groundcover planting at substations would involve only drought-tolerant species with minimal irrigation requirements. Water utilized for irrigation would recharge groundwater or would naturally evaporate into the air and would not require treatment or disposal. Additionally, water would be available for emergencies (e.g., fire suppression). To say that no water would be used for operation would not be technically accurate; however, the amount of water used would be incalculably small. As analyzed in the DEIR, the Proposed Project's transmission and subtransmission lines and substations would not "require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects" (DEIR Section 3.2.13). The commenter's assertion that the DEIR violates CEQA with regards to Public Services and Utilities criterion c) is not substantiated.

Response to Comment DDDD-67

Please see Response to Comment DDDD-66 and DDDD-72.

Response to Comment DDDD-68

Please see Response to Comment DDDD-15.

Response to Comment DDDD-69

CEQA requires that an "EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation (NOP) is published, at the time environmental analysis is commenced, from both a local and regional perspective." Projects included in the cumulative impacts analysis were identified from the time the NOP was issued in November of 2009 and, in some cases, beyond this time period. Please see Master Response #13 regarding data collection.

Response to Comment DDDD-70

Increasing capacity to import energy will increase the City's ability to access renewable energy sources. Although not specifically a project objective, this is clearly explained in the DEIR. Please see Master Response #12 regarding land use plan consistency and Master Response #13 regarding data collection.

Response to Comment DDDD-71

Future residential and non-residential development at the wildland-urban interface would be expected to increase the number of human-caused fires over the life of the Proposed Project and beyond. Future development would also be expected to contribute to non-native species spread. The Fire Prevention and Management Plan required by MM HAZ-03 for the construction and operation phases for both the substations and the 230 kV transmission line route would reduce the likelihood of the ignition and spread of a fire. The Fire Prevention and Management Plan would include preparation and implementation of the Fire Prevention and Management Plan, Riverside County Fire Department review of construction methods, practicing safe welding procedures, and fire preventive construction equipment requirements. RPU and SCE would also implement EPE NOI-02 (see Section 3.2.11, Noise, of the DEIR), which requires that construction crews avoid the idling of vehicles and power equipment when not in use, which would also minimize the potential for fire. As a standard precautionary measure, power would be automatically removed from the line if conductor failure were to occur. Lightning protection would also be provided by overhead groundwires along the line. Mitigation measure BIO-09, Invasive Species Management, would require the avoidance or minimization of the introduction of invasive plant species into the Project area during construction activities. Construction equipment being brought to the Project limits will be free of accumulated mud and debris. Accordingly, there will be no cumulatively considerable impacts to fire risk as a result of the Project. Please also see Responses to Comments DDDD-14 and DDDD-54.

Response to Comment DDDD-72

Please see Response to Comment DDDD-66 for explanation of construction water use. Operation of electrical transmission and subtransmission systems does not involve water. Normal maintenance would not involve water; personnel visiting unmanned substations may use some water for personal convenience. Any view-filtering or groundcover planting at substations would involve only drought-tolerant species with minimal irrigation requirements. Water utilized for irrigation would recharge groundwater or would naturally evaporate and would not require treatment or disposal. Additionally, water would be available for emergencies (e.g., fire suppression). To say that no water would be used for operation would not be technically accurate; however, the amount of water used would be incalculably small. The Proposed Project would neither create a new source of water use nor generate appreciable amounts of wastewater over time. However, these non-significant impacts in addition to minor soil compaction, increased impermeable surfaces, and altered runoff patterns would have a cumulative effect on the watershed in which they occur as they add to the impacts of past and contemporary projects in an urban setting, and as the impacts of future projects are added to them. Therefore, and as analyzed in the DEIR, cumulative impacts are considerable and unavoidable. Project-level mitigation measures and best management practices are not sufficient to negate cumulative watershed effects. This analysis is clearly presented in the DEIR (Section 4.2.8).

Response to Comment DDDD-73

The Proposed Project is consistent with Policy JURAP 7.13, given that there is no feasible alternative alignment that could avoid the river corridor and given that undergrounding is infeasible. Please see Master Response #10a regarding undergrounding. The cumulative impact analysis remains the same.

Response to Comment DDDD-74

The comment is not correct. Page 3-263 of the DEIR discusses the expected audible line noise from the 230 kV transmission and 69 kV subtransmission lines, including corona noise impacts associated with corona noise as discussed on page 3-371 of the DEIR. Corona effects are commonly associated with voltages above 345 kV. Please also see Response to Comment DDDD-62.

Response to Comment DDDD-75

Please see Master Response #2 regarding vague and conclusory comments. Growth caused by indirect and direct employment would not be significant enough to stimulate population or housing growth, as stated in Section 5.1.3, and the growth beyond plan projections has already occurred beyond the projections of the General Plan. Therefore, the commenter's assertions are baseless and without foundation. As stated in the DEIR, in the section referenced by the commenter, the "[g]rowth-inducing potential of a project could be considered significant if the *project stimulates population or housing growth above that of adopted local or regional plans, or in population projections made by regional agencies*. Significant growth impacts could also occur if a proposed project provides service capacity or needed infrastructure to accommodate growth levels *beyond those permitted by local or regional plans or policies*" (emphasis added). The fact that population estimates have already *exceeded* the estimated build-out of the Proposed Project area in the General Plan 2025 Program approved Environmental Impact Report makes the commenter's conclusions unsupported.

Response to Comment DDDD-76

Please see Master Response #6 regarding "no-cost" and "low-cost" measures to reduce EMF. The CPUC requires a Field Management Plan be submitted as part of the application for a CPCN. The Field Management Plan will include both "no-cost" and "low-cost" measures and the CPUC would ensure that they are implemented into the final design of the 230 kV transmission line components. Note that EMF issues are generally not considered CEQA-related and the measures identified in a Field Management Plan for implementation as part of a project are not considered mitigation for any potentially significant impacts.

Response to Comment DDDD-77

Please see Table 2-6 in Master Response #12, which describes City of Riverside objective "OS-9" as it relates to energy efficiency and renewable energy. The RTRP is consistent with this objective because the City of Riverside has implemented multiple initiatives and programs across all City departments to promote energy efficiency and renewable energy, foster alternative fuel vehicle use, and improve water use efficiency.

Response to Comment DDDD-78

Please see Response to Comment DDDD-18.

Response to Comment DDDD-79

Please refer to Master Response #10c regarding the original alignment of the I-15 route.

Response to Comment DDDD-80

Please refer to Master Response #10c regarding the original alignment of the I-15 route.

Response to Comment DDDD-81

Please see Response to Comment ZZZ-4. An EIR is not required to consider every conceivable alternative to the proposed project, but a reasonable range of potentially feasible alternatives; there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason (CEQA Guidelines 15126.6(a)). As such, the City of Riverside considered all alternatives that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects, and eliminated from detailed consideration those that failed to meet most of the project objectives, were infeasible, or did not avoid significant environmental impacts (CEQA Guidelines 15126.6(c)). Furthermore, the EIR includes a discussion of a reasonable range of alternatives. The EIR evaluated a broad range of options, including new generation and a variety of potential technologies. Further, the City considered an extensive array of routing options for the Project's overhead lines, as set forth in the DEIR's Siting Study (DEIR Appendix D).

Response to Comment DDDD-82

CEQA Guidelines (§15126.6 *et. seq.*) require that a range of reasonable alternatives to the proposed project be evaluated in an EIR. As discussed in Chapter 6 of the DEIR (Project Alternatives), alternative voltages were evaluated with other types of alternatives to the Proposed Project to determine whether they would reduce significant environmental impacts while meeting the Project objectives. Under all alternative voltage scenarios evaluated in the DEIR, greater significant environmental impacts would occur. The environmental impact discussion serves to supplement the discussion about why the alternatives do not feasibly obtain most of the basic objectives of the Proposed Project.

Response to Comment DDDD-83

As discussed in Section 6.4.4 of the DEIR, in order to serve the needs of the City of Riverside, the Mira Loma substation would need to be expanded substantially. The Proposed Project would also require six or more 69 kV subtransmission lines from the Mira Loma Substation to provide the same power transfer capability as the Proposed Project. Multiple (up to seven) subtransmission circuits would require more ROW and would result in greater environmental impact than the Proposed Project. Therefore, this alternative substation location was rejected as being infeasible.

Response to Comment DDDD-84

CEQA does not require the Proposed Project's detailed construction costs or comparisons of costs between alternatives; therefore, these estimates have not been included in the DEIR. See CEQA Guidelines §15124: "The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact [...] c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities." The "New Generation Alternative" subsection in Chapter 6 was updated as shown in Volume II of this FEIR to provide additional technical and cost information.

Response to Comment DDDD-85

Please see Master Response #10a regarding undergrounding.

Response to Comment DDDD-86

In April 2010, SCE conducted a Preliminary Geology and Geotechnical Evaluation (SCE 2010) that compared the Eastern Route to the Van Buren Offset Alternative as well as to the I-15 Route. According to SCE's evaluation, "from the perspective of foundation, and structure integrity, access, and long term maintenance, the Western [I-15 Route] and Van Buren [Offset] alternatives both are clearly more favorable than the Eastern Alignment Alternative." SCE's evaluation at that time indicated that, overall, the Eastern Route would place 40 structures in flood zone location conditions that could jeopardize the foundation and structure integrity of the double circuit 230 kV transmission line. Also, there would be 43 structures with erosion issues and 6 structures with slope stability issues. Maintenance access could be nonexistent for up to 40 structures during flood conditions. Elevated roads in the flood zone are not considered feasible. Road maintenance in the flood zone would be a constant and costly effort, which could be restricted by permitting requirements. The Eastern Route would not be able to perform the function intended, to serve the public with reliable transmission service.

The Preliminary Geology and Geotechnical Evaluation is included in Attachment C of this FEIR.

Response to Comment DDDD-87

CEQA Guidelines require that an EIR "shall describe a range of reasonable alternatives to the project, *or* to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (emphasis added). An alternative *may* be an alternative location, but also may be an alternative technology, non-transmission alternative, alternative voltage, construction methods, new generation, distributed generation, or energy conservation, all of which were considered in the DEIR (see Sections 6.4.1 through 6.4.4). The Van Buren offset alternative was analyzed because it could potentially provide a different feasible route than the Proposed Project; however, as disclosed in the DEIR in Table 6.5-2, this alternative would result in a greater level of environmental impacts compared to the Proposed Project.

Response to Comment DDDD-88

Please see Master Response #2 regarding vague and conclusory comments. The commenter fails to provide a rationale as to why the statement precludes the development, identification, or analysis of Alternatives as presented in the DEIR, violates the purpose and intent of the alternatives analysis, and fails to satisfy CEQA. Furthermore, the EIR includes a discussion of a reasonable range of alternatives. The EIR evaluated a broad range of options, including new generation and a variety of potential technologies. Further, the City considered an extensive array of routing options for the Project's overhead lines, as set forth in the DEIR's Siting Study (DEIR Appendix D).

Response to Comment DDDD-89

Please see Master Response #2, regarding vague and conclusory comments, and Response to Comment ZZZ-4.

Riverside Transmission Reliability Project**From:** Bill Van Train <wvantrain@earthlink.net>**Sent:** Wednesday, November 30, 2011 2:02 PM**To:** Riverside Transmission Reliability Project**Subject:** Riverside City Transmission Lines Thru City of Jurupa Valley

Dear Mr. George Hanson, RTRP Project Manager

As you know, the city of Riverside, along with Southern California Edison, wishes to erect high power transmission towers and lines which will run through the city of Jurupa Valley. This means that the city of Jurupa Valley will have to bear the burdens of large structures placed on city property, reduced land values resulting from these towers and transmission lines, increased radiation from the power lines and blockage of the view of the landscape by the towers and lines. The only party receiving power from these towers and lines will be the city of Riverside. The city of Jurupa Valley will bear all the burden of the towers and transmission lines and gain none of the benefits. There is no logic or sense to this action, especially since there is an optional route through the city of Riverside.

EEEE-1

EEEE-2

EEEE-3

No valid reason has been given for placing the towers and line through the city of Jurupa Valley, so the only reason that can be deduced is that the city of Riverside does not wish to have to deal with the burdens described above. Instead the city of Riverside has decided that it is much better for the city of Jurupa Valley to bear the burdens while the city of Riverside gains the power. This makes no sense and should not be allowed. If the city of Riverside needs more power then the city of Riverside should bear the burdens that come with generating that power.

EEEE-4

I respectfully request that you, as project manager, use the logical and reasonable approach and direct that the power transmission lines and towers are constructed through the city of Riverside, and NOT the city of Jurupa Valley.

Thank you for your time and consideration.

William A. Van Train III
5431 Avenida Juan Bautista
Jurupa Valley, California

Comment Letter EEEE: William A. Van Train III**Response to Comment EEEE-1**

Thank you for your comment; it has become part of the project record. Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment EEEE-2

Please see Master Response #7, regarding social and economic impacts, and Master Response #6, regarding EMF. Please also see Response to Comment O-18 regarding potential blockage of views.

Response to Comment EEEE-3

Please see Master Response #14 regarding lack of local benefits of the Proposed Project.

Response to Comment EEEE-4

Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project**From:** Bill Van Train <wvantrain@earthlink.net>**Sent:** Wednesday, November 30, 2011 2:30 PM**To:** Riverside Transmission Reliability Project**Subject:** Power Transmission Lines through City of Jurupa Valley

Mr. George Hanson, RTRP Project Manager

The city of Riverside is currently planning on erecting towers and transmission lines through the city of Jurupa Valley. All of the power from these lines will go to the city of Riverside. However, all of the burdens connected with this action will be borne by the city of Jurupa Valley. Some of the burdens associated with these towers and transmission lines include: the taking of property within the city of Jurupa Valley for the construction of the towers and transmission lines, the lowering of property values in the areas where the towers are placed, the increased radiation which will come from the power lines, and the negative impact on the view of the skyline as seen from the city of Jurupa Valley.

FFFF-1

FFFF-2

FFFF-3

FFFF-4

It is not logical or reasonable for the city of Jurupa Valley to endure the burdens of this action while the city of Riverside bears no burdens and yet receives all the benefits. No valid reason has been given for the placement of this construction project in the city of Jurupa Valley. So the only logical reason that can be deduced is that the city of Riverside wants the benefits without any of the burdens.

FFFF-5

I am asking you, as the project manager, to do the reasonable thing, the right thing, and to direct that the towers and transmission lines be run using the listed alternate route through the city of Riverside, the entity that will actually receive the power.

Thank you for your consideration,

William A. Van Train III
5431 Avenida Juan Bautista
Jurupa Valley, CA 92509

Comment Letter FFFF: William A. Van Train III**Response to Comment FFFF-1**

Please see Master Response #14, regarding lack of local benefit. With the exception of isolated sections of existing roads, the entire ROW and access roads would require property/easement acquisition.

The land disturbance calculations can be found in the Land Disturbance Table 2.5-3 in Chapter 2 of the DEIR. Although a preliminary Project layout has been developed, exact locations for access roads and spur roads would not be determined until final engineering, ROW survey, and environmental review.

Response to Comment FFFF-2

Please see Master Response #7 regarding social and economic impacts.

Response to Comment FFFF-3

Please see Master Response #6 regarding EMF.

Response to Comment FFFF-4

Please see Response to Comment O-18. Impacts on the views as seen from the City of Jurupa Valley are discussed in Section 3.2.1, Aesthetics (see pages 3-54 and 3-55 of the DEIR).

Response to Comment FFFF-5

Please see Master Response #1, found in Section 2.2.1 herein.

Riverside Transmission Reliability Project

From: jean.hess@att.net

Sent: Wednesday, November 30, 2011 4:37 PM

To: Riverside Transmission Reliability Project

Cc: jean.hess@att.net

Subject: RTRP project comments

To Whom It May Concern,

I do not want this project to place transmission lines behind my home. There are multiple reasons for my choice:

GGGG-1

There are multiple fires every year in this area and this would be in a vulnerable spot for fires. Second, it has the potential to cause fires as people often come down to the river and where they can play - they will try to climb. Just one more concern for fires.

The transmission lines interfere with my radio and wireless connections - either static or no connections - I only have wireless for my internet and phone and these lines would cause issues.

GGGG-2

There have been studies that show health issues and although this may not be 50 feet away - it is not worth it.

GGGG-3

The lines will devalue my home as they will be behind it and easily seen - you cannot hide lines this size.

GGGG-4

Safety hazard - I will not be able to walk in areas that I can now so you are reducing my recreational abilities.

GGGG-5

Bottom line - I just do not want them in my backyard.

Thank you for extending the comment period and please advise of when the hearings will occur.

Sincerely,
Jean Hess

Comment Letter GGGG: Jean Hess**Response to Comment GGGG-1**

Thank you for your comment; it has become part of the project record. Fires are discussed in Section 3.2.7, Hazards and Hazardous Materials, page 3-202 of the DEIR. As set forth in the DEIR, the Project would not result in significant impacts with regard to fire safety. It is not possible to climb tubular steel poles used for transmission projects. Lattice steel tower transmission structures are designed to prevent people from climbing them.

Response to Comment GGGG-2

Please see Master Response #6 regarding EMF. Radio interference is discussed in Section 3.2.11, Noise. Impacts would be less than significant. Wireless devices typically operate in the GigaHertz (referring to billions of cycles per second or Hertz) frequency range, which would not be impacted by 60 Hertz power lines. Additional information about transmission line interference with communication waves has been added to Section 3.2.11, Regulatory Setting: Radio Noise, as shown in Volume II of this FEIR.

Response to Comment GGGG-3

Please see Master Response #6 regarding EMF, in Section 2.2.1 herein. Additional discussion regarding potential health impacts can be found in Sections 3.2.3, Air Quality, and 3.2.7, Hazards and Hazardous Materials, of the DEIR in Volume II. No potentially significant direct health impacts have been identified for the Proposed Project; however, since the air basin within which the Proposed Project may be constructed in is “non-attainment” for a number of monitored pollutants, construction was determined to have cumulatively significant air quality impacts because any heavy equipment operation would add to already poor air quality.

Response to Comment GGGG-4

Please see Master Response #7 regarding social and economic impacts.

Response to Comment GGGG-5

Although it is not expected that recreational resources with a direct crossing of the proposed 230 kV transmission line would be physically altered by the Proposed Project, such resources and areas would be restricted from use during Project construction in order to protect the safety of public recreationists and to accommodate transport and use of the necessary equipment and activities required to install the new transmission line. During Project construction, ground work would be required at each tower pad location as well as along select roadways between the locations, as materials to build the towers would be transported by truck to the tower sites. As a result, resources and areas with a direct crossing of the transmission line would be temporarily closed during construction activities, but the impact would be less than significant.

Due to temporary construction closures, activities within resources with direct crossings would be temporarily disrupted. Recreational areas located in the near vicinity of the proposed route may also experience temporary use disruptions due to factors such as construction noise and the potential need to stage construction vehicles, equipment, or infrastructure. In addition, access to recreational areas may be restricted if roads or trails to such areas are used by construction equipment and vehicles during the construction period. Such impacts would be temporary and of

short duration, lasting only as long as required to complete construction activities in a given location; therefore, impacts would be less than significant.

During Project operation and maintenance activities, it is expected that ground work would be limited to transmission tower locations and other ground-based Project infrastructure located along the proposed route. Recreational resources that are adjacent to areas where ground work is necessary would be temporarily restricted from use during such activities, thus restricting access to or resulting in the disruption in normal recreational activities within such areas. Impacts to recreation would also occur if operation and maintenance activities require that certain roads and/or trails be closed for access to Project infrastructure and such closures remove access to existing recreational resources or opportunities. Such closures would be temporary and of short duration, lasting only as long as required to complete necessary maintenance of Project infrastructure; therefore, impacts would be less than significant.

Riverside Transmission Reliability Project

From: Betty Anderson <bettysjam@earthlink.net>
Sent: Wednesday, November 30, 2011 12:13 AM
To: Riverside Transmission Reliability Project
Subject: Draft EIR to the Riverside Transmission Reliability Project
Attachments: Response to DEIR transmission lines.docx

Mr. Hanson,

Please find attached my comments to the Draft EIR for the Riverside Transmission Reliability Project. If you have any questions please either e-mail me or call (951) 360-8723.

Thank you.

Betty A. Anderson
Jurupa Valley

November 29, 2011

11378 Pena Way
Jurupa Valley, CA 91752-1620

Mr. George Hanson
Project Manager
Riverside Transmission Reliability Project
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501

Mr. Hanson,

These are my comments to the Draft Environmental Impact Report (DEIR) for the Riverside Transmission Reliability Project (RTRP) report.

HHHH-1

First, I take issue with your Executive Summary. In ES.2 Project Background and Purpose of the EIR on page 2 it states that the DEIR will inform the public of the significant environmental effects of the project, and identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The RPU/SCE staff assigned to the community outreach meetings failed to address the concerns of the residents of Jurupa Valley.

At the RTRP meeting at the Indian Hills Country Club the RPU/SCE staff displayed a hair dryer, a microwave oven and a cell phone, and told the public that the EMF's from the transmission lines would have the same effect as the EMF's from these items on humans. In addition they handed out a small booklet EMF which was dated June of 2002. This booklet talked about several sources of EMF's, but never about the EMF's from 230kV transmission lines. Since 2002 there have been several studies which show the harmful effects of EMF's from 230kV transmission lines on humans especially children, but our comments to RPU/SCE staff fell on deaf ears. At that meeting large artistic renderings were displayed showing a country road with the single tubular steel pole transmission lines adjacent to the road. The RPU/SCE staff stated that the lattice steel towers would not be used for this project, but that is contrary to what is stated on page 6 of the Aesthetics and Visual Resources Technical Report Table 1. of the DEIR.

HHHH-2

HHHH-3

One of the proposed routes shown at the April 25' 2007 meeting used the Union Pacific (UP) right of way adjacent to Van Buren Blvd. This route was eliminated only after I told Mr. Lanny Schmid Director of Environmental Operation Center, Union Pacific (Omaha, Nebraska) on April 26, 2007, of the RTRP's plan to use the UP right of way for the transmission lines. Contact was apparently made by UP to the RPU that this plan was not going to happen. The RPU/SCE staff apparently never initiated contact with the UP as the DEIR seems to indicate. The RPU/SCE

HHHH-4

should have included the UP in their planning prior to attempting to use the UP right of way since the UP operates under Federal not State guidelines.

HHHH-4

At this and subsequent community meetings I repeatedly mentioned that the California Public Utilities CPU guidelines state that to eliminate the harmful effects of EMF's, that the transmission lines should be raised higher from the ground. However, to reduce the effects of the high Santa Ana winds that Jurupa Valley experiences regularly, that the lines should be lowered. I asked the RPU/SCE staff if the lines would be raised to reduce the effects of the EMF's or lowered to reduce the effects of the strong winds. The staff never answered that question.

HHHH-5

In Table ES-2 Significant Unavoidable Environmental Impacts the RPU/SCE also states the streets that would have scenic vistas impacted. Only Van Buren and 68th St. are in Jurupa

Valley, yet Jurupa Valley will get the majority of the 230kV transmission lines. Most of the streets that are near the 230 lines in Jurupa Valley are not mentioned. In addition, none of the Jurupa Valley streets near the Van Buren alternate route or the Bain Street route are mentioned. Also, the fact that the 230kV lines will travel through an existing shopping center parking lot (Vernola Market Place) that is adjacent to the I-15 freeway (a gateway to Jurupa Valley). The alternate route along Van Buren will also cross through an existing shopping center parking lot and then over a proposed Senior Assisted Living facility. None of these residents matter to RPU/SCE, only the residents of the City of Riverside seems to matter.

HHHH-6

In ES.8 Alternatives to the Propose Project, the DEIR mentions the Van Buren Offset Alternative as an alternate route, and then states "several other alternatives were considered but eliminated from consideration as infeasible". Attendees at several of the community meetings asked why undergrounding the 230kV lines was not considered. We were told by both RPU and SCE representatives that undergrounding the 230kV lines was not possible. We have since learned that undergrounding 230kV lines is possible and has taken place in other parts of California, other states, and in other countries. The RPU has decided that saving money by placing the 230kV lines above ground was more important to those who would benefit but would not have the 230kV lines in their community, than doing what was right for those who would endure this blight (Jurupa Valley residents).

HHHH-7

It seems odd that nowhere in the DEIR does it mention alternative energy sources or any mandates by the city of Riverside for alternative energy for new development. The Riverside Community College recently underwent a major renovation which included a new parking structure and no solar panels. The University of California, Riverside also has a new building with no solar panels or alternative energy sources. The Renaissance Plan for the city of Riverside shows numerous buildings that have either been built or renovated, but solar is not advertised as being integrated into these buildings.

HHHH-8

The city of Riverside has Orangecrest as one of its newer neighborhoods, and a sphere of influence that includes Woodcrest, but has not mandated developers to use alternative energy sources for their developments of homes, schools, shops, warehouses, or other businesses. Yet Riverside calls itself "The City of Arts and Innovation". The city of Riverside is using outdated obsolete technology with the RTRP, but as long as its citizens don't see most of this project in their city it is acceptable to them.

HHHH-8

HHHH-8a

Citizens of Jurupa Valley have continuously argued for the "Eastern Route" for the 230kV lines if they have to be above ground. This route would bring the 230kV lines down Agua Mansa Rd. to the Market Street Bridge and they would cross the Santa Ana River from there and proceed into Riverside. The DEIR never explains why the eastern route was eliminated. Several individuals including officials from the City of Jurupa Valley and developers have tried unsuccessfully to get an answer from RPU/SCE on why the eastern route was eliminated, but there was never a justifiable answer to this question.

HHHH-9

Under Chapter 1: Purpose and Need, item 1.1.2 the DEIR mentions all the public meetings that the RTRP has had. Several developers and property owners along the I-15 corridor were never contacted except by other community members. This is unacceptable and would not be tolerated within the city of Riverside, so it should not be tolerated within the city of Jurupa Valley. All affected property owners need to be contacted and updated on the project and not just city officials within the city of Riverside.

HHHH-10

In Chapter 2: Under 2.1 Project Setting the DEIR erroneously list Jurupa Valley as unincorporated Riverside County. The DEIR makes no secret of the fact that the route is "almost entirely developed", yet the RPU/SCE have no qualms about proceeding over or adjacent to homes, shopping centers, schools, and other businesses of a city that would reap no benefit from the RTRP.

HHHH-11

In Chapter 3, the Environmental Analysis Regulatory Setting is obsolete since it states that "the Proposed Project would be located on lands within the County of Riverside and the cities of Riverside and Norco." This is no longer the case since the incorporation of Jurupa Valley. The City of Jurupa Valley has adopted Riverside County Land Use Elements (LU), Open Space Elements (OS), and Circulation Elements (C) of the Riverside County General Plan.

HHHH-12

The DEIR ignores LU 25.5 which states: "Require that public facilities be designed to consider their surroundings and visually enhance, not degrade the character of the surrounding area." In the case of the DEIR, the 230kV transmission lines will degrade the character of both the I-15/Limonite Interchange which includes commercial/residential/schools and the Van Buren offset which also includes commercial/residential neighborhoods.

HHHH-13

The DEIR ignores OS 20.2 which states: "Prevent unnecessary extension of public facilities, services, and utilities, for urban uses, into Open Space-Conservation designated areas." The trails along the Santa Ana River would apply in this case as well as the Hidden Valley Wildlife Preserve, but the DEIR downplays the value of this area.

HHHH-14

The DEIR ignores C 25.2 which states: "Locate new and relocated utilities underground when possible. All remaining utilities shall be located or screened in a manner that minimizes their visibility by the public." The housing developments and the commercial developments along the 1-15 corridor comply with this requirement, but RPU/SCE insist that undergrounding the 230kV is impossible even though as previously stated this has been done in other parts of the state, other states, and other countries. It is just that RPU/SCE does not want to spend the extra money needed to meet this requirement.

HHHH-15

The DEIR ignores the Jurupa Area Plan JURAP 7.13 which states: "If approved, lines shall be placed underground where feasible and shall be located in a manner to harmonize with the natural environment and amenity of the river." The 230kV lines will not only travel over the

HHHH-16

Santa Ana River but will travel over trails and an adjacent golf course which provides scenic vistas downplayed by the DEIR.

Figure 3.2.1-16 Photo Simulation Viewpoint 4 is especially telling since the proposed project photo shows 550kV towers. This must be the same bait and switch tactic that SCE used in Chino Hills where they used a 69kV right of way to try placing 550kV transmission lines. RPU/SCE must think that those of us most adversely affected by this project don't know the difference between the 230kV towers and the 550kV towers.

HHHH-17

Figure 3.2.1-17 Photo Simulation Viewpoint 5 Clearly shows the 230kV lattice type towers yet RPU/SCE stated at the public meetings that they would not use these types of towers.

HHHH-18

Figure 3.2.1-22. Photo Simulation Viewpoint 14 Demonstrates the careless, cavalier attitude of the RPU/SCE. The first photo shows what most people would consider a fantastic view. The simulated photo shows a mixture of a 230kV tower in the middle of the Goose Creek Golf Course, and 550kV towers in the background. In addition, the DEIR states that the view is only affected by those within 1.5 miles of the towers and lines. Yet the 550kV towers near Crestlawn Cemetery are clearly visible and more than 1.5 miles away. In addition, the tower just out of view on the right side of the photo would be across the street from Vander Molen Elementary School.

HHHH-19

Figure 3.2.1-23. Photo Simulation Viewpoint 15. This unfortunate Norco city resident will have his/her property value substantially diminished by this 550kV tower behind the home.

HHHH-20

Figure 3.2.1-26. Photo Simulation Viewpoint 18

↓ HHHH-21

Odd how the DEIR states that there must be a Right of Way under the 230kV towers and lines, yet in this photo there isn't any right of way, there are trees, scrubs, cars in the shopping center parking lot, and parking lot light fixtures. In addition, according to the design that was shown at the public meetings, RPU/SCE showed the tower right in between the Del Taco and the Jamba Juice in this shopping center. This picture also shows a lattice type tower in the background which was allegedly not going to be used by RPU/SCE.

HHHH-21

HHHH-22

In Chapter 3 under 230kV Transmission Line, the DEIR states that "The route would have moderate visual impacts as it passes through the existing Vernola Marketplace commercial center". The reality is it would have major visual impacts especially for the citizens of Jurupa Valley and Eastvale and the employees who work there.

HHHH-23

At the Jurupa Valley Community Workshop of September 13, 2011, on the 230kV line issue, Mr. David Wright of RPU indicated that Jurupa Valley would benefit from the 230kV lines because they would help power pumps and infrastructure of the Metropolitan Water District (MWD) to Jurupa Valley. Currently, Jurupa Valley relies on the Chino Groundwater Basin, and the

HHHH-24

Riverside South Basin for all the city's water not MWD. Mr. Wright seemed to be grasping at straws when he attempted to show how the 230kV lines would benefit Jurupa Valley.

Several governmental agencies that represent the citizens of Jurupa Valley have made resolutions in opposition to the RTRP. These agencies include: Jurupa Unified School District, Jurupa Area Recreation and Parks District, Jurupa Community Services District, the Riverside County Board of Supervisors, and the City of Jurupa Valley.

It is unfortunate that the City of Riverside has issues with the reliability of its electrical system, but the City should not use its neighbors as a place for its electrical blight. If the City of Riverside truly needs new electrical infrastructure and has no alternative than to cross the borders of Jurupa Valley, then the only acceptable means of installing the 230kV transmission lines through the City are to place the lines underground or as previously mentioned from the Mira Loma –Vista 230 kV Transmission Line to Agua Mansa Road, crossing at the Market Street Bridge into the City of Riverside. These are the only two alternatives acceptable to the people of Jurupa Valley.

HHHH-25

Sincerely,

BETTY A. ANDERSON
Jurupa Valley

Comment Letter HHHH: Betty A. Anderson**Response to Comment HHHH-1**

Per requirements of CEQA (Public Resources Code 21000–21177) and the 2011 CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387), the RTRP DEIR complies with CEQA requirements, including, but not limited to, consideration of reasonable and feasible alternatives (Chapter 6) and disclosure and analysis of environmental impacts (Chapter 3). As described in Chapter 7 of the DEIR, during DEIR development, a series of nine informational Public Open Houses were held in both the City of Riverside and unincorporated sections of Riverside County. Sites where Riverside County meetings were held subsequently incorporated into the City of Jurupa Valley. See Section 7.2.2 and Table 7.2-3 of the DEIR. At these meetings, representatives from both RPU and SCE were available to receive comments and discuss technical and environmental aspects of the Proposed Project. Section 7.4 summarizes issues and concerns raised during public involvement activities. Additionally, see Master Response #8.

Response to Comment HHHH-2

Several commenters provided the Lead Agency with comments regarding EMF issues associated with the Proposed Project. Please see Master Response #6, regarding EMF.

Response to Comment HHHH-3

The DEIR presents the proposed 230 kV portion of the Proposed Project as a combination of tubular steel poles (TSPs) and lattice steel towers (LSTs). Section 2.4 of the DEIR describes the electrical and physical aspects of the Proposed Project. These structures were shown on the presentation boards and discussed by RPU during all of the public meetings, including the April 25, 2007 meeting at the Indian Hills Country Club. Contrary to the commenter's assertion, the illustrations on the presentation boards included a "Project Status" flowchart and a figure of four structure configurations: a "230 kV Lattice Steel Tower," two "230 kV Tubular Steel Pole" configurations, and a "69 kV Transmission Line (Steel or Wood Poles)" configuration.

Response to Comment HHHH-4

The Lead Agency first initiated contact with Union Pacific Railroad (UPRR) in 2006. Coordination with UPRR was conducted during route development to identify environmental issues. This process culminated with UPRR's 2008 "irreversible conclusion" refusing to approve an application to construct either the 69 kV or the 230 kV lines in railroad right-of-way (Greg L. Pinker, UPRR, letter dated May 15, 2008). This information is in the project record. The commenter did not initiate this process.

Response to Comment HHHH-5

As stated in the DEIR, "Specific structure height, material, mass, and spacing would be determined upon final engineering and would be constructed in compliance with CPUC General Order (GO) 95." See Master Response #6, regarding EMF. The Proposed Project would be constructed using California EMF Design Guidelines for Electrical Facilities.

Response to Comment HHHH-6

Approximately 50% (approximately 5.4 miles) of the proposed 230 kV portion of the Proposed Project would be located within the boundaries of Jurupa Valley. For the proposed 230 kV line, a three-mile-wide corridor was used for the analysis of impacts to aesthetic resources. Page 3-5 of the DEIR (in Section 3.2.1) describes the detailed study area used for visual analysis. Alternate routes and their impacts are discussed in Chapter 6.

The 230 kV transmission line's route has been modified to avoid the Vernola Marketplace parking lot by following I-15 roughly south and to the east of the California Department of Transportation's ROW. Additionally, the route along the Goose Creek Golf Club and Santa Ana River crossing has been slightly modified to utilize one double-circuit structure on each side of the river, instead of the previously presented two single-circuit structures. Finally, the route's path through the City of Riverside Water Quality Control Plant has been shifted to the north side of the plant property to reduce potential conflicts with current operations and possible future development at the plant. These routing changes are described in Section 2.3.1 in Chapter 2 of the DEIR (Volume II of this FEIR).

Response to Comment HHHH-7

Please see Master Comment Response #10a regarding undergrounding.

Response to Comment HHHH-8

The DEIR does discuss alternative energy sources. Section 6.4.2 discusses both new generation (additional within-City power plants) and distributed generation (including alternative energy), as well as energy conservation options. The City of Riverside Department of Public Utilities currently supports a program to provide incentives for within-City alternative energy development. To date, this program has resulted in 4 MW of photovoltaic generation with the City (compared with the anticipated 560 MW of additional capacity that would be provided by the Proposed Project). The City is on track to meet or exceed California's mandated renewable portfolio standards. Despite this progress, energy demand within the City is substantial, and alternative energy sources alone do not have the ability to meet the Proposed Project's Purpose and Need. Per Section 15126.6 (f)(3) of the CEQA Guidelines, "[a]n EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative."

Response to Comment HHHH-8a

The comment that transmission and subtransmission are obsolete technologies is not accurate. Currently, the CPUC is reviewing or monitoring 40 new transmission line or transmission line-supporting projects. High voltage transmission is integral to meeting State and federal renewable energy goals. Contrary to the comment, most of the Proposed Project elements would be constructed within the City of Riverside.

Response to Comment HHHH-9

Section 6.4.4 of the DEIR clearly explains the challenges encountered in trying to identify an eastern route as well as the reasons for its elimination. Please see Master Response #10b.

Response to Comment HHHH-10

Chapter 7 of the DEIR reviews the process of public and agency notification in addition to outreach efforts that were conducted for the Proposed Project. Public notice was provided not just to city officials, but also to Riverside County officials and the general public in the manner required by CEQA.

Response to Comment HHHH-11

Please see Master Response #8, regarding the City of Jurupa Valley, and Master Response #14, regarding local benefits.

Response to Comment HHHH-12

Please see Master Response #8, regarding the City of Jurupa Valley, Master Response #12, regarding land use plan consistency, and Master Response #13, regarding data collection.

Response to Comment HHHH-13

Please see Master Response #12, regarding land use plan consistency.

Response to Comment HHHH-14

The DEIR does not ignore Multipurpose Open Space element Policy OS 20.2. A consistency determination with Multipurpose Open Space Element Policy OS 20.2 can be found under Land Use Compatibility Policy LU 6.2 (pages 3-240 and 3-241 of the DEIR). Also, see Master Response #12, regarding land use plan consistency.

Response to Comment HHHH-15

Please see Master Responses #10a, regarding undergrounding, and #12, regarding land use plan consistency.

Response to Comment HHHH-16

The commenter is incorrect. Pages 3-18, 3-242, and 3-243 of the DEIR address JURAP 7.13. As stated in the DEIR, significant impacts on views of the river corridor, golf course, and trails are expected for the Proposed Project, and are discussed on page 3-54.

Response to Comment HHHH-17

The commenter is incorrect. No part of the Proposed Project would be constructed using 550 kV facilities. Visual simulations were prepared using possible structure types based on preliminary engineering. The proposed tie-in point for the Proposed Project is the Mira Loma to Vista #1 230 kV transmission line. A 550 kV build-out would not be possible.

Response to Comment HHHH-18

A graph presenting typical structures, including lattice steel towers, was displayed at public open houses. Chapter 2 of the DEIR describes the Proposed Project, including all project elements.

Response to Comment HHHH-19

See Response to Comment HHHH-17 regarding structure voltage. The RTRP does not propose any 550 kV facilities. No 550 kV structures are shown in any visual simulations in the DEIR.

It is unknown what the commenter is referring to regarding the statement that views are only affected within 1.5 miles of the towers and lines. A study area located 1.5 miles from the alternative centerlines was inventoried for visual resources because this is the distance at which moderate to high, or potentially significant, aesthetic impacts would occur in the setting occupied by the Proposed Project. The Proposed Project, as the commenter correctly states, could be seen at a greater distance, potentially several miles, but significant aesthetic impacts would not occur at a distance greater than 1.5 miles. The DEIR acknowledged that the Proposed Project, as noted by the commenter, would be across the street from VanderMolen Elementary School, and significant aesthetic impacts would occur from this area (as stated on page 3-55 of the DEIR).

Response to Comment HHHH-20

Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment HHHH-21

See Master Response #7 regarding social and economic impacts, and Master Response #2 regarding vague and unclear comments.

Response to Comment HHHH-22

See Response to Comment HHHH-18. The DEIR clearly includes lattice steel towers as part of the Proposed Project.

Response to Comment HHHH-23

See Response to Comment BBBB-8.

Response to Comment HHHH-24

Please see Master Response #1 and Master Response #14, found in Section 2.2.1 herein.

Response to Comment HHHH-25

See Master Response #10a regarding undergrounding and Master Response #10b regarding the Eastern Route. With agencies that commented on the DEIR (including any that adopted resolutions), the Lead Agency has responded herein to all comments received on the DEIR in accordance with CEQA.

Riverside Transmission Reliability Project

From: Kevin and Carolyn Hoggard <khoggard@dslextreme.com>

Sent: Wednesday, November 30, 2011 7:12 PM

To: Riverside Transmission Reliability Project

Subject: proposed power lines through Jurupa Valley

Dear RTRP:

Please add our names to those who are very strongly opposed to the routing of new high power transmission lines through Jurupa Valley. It is deplorable that our community, which which would receive none of the benefit, would be forced to incur all of the problems these lines and towers will create. Please do the right thing and route them through Agua Mansa and Riverside.

III-1

Sincerely,

Kevin and Carolyn Hoggard
5451 Sunset Ridge Dr.
Jurupa Valley, CA 92509

Comment Letter IIII: Kevin and Carolyn Hoggard**Response to Comment IIII-1**

Thank you for your comment; it has become part of the project record. Please see additional information on routes extending from the proposed substation eastward in Master Response #10b. Please also see Master Response #14 regarding local benefits.

October 6, 2011

George Hansen
Project Manager
Riverside Public Utilities
3901 Orange Street
Riverside, California 92501



Subject: Riverside Transmission Reliability Project (RTRP) - Proposed 230 KV Transmission Line (I-15 Route)

We are notifying your agency of our concerns and opposition to the subject proposed transmission line route through the property we own located on the parcel we lease to the Goose Creek Golf Club in the City of Jurupa Valley. This project involving the installation of 175-foot stationery steel transmission towers with associated spanning transmission lines traversing our property and permanent access roads for on-going maintenance requirements through this property would be a travesty. A highly successful, thriving golf course business which has through the years expanded into a first class PGA-rated venue would be threatened.

JJJJ-1

Project construction activities would be in conflict with a present on-going business as well as future recreational activities and development. Golfers' play would be affected when participating in an area within close overhead proximity of power lines with concernment for health concerns associated with EMF levels. The electrical humming, popping, sparking of transformers and electromagnetic field effects emanating from these high-voltage power lines would be a continual disturbance and hindrance to our valued customers. Also, the visual effects of this project would have a profound impact degrading the existing character of the golf course scenic landscape which is beautifully designed along the corridor of the Santa Ana River and wildlife preserve. Also, the quality interface of residential recreation associated with the course, river trails and other open space uses should be a concernment and a good reason for the reconsideration of this route going through this property.

JJJJ-2

JJJJ-3

JJJJ-4

JJJJ-5

More mentionables - Resulting golf course repairs, redesign and business re-establishment costs would be exorbitant. Erosion and damage to water sources resulting from construction and on-going, required maintenance is to be a major concern. Erosion repair almost never returns to its solid natural state. Golf course employment, surrounding community participation, local student golf instructional programs, PGA tournaments, and promotional events would be disrupted.

JJJJ-6

JJJJ-7

Your careful attention and review of the foregoing issues and concerns we have will be appreciated. Your support in further exploring and achieving a more viable, alternate route, bypassing the golf course property will avoid many negative issues which could severely impact a sound, successful business commodity which effectively serves the city, county and state economically, socially and environmentally.

JJJJ-8

Thank you for granting us the opportunity to comment.

Bonnie Kimm

Irene Kimm Hammons

Distribution:

CPUC Administrative Law Judge
The Honorable John F. Tavaglione, Bob Dutton, Bill Emmerson, Paul Cook, Kevin Jeffries, Brian Nestonde
Jim Nelsen, Laura Roughton

Comment Letter JJJJ: Bonnie Kimm and Irene Kimm Hammons**Response to Comment JJJJ-1**

Thank you for your comment; it has become part of the project record. Please also see Master Response #1, found in Section 2.2.1 herein.

Response to Comment JJJJ-2

Please see Master Response #6, regarding EMF, Master Response #7, regarding social and economic impacts, and Responses to Comments U-1 through UUU-11.

Response to Comment JJJJ-3

Please see Master Response #6, regarding EMF, Master Response #7, regarding social and economic impacts, and Responses to Comments U-1 through UUU-11.

Response to Comment JJJJ-4

Potentially significant impacts to the Santa Ana River Corridor and Goose Creek Golf Club recreationists are discussed on page 3-54 of the DEIR. Please also see Responses to Comments U-1 through UUU-11.

Response to Comment JJJJ-5

Please see Master Response #1, found in Section 2.2.1 herein.

Response to Comment JJJJ-6

See Master Response #7 regarding social and economic impacts and Response to Comment UUU-6.

Response to Comment JJJJ-7

See Master Response #2 regarding vague and conclusory comments.

Response to Comment JJJJ-8

Please see Master Response #1, found in Section 2.2.1 herein and Master Response #10 regarding Alternatives.



California Public Utilities Commission

Attn: Consumer Affairs Branch

505 Van Ness Avenue

San Francisco, CA 94102

Dear Sir or Madame:

The City of Riverside Public Utilities Department and Southern California Edison Company are planning to construct new 230KV electric transmission lines through the City of Jurupa Valley. The proposed route impacts existing schools, recreation areas and shopping, as well as future projects in the City of Jurupa Valley.

I am a citizen of Jurupa Valley, and I am concerned about the safety of these high voltage power lines and their effect on the environment as well as the living conditions in our city. These lines, if constructed as proposed, will have a negative impact on public revenue and property value.

KKKK-1

These power lines will provide no benefit to the City of Jurupa Valley. The proposed route is not the only option. The Eastern route through Agua Mansa Road across the Santa Ana River at the Market Street Bridge would have the least impact on our city and residents, and that is the option that should be used for this project.

KKKK-2

Sincerely,


Diana Leja

6601 Raven Circle

Jurupa Valley, CA 92509

Cc: Riverside Public Utilities Department

Riverside City Council

Comment Letter KKKK: Diana Leja**Response to Comment KKKK-1**

The comment refers to “safety” of the lines and their effects on the environment. The Proposed Project would be constructed using California EMF Design Guidelines for Electrical Facilities, CPUC’s General Order 95, and standard practices for avian safety (per Mitigation Measure BIO-02). Also, please see Master Response #6 regarding EMF and Master Response #7 regarding economic and social impacts.

Response to Comment KKKK-2

A number of commenters suggested alternatives, including an Eastern Route. Please see Master Comment #10b. Please also see Master Response #14 regarding local benefits.

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 Fax (760)297-2629



January 30, 2012

Dept of Army Corps
Regulatory Division
Post Office Box 532711
Los Angeles, Ca 9

Re: Riverside Transmission Reliability Project (RTRP)

Dear Mr. Strand,

Thank you for inviting us to submit comments on the Riverside Transmission Reliability Project (RTRP). This letter is written on behalf of the Rincon Band of Luiseño Indians. Rincon is submitting these comments concerning your Project's potential impact on Luiseño cultural resources.

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. If there are findings of cultural significance during any phases of your project, we would like to be informed.

LLLL-1

This letter is to inform you, your identified location is within the Aboriginal Territory of the Luiseno people, but is not within the Rincon Historic boundaries. We refer you to Pechanga or Soboba who are closer to your project area, please contact the Native American Heritage commission and they will assist with a referral. Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely

Rose Duro
Rincon Culture Committee Chairman

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Charlie Kolb
Council Member

Steve Stallings
Council Member

Laurie Gonzales
Council Member

Comment Letter LLLL: Rincon Band of Luiseño Indians**Response to Comment LLLL-1**

Thank you for your comment. It has become part of the project record. Although, as stated in the letter, the Proposed Project is within the Aboriginal Territory of the Luiseno people and not within the Rincon Historic boundaries, the Rincon Band will be notified if any findings of cultural significance are made during construction or operation and maintenance of the Proposed Project. Additionally, contact information for Rincon has been updated as requested.

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 or (760) 297-2622 & Fax: (760) 749-8901



February 29, 2012

Mike Strand, Power Engineers, Inc.
731 E. Ball Rd., Suite 100
Anaheim, CA 92805

Re: Proposed Riverside Transmission Reliability Project

Dear Mr. Mike Strand,

Thank you for inviting us to submit comments on Proposed Riverside Transmission Reliability Project. This letter is written on behalf of the Rincon Band of Luiseño Indians. Rincon is submitting these comments concerning your Project's potential impact on Luiseño cultural resources.

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is within the Aboriginal Territory of the Luiseno people, but is not within the Rincon Historic boundaries.

We refer you Soboba Band of Luiseno Indians or Morongo Band of Mission Indians who are closer to your project area, please contact the Native American Heritage commission and they will assist with a referral. We also request you update your contact information for Rincon and request you include in any future letters and correspondence the Rincon Tribal Chairman and the Tribal Historic Preservation Office in the Cultural Resource Department, Post Office Box 68, Valley Center, Ca 92082 (760) 297 2621.

Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely,

Rose Duro
Rincon Culture Committee Chairman

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Charlie Kolb
Council Member

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

MMMM-1

Comment Letter MMMM: Rincon Band of Luiseño Indians**Response to Comment MMMM-1**

Thank you for your comment. It has become part of the project record. Although, as stated in the letter, the Proposed Project is within the Aboriginal Territory of the Luiseno people and not within the Rincon Historic boundaries, the Rincon Band will be notified if any findings of cultural significance are made during construction or operation and maintenance of the Proposed Project. Additionally, contact information for Rincon has been updated as requested.

Tonkovich, Jessica

From: albegolfin@charter.net
Sent: Tuesday, March 20, 2012 2:42 PM
To: Riverside Transmission Reliability Project
Subject: proposed rts.

P.U.D.

I STILL CANNOT BELEIVE THAT THE CITY OF RIVERSIDE WILL NOT CONSIDERTHE EASTERN MOST ROUTE . IT ONLY MAKES SENSE THAT THRU AGUA MANSOR ACROSS THE SANTA ANA RIVER DOWN THE EXISTING ACCESS ROAD TO THE SUBSTATIONS WOULD BE LESS INTRUSIVE BOTH FINANCIALLY TO THE CITY OF JURUPA VALLEY AND RIVERSIDE AS WELL AS NOT INTERFERING WITH THE COMMERCIAL PROPERTIES IT WILL DISSECT. WHAT ABOUT THE ELEMENTARY SCHOOL IN HOMESTEAD ESTATES SOUTH OF LIMONITE/WINEVILLE?

RIVERSIDE PRIDES ITSELF ON BEING GREEN ONLY WHEN IT DOES NOT AFFECT THEIR CITY, WHAT ABOUT THEIR NEIGHBORS? DON'T WE COUNT?

NNNN-1

NNNN-2

NNNN-3

Comment Letter NNNN: albegolfin@charter.net**Response to Comment NNNN-1**

Please see Master Response #10b regarding the Eastern Route.

Response to Comment NNNN-2

Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment suggestion by the Vernola Marketplace property owner that was received during the DEIR public review and comment period and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's parking area. See Response to Comment P-114.

Response to Comment NNNN-3

Please see Master Response #2 regarding vague or conclusory comments.

Tonkovich, Jessica

From: Ted Rozzi <trozzi@cnsd.k12.ca.us>
Sent: Wednesday, March 21, 2012 1:36 PM
To: Riverside Transmission Reliability Project
Cc: cabinet; Debora Marks; Sherry L. Kaib
Subject: Riverside Transmission Reliability Project
Attachments: Riverside RTRP.pdf; Proposed Project-RiversideRTRP.pdf

Mr. Hanson, today the Corona-Norco Unified School District Facilities Division received a copy of the Notice of Public Hearing for the above named project. According to the information on the two attached documents, the new 230 kV transmission line will run along the south edge of the 68th Street from Interstate 15 east to approximately Smith Avenue in Mira Loma before deflecting to the southeast. This proposed alignment would place the new 230kV line immediately across 68th Street from VanderMolen Elementary School. According to **Title 5, California Code of Regulations § 14010. Standards for School Site Selection.** "All districts shall select a school site that provides safety and that supports learning. The following standards shall apply: c. The property line of the site even if it is a joint use agreement as described in subsection (o) of this section shall be at least the following distance from the edge of respective power line easements: 2. 150 feet for 220-230 kV line.

0000-1

While there currently exist a 30-66kV transmission line on the south side of 68th Street, which runs approx. 90' from the District property line, the required 150' setback for proposed line 230 kV would stretch into the existing kindergarten play area which represents the site's youngest students. Please contact my office at your earliest convenience to discuss the project.

Ted E. Rozzi
Assistant Superintendent, Facilities
Corona-Norco Unified School District
2820 Clark Avenue, Norco CA 92860-1903
(951) 736-5045 Voice
(951) 736-5047 Fax
(951) 285-8299 Mobile

Comment Letter OOOO: Ted Rozzi, Corona-Norco Unified School District**Response to Comment OOOO-1**

In consultation with the State Department of Health Services and electric power companies, the California Department of Education established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

1. 100 feet from the edge of an easement for a 50 to 133 kV line
2. 150 feet from the edge of an easement for a 220 to 230 kV line
3. 350 feet from the edge of an easement for a 500 to 550 kV line

The Proposed Project (230 kV transmission line component) would not be located within 150 feet of an existing and/or proposed school. According to preliminary engineering estimates, the VanderMolen Elementary School property line would be located approximately 190 feet from the edge of the RTRP 230 kV transmission line ROW. Accordingly, the commenter is incorrect in stating that the play area would be located less than 150 feet from the proposed 230 kV transmission line ROW. During final design of the Proposed Project, SCE and RPU would coordinate with the Corona-Norco Unified School District on the alignment in the vicinity of VanderMolen Elementary School.

Tonkovich, Jessica

From: chaklashiy@aol.com
Sent: Thursday, March 22, 2012 3:44 PM
To: Riverside Transmission Reliability Project
Cc: bhanukumar@aol.com
Subject: RIVERSIDE Transmission Reliability Project - Rout change request

Dear Mr. Hanson:

I received the Notice of Public Meeting for the Riverside Transmission Reliability Project on Date: April 5, 2012, 9 AM.

I would like to request the 230KV line route change between the Limonite to 68th st. in Mira Loma. California.

Please move the 230KV power Line route from Pats Ranch road which is very close to the residential area to behind the Shopping center (which is commercial areas) along the 15 Freeway.

I am an Electronics Engineer and I understand the effect of High Power Lines near the residential area. This high power Line will cause very high broadband noise and will affect the performance of the Electronics devices used in the residential area.

High Power Line passing by the residential area can also cause health problems and reduce the values of the Houses.

Thanks for consideration!

Kumar Chaklashiya
11954 64th st
Mira Loma, Ca 91752

Phone: 951-781-4540 (bus)

PPPP-1

PPPP-2

PPPP-3

Comment Letter PPPP: Kumar Chaklashiya**Response to Comment PPPP-1**

Thank you for your comment. Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment suggestion by the Vernola Marketplace property owner that was received during the DEIR public review and comment period and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would move further west away from residential areas along Pat's Ranch Road. See Response to Comment P-114.

Response to Comment PPPP-2

Please see Master Response #6 regarding Electric and Magnetic Fields (EMF). Refer to Appendix C of the DEIR for discussion of EMF associated with RTRP. Also see Section 3.2.11, Noise, of the DEIR in Volume II for discussion regarding Radio Interference.

Response to Comment PPPP-3

The CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. This will be discussed in more in detail in the Field Management Plan that will be prepared for the Proposed Project. Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project.

Regarding property values, please see Master Response #7 regarding economic and social impacts.

Tonkovich, Jessica

From: Riverside Transmission Reliability Project
Subject: FW: RPU Transmissions Reliability Project

From: Badgett, Steve
Sent: Monday, March 26, 2012 5:14 PM
To: Hanson, George R.
Subject: FW: RPU Transmissions Reliability Project

Stephen H. Badgett, Deputy General Manager
Riverside Public Utilities
951.826.5504



From: Lou Monville [mailto:lmonville@oreillypr.com]
Sent: Friday, March 23, 2012 3:02 PM
To: Adam Rush
Cc: Badgett, Steve
Subject: RE: RPU Transmissions Reliability Project

Adam-

I hope you and your family are well. Thank you for passing this along.

I have cc'd Steve Badgett at RPU on this email. Steve will be able to direct this to the appropriate folks at RPU.

Please let me know if I can assist further.

Thanks,

Lou

From: Adam Rush [mailto:Arush@eastvaleca.gov]
Sent: Friday, March 23, 2012 1:07 PM
To: Lou Monville
Subject: RPU Transmissions Reliability Project

Good Afternoon Lou,

I trust you are well. Yesterday, our office received the email below. I have followed up with the resident today. I mentioned that additional research could be provided if desired.

What information can be provided at this point?

Thank you for your time.

Please see below:

"Council Members, Bob & John,

I received a call yesterday from a very upset resident concerning a notice of public hearing that he received from the City of Riverside. The notice is regarding the transmission lines that we be coming near our area but not in our City. This resident is irate because he lives in Eastvale and has been notified because his house will be within 1000 feet of the proposed lines and they will be VanderMolen Elementary as well which is where his children attend school.

QQQQ-1

He is very upset about the health and welfare of his children and family and the risk this poses. In addition, he said he expressly purchased this house because it was not near transmission lines.

He asked to speak to a council member. I told him that you do not keep hours at City Hall but that I would forward his information to you. He also dropped off a copy of the hearing notice and a copy has been placed in each of your boxes.

His name is: Andrew Shaffer 6627 Leanne Street Eastvale, CA 91752 (951) 738-0508

I did tell him that a presentation was given to council a few months back but it was not an action item for our council. The lines are not located within our City. I encouraged him and his neighbors to attend the public hearing and voice their concerns. He wanted to know where our council/City stood on the issue. I told him I was not able to answer that as it was not an action item for our City only an informational presentation.

When we ended our conversation he was amicable but still wished to speak to a member of the Council.

Please let me know if you have any questions.

Thank you,

Michele Nissen Public Information Officer City of Eastvale 12363 Limonite Ave., Suite 910 Eastvale, CA 91752 mnissen@EastvaleCA.gov www.EastvaleCA.gov 951.795.1426 cell 951.361.0900 office Community ~ Pride ~ Prosperity"

Sent from the mobile office of Council Member Adam Rush
12363 Limonite Avenue Ste 910
Eastvale, Ca 91752
(951) 833-0878
www.adamrush.org
Find me on Facebook @ Adam Rush Eastvale
Follow Me on Twitter @EastvaleMayor

Comment Letter QQQQ: Andrew Shaffer (via Eastvale Council Member Adam Rush)**Response to Comment QQQQ-1**

The CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. This will be discussed in more in detail in the Field Management Plan that will be prepared for the Proposed Project. Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project. With regards to proximity to high-voltage transmission lines, the DEIR acknowledges that persons in close proximity to transmission lines will be exposed to EMF; the CPUC is aware of the EMF generated by transmission lines, and the CPUC will need to determine if additional measures are needed to reduce EMF in order to conform to the CPUC's EMF-reduction policies.

In consultation with the State Department of Health Services and electric power companies, the California Department of Education established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

4. 100 feet from the edge of an easement for a 50 to 133 kV line
5. 150 feet from the edge of an easement for a 220 to 230 kV line
6. 350 feet from the edge of an easement for a 500 to 550 kV line

The Proposed Project (230 kV transmission line component) would not be located within 150 feet of an existing and/or proposed school. According to preliminary engineering estimates, the VanderMolen Elementary School property line would be located approximately 190 feet from the edge of the RTRP 230 kV transmission line ROW. During final design of the Proposed Project, SCE and RPU would coordinate with the Corona-Norco Unified School District on the alignment in the vicinity of VanderMolen Elementary School.

Tonkovich, Jessica

From: Riverside Transmission Reliability Project
Subject: FW: type of uses in RPRT/SCE easement

From: Wright, David
Sent: Tuesday, March 27, 2012 10:06 AM
To: RickBondar@aol.com
Cc: Hanson, George R.
Subject: RE: type of uses in RPRT/SCE easement

Rick,
Yes, parking would be an allowable use within the easement.
Dave

David H. Wright, General Manager
Riverside Public Utilities
951.826.5784
From: RickBondar@aol.com [mailto:RickBondar@aol.com]
Sent: Tuesday, March 27, 2012 10:05 AM
To: Wright, David
Cc: Hanson, George R.
Subject: type of uses in RPRT/SCE easement

Dave, We continue to oppose the RPRT along I-15, but should RPU prevail what type of easement is being proposed? Would parking be permitted within the easement.

Thanks

Rick Bondar

McCune & Associates, Inc.
courier: 14970 Chandler Street, Corona, CA 92880
mail: PO Box 1295, Corona, CA 92878
phone (951) 737-7251 fax (951) 737-2026

PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient(s) is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender (RickBondar@aol.com) by replying to this message and then delete it from your system. **Thank you!**

RRRR-1

Comment Letter RRRR: Rick Bondar, McCune & Associates, Inc.**Response to Comment RRRR-1**

Thank you for your comment. Parking would be an allowable use within the easement associated with the 230 kV component of the RTRP.

Tonkovich, Jessica

From: Glick, Harold A CIV NSWC Corona, MS30 <harold.a.glick@navy.mil>
Sent: Tuesday, March 27, 2012 1:28 PM
To: Riverside Transmission Reliability Project
Subject: Maintaining I-15 Route

Mr. Hanson,

I received a letter from your office about the public meeting on the RTRP. Since I am not able to attend, I want to emphasize my support for the I-15 routing of the 230 kV transmission line; and the associated routings as shown on the reverse of the of the announcement sheet. I do not see why the city of Jurupa Valley would want a change other than to enhance their revenue from your project; and this at the environmental disruption to the city in general. Please keep the routings as shown, down the I-15 and then up the Santa Ana River to your proposed substation.

SSSS-1

I would appreciate some clarification as to why I received this notice. It said that I was receiving the notice because my property was within 1000 feet of the project site. I live at 8013 Rockford Circle (just down from the Indian Hills Country Club). Where does this project, or what part of this project, come within 1000 feet of my property?? This is an important issue to me, and I will appreciate your clarification.

SSSS-2

Thank you for your time & support.

Yours,
Harold Glick
8013 Rockford Circle
Riverside, CA 92509
951-685-4266
Hal-debglick@charter.net

Comment Letter SSSS: Harold Glick**Response to Comment SSSS-1**

Thank you for your comment. Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment of the proposed 230 kV transmission line that was suggested by the Vernola Marketplace property owner and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's parking area. See Response to Comment P-114.

Response to Comment SSSS-2

Your name and address appear to have been included on the mailing list in error, as your property is 6,100 feet from the proposed 230 kV centerline.


RICHARDS | WATSON | GERSHON

ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

 355 South Grand Avenue, 40th Floor, Los Angeles, California 90071-3101
 Telephone 213.626.8484 Facsimile 800.552.0078

 RICHARD RICHARDS
 (1916–1988)

 GLENN R. WATSON
 (1917–2010)

 HARRY L. GERSHON
 (1922–2007)

 STEVEN L. DORSEY
 WILLIAM L. STRAUSS
 MITCHELL E. ABBOTT
 GREGORY W. STEPANICH
 ROCHELLE BROWNE
 QUINN M. BARROW
 CAROL W. LYNCH
 GREGORY M. KUNERT
 THOMAS M. JIMBO
 ROBERT C. CECCON
 STEVEN H. KAUFMANN
 KEVIN G. ENNIS
 ROBIN D. HARRIS
 MICHAEL ESTRADA
 LAURENCE S. WIENER
 STEVEN R. ORR
 B. TILDEN KIM
 SASKIA T. ASAMURA
 KAYSER O. SUME
 PETER M. THORSON
 JAMES L. MARKMAN
 CRAIG A. STEELE
 T. PETER PIERCE
 TERENCE R. BOGA
 LISA BOND
 JANET E. COLESON
 ROXANNE M. DIAZ
 JIM G. GRAYSON
 ROY A. CLARKE
 WILLIAM P. CURLEY III
 MICHAEL F. YOSHIBA
 REGINA N. DANNER
 PAULA GUTIERREZ BAEZA
 BRUCE W. GALLOWAY
 DIANA K. CHUANG
 PATRICK K. BOBKO
 NORMAN A. DUPONT
 DAVID M. SNOW
 LOLLY A. ENRIQUEZ
 KIRSTEN R. BOWMAN
 GINETTA L. GIOVINCO
 TRISHA ORTIZ
 CANDICE K. LEE
 BILLY D. DUNSMORE
 AMY GREYSON
 DEBORAH R. HAKMAN
 D. CRAIG FOX
 G. INDER KHALSA
 MARICELA E. MARROQUIN
 GENA M. STINNETT
 JENNIFER PETRUSIS
 STEVEN L. FLOWER
 CHRISTOPHER J. DIAZ
 ERIN L. POWERS
 TOUSSAINT S. BAILEY
 SERITA R. YOUNG
 SHIRI KLIMA
 DIANA H. VARAT
 JULIE A. HAMILL
 ANDREW J. BRADY
 MOLLY R. MCLUCAS
 AARON C. O'DELL
 BYRON MILLER

 OF COUNSEL
 MARK L. LAMKEN
 SAYRE WEAVER
 JIM R. KARPIAK
 TERESA HO-URANO

 SAN FRANCISCO OFFICE
 TELEPHONE 415.421.8484

 ORANGE COUNTY OFFICE
 TELEPHONE 714.990.0901

 TEMECULA OFFICE
 TELEPHONE 951.695.2373

March 29, 2012

 Planning Commission
 City of Riverside
 3900 Main Street, 3rd Floor
 Riverside, California 92522

 Re: Riverside Transmission Reliability Project Planning Commission Meeting on
 April 5, 2012

Honorable Chair and Members of the Planning Commission:

The City of Jurupa Valley strongly opposes the Riverside Transmission Reliability Project ("RTRP") as currently proposed by the City of Riverside and Southern California Edison Company along the I-15 Corridor or Van Buren Boulevard because of its adverse impacts on the City of Jurupa Valley and its residents, businesses and visitors. The RTRP along either the I-15 corridor or Van Buren Boulevard will destroy the most significant retail areas of the City of Jurupa Valley as well as create adverse health and safety impacts for the communities in this area of the City.

The Draft Environmental Impact Report, dated August 1, 2011 for the RTRP ("DEIR") fails to comply with the requirements of the California Environmental Quality Act ("CEQA"). Attached for your review is a letter dated November 29, 2011 that I sent to Mr. George Hanson, Project Manager for the RTRP describing the conclusions of the City's experts and attorneys that the DEIR fails to comply with CEQA. This letter includes a comprehensive analysis of the deficiencies in the DEIR prepared by Mr. Peter Lewandowski, the City's environmental consultant, which finds:

1. The DEIR fails to include the City of Jurupa Valley in its analysis of the impacts of the RTRP and fails to designate the City of Jurupa Valley as a responsible agency;
2. The DEIR does not explain why the City of Riverside, and not the California Public Utilities Commission, is the Lead Agency for CEQA review;

TTTT-1

TTTT-2

TTTT-3

TTTT-4

Planning Commission
City of Riverside
March 29, 2012
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3. The DEIR fails to consider the most important alternative to the RTRP, the eastern Santa Ana River route;
4. The environmental review process for the RTRP constitutes an impermissible after-the-fact rationalization of the decisions by the California Independent Systems Operators Board of Governors to approve the City of Riverside and Southern California Edison's request to build the RTRP through the City of Jurupa Valley;
5. The DEIR fails to analyze the RTRP's environmental justice impacts;
6. The DEIR is premised upon a description of the RTRP that is neither stable nor finite;
7. The DEIR's environmental analysis is fundamentally flawed with respect to the following critical areas:
 - a. Aesthetic impacts;
 - b. Agricultural and forestry resources;
 - c. Air quality and greenhouse gas emissions;
 - d. Biological resources;
 - e. Land use and planning;
 - f. Population and housing;
 - g. Recreation impacts analysis; as well as
 - h. Transportation and traffic analysis;
8. The DEIR is so fatally flawed that an extensive revision and recirculation is required by CEQA.

TTTT-5

TTTT-6

TTTT-7

TTTT-8

TTTT-9

TTTT-10

TTTT-11

TTTT-12

TTTT-13

TTTT-14

TTTT-15

TTTT-16

TTTT-17

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CITY ATTORNEY

Planning Commission
City of Riverside
March 29, 2012
Page 3

The City's Staff, legal team and environmental experts will be present at your April 5, 2012 meeting to present further information to you on the deficiencies in the DEIR and to answer your questions.

Very truly yours,



Peter M. Thorson

Attachment

cc: City Council, City of Jurupa Valley
Gregory Priamos, City Attorney of the City of Riverside
Michelle Ouellette, Best, Best & Krieger
Kim Koeppen, RTRP Project Manager, Southern California Edison
Tony Barranda, RTRP Project Environmental Coordinator, Southern California Edison
Milissa Marona, Southern California Edison
Ray Hicks, Southern California Edison
Jensen Uchida, California Public Utilities Commission
Stephen G. Harding, City Manager City of Jurupa Valley
George Wentz, Assistant City Manager City of Jurupa Valley
Roy Stephenson, Public Works Director City of Jurupa Valley
Thomas Merrell, Planning Manager City of Jurupa Valley
B. Tilden Kim, Richards, Watson & Gershon
Ginetta Giovinco, Richards, Watson & Gershon
Christopher Diaz, Richards, Watson & Gershon

Comment Letter TTTT: City of Jurupa Valley (to the Riverside City Planning Commission)

(Attachments to Letter TTTT consist of the verbatim contents of Letter P; therefore, they have not been included.)

Response to Comment TTTT-1

Thank you for your comment. Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment of the proposed 230 kV transmission line that was suggested by the Vernola Marketplace property owner and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's parking area and neighboring residential areas. Please also see Response to Comment P-114, and Master Response #8 regarding involvement of the City of Jurupa Valley.

Response to Comment TTTT-2

Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project. Please also see Master Response #6 regarding Electric and Magnetic Fields (EMF) and Appendix C of the DEIR for discussion of EMF associated with RTRP.

Response to Comment TTTT-3

Please see Master Response #8 regarding involvement of the City of Jurupa Valley.

Response to Comment TTTT-4

Please see Master Response #5 regarding the Lead Agency.

Response to Comment TTTT-5

Please see Master Response #10b regarding the Eastern Route.

Response to Comment TTTT-6

Please see Master Response #9 regarding *post hoc* rationalization.

Response to Comment TTTT-7

Please see Master Response #7 regarding Environmental Justice.

Response to Comments TTTT-8 through TTTT-16

The DEIR's environmental analysis is not flawed in these areas. Please see Master Response #9 regarding *post hoc* rationalization.

Response to Comment TTTT-17

Please see Master Response #4 regarding recirculation.

From: Prc2mail [mailto:prc2mail@aol.com]
Sent: Monday, April 02, 2012 3:50 PM
To: Riverside Transmission Reliability Project
Cc: LRoughton@JurupaValley.org; VLauritzen@JurupaValley.org; MGoodland@JurupaValley.org; BHancock@JurupaValley.org; FJohnston@JurupaValley.org
Subject: Riverside Transmission Reliability Project

Dear Mr. Hanson,

I received the notice of public meeting regarding the subject project. Unfortunately, I will not be able to attend due to work schedule constraints.

UUUU-1

I submitted a written response during the public review period. In fact, I have made phone calls and sent emails objecting to this plan since it was first proposed. So far, I have only received placating responses assuring me that everything will be fine and nothing will obstruct my view. I reviewed the map and this is not true.

I am very concerned and upset about the planned placement of the 230 kV Transmission Line. My objections stem from both health and property value considerations.

I own a home in Jurupa Valley. I never would have purchased a home in the location I did, if the proposed transmission lines were there.

I purchased a home within my means, and chose the location carefully. I do not own high value property or live in an affluent area, but I live in a relatively safe location and I currently have what I think is a beautiful view from the back of my house to the Jurupa Hills.

UUUU-2

In addition to concerns about the affect of these lines on my family's health, I cannot afford to have my property value reduced even further by the placement of transmission lines this close to my property. Our neighborhood has already experienced the impact of multiple home foreclosures. The proposed transmission lines would only reduce our property values further. And I strongly object to having my view obstructed with transmission lines!

UUUU-3

I believe that these transmission lines would not be considered in this location if the area were more affluent. We are not wealthy, but we care about our health and what we view from and around our homes.

UUUU-4

I ask that the City of Riverside consider the impact to our families, and afford our neighborhood the same consideration they would give a more affluent area. Please consider alternatives to the proposed plan.

Thank you,
Sarah Posey

Comment Letter UUUU: Sarah Posey**Response to Comment UUUU-1**

Thank you for your comment. Please see Responses to Comments UUUU-2, UUUU-3 and UUUU-4.

Response to Comment UUUU-2

Please see Master Response #7 regarding economic and social impacts.

Response to Comment UUUU-3

The potential visual impacts are analyzed in Section 3.2.1, Aesthetics, of the DEIR.

Response to Comment UUUU-4

Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project. Please also see Master Response #6 regarding Electric and Magnetic Fields (EMF) and Appendix C of the DEIR for discussion of EMF associated with RTRP. In addition, please see Master Response #7 regarding Environmental Justice.

April 2, 2012

Planning Commission Meeting
City Council Chambers, City Hall
3900 Main Street
Riverside, CA 92522



Work prevents me from attending the meeting in person, however I would still like the opportunity to state to the Commission my strong opposition to the proposed Riverside Transmission Reliability Project.

I have lived in the Mira Loma area of Jurupa Valley for over 20 years. I have experienced the rapid growth of this area, from a small, rural community with a dairy odor, to an area crammed with warehouses and diesel trucks and the worst air quality in the Country.

We not only have to deal with the pollution from Stringfellow Acid pits, seasonal strong, often damaging winds and constant noise and road damage from big rigs, but now we are going to be subjected to the unhealthful environmental impact of huge transmission lines running through our community.

VVVV-1

It seems that our local population suffers a high occurrence of cancers and asthma. The notice that was mailed out to property owners reveals that there are MANY significant environmental impacts, and not all of them can be fully mitigated to "less than significant" levels. Why would you allow the Jurupa Valley people be exposed to this type of danger? I think it is time Jurupa Valley not be exposed to any more unnecessary hazards.

VVVV-2

Please consider my opposition.

Thank you.

Lynn Brookens
10529 Bergerac Lane
Jurupa Valley, CA 91752

Comment Letter VVVV: Lynn Brookens**Response to Comment VVVV-1**

The CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. This will be discussed in more in detail in the Field Management Plan that will be prepared for the Proposed Project. Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project.

Response to Comment VVVV-2

While there are some significant impacts that cannot be fully mitigated to less than significant levels, the majority of environmental impacts were determined to be less than significant or less than significant with mitigation measures. In addition, Environmental Protection Elements would be incorporated into the Proposed Project to provide additional protection and safeguards to environmental resources. With regard to air quality impacts, the DEIR concluded that the Project would have no direct significant and unavoidable impacts. For discussion of potential health impacts related to air quality, please see DEIR Section 3.2.3.



From: Hanson, George R.
Sent: Tuesday, April 03, 2012 8:57 AM
To: Tonkovich, Jessica
Subject: RE: Telephone Msg.-RTRP

I spoke with her. She is a resident at 11244 Cadbury Drive. She is not pleased with the aesthetics of the project.

Please add her to the project mailing list if she is not already on it.

WWW-1

From: Tonkovich, Jessica
Sent: Monday, April 02, 2012 2:54 PM
To: Hanson, George R.
Subject: Telephone Msg.-RTRP

Voicemail left on the hotline.
JoAnn Burdett w/ The Bureau of Land Management
951-697-5369

Jessica Tonkovich

Senior Office Specialist
Riverside Public Utilities
Energy Delivery/Planning
Direct: 951.826.5165

Comment Letter WWW: JoAnn Burdett**Response to Comment WWW-1**

Thank you for your comment. It has become part of the project record. The potential visual impacts are analyzed in Section 3.2.1, Aesthetics, of the DEIR.

From: BARRY WALLNER [mailto:bwallner@sbcglobal.net]
Sent: Tuesday, April 03, 2012 9:15 PM
To: Riverside Transmission Reliability Project
Subject: Planning Commission meeting 4/5/2012 Edison EHV transmission line

To: Mr. George Hanson, Project Manager

Re: Proposed 230KV transmission line.

I strongly oppose the construction of the 230KV transmission line near our housing track in Mira Loma at Township place. I appose it for a number of reasons, first, the path it is scheduled to take is along the I-15 highway untill it gets to Limonite and the Vernola shopping center. It turns East and then parallels our housing track , then after it pases the shopping center, goes back along the I-15. Edison is placing these extreamly high voltages near many resedences putting us in harms way of electro magnetic radiation from the transmission line. My second objection is the large amount of interfrance these high voltages will cause. I am a amatuer radio astronomer and my intrrest is in solar flare detection. This type of radio recever for monitoring solar flares, is in the 40KHZ to 450KHZ. My sensitive receiver will become overloaded from the static and hiss of these high voltage lines near by. If you ever travel down Hamner in Eastvale, and try to listen to radio station KFRG 1350, you will not be able to hear it at night until you turn off Hamner and go East or West. These transmission lines that parallel Hamner are not nearly is high as the proposed 230KV system but cause radio interference even on the AM broadcast band. The transmission line then heads East toward Riverside on 68th street and will pass an elemantary school within 300 feet. This is not safe to have it near a school and children.

I have several suggestions, either find a more remote route away from a residential area for these transmission lines or bury them underground along I-15.

Thank You
Barry and Donna Wallner
11852 Silver Loop, Mira Loma, 91752

XXXX-1

XXXX-2

XXXX-3

XXXX-4

XXXX-5

Comment Letter XXXX: Barry and Donna Wallner**Response to Comment XXXX-1**

Thank you for your comment. Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment of the proposed 230 kV transmission line that was suggested by the Vernola Marketplace property owner and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's parking area and neighboring residential areas. See Response to Comment P-114.

Response to Comment XXXX-2

Please see Master Response #6 regarding Electric and Magnetic Fields (EMF).

Response to Comment XXXX-3

Please see Response to Comment P-139.

Response to Comment XXXX-4

Please see Master Response #10 regarding alternatives and Appendix D of the DEIR (Siting Study).

Response to Comment XXXX-5

Please see Master Response #10a regarding undergrounding.

From: Derek Carrington [mailto:carringtongroup@sbcglobal.net]
Sent: Wednesday, April 04, 2012 7:40 PM
To: Riverside Transmission Reliability Project
Cc: Derek Carrington
Subject: Project Riverside Transmission Reliability Project

George Hanson, Project Manager

I **protest** all routes going through our area, City of Jurupa Valley.

There is absolutely **no** reason-or purpose to ingress through our community.

Your much needed power for the city-should be brought through the "Eastern Route" ONLY to your transmission station in the city of Riverside; off Jurupa; which is properties you already have access to.

YYYY-1

I have directed correspondence and attended multiple meetings in "PROTEST"

There should be **NO consideration**-for Southern California Edison and RPU Riverside Public Utilities.

I have yet to have a response which is required by your EIR for the project.

YYYY-2

This is unhealthy-ugly-no improvement for our property-
community-families;
but deteriorates our view with unsightly transmission lines and
effects our property
values.

YYYY-3

YYYY-4

YYYY-5

Sincerely,

Mr. Derek Carrington

Comment Letter YYYY: Derek Carrington**Response to Comment YYYY-1**

Please see Master Response #10b regarding the Eastern Route.

Response to Comment YYYY-2

Please see Comment Letter AAA, where responses to comments that you submitted on the DEIR are provided.

Response to Comments YYYY-3

Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project. Please also see Master Response #6 regarding Electric and Magnetic Fields (EMF).

Response to Comment YYYY-4

Please see Master Response #12 regarding lack of local benefits.

Response to Comment YYYY-5

Please see Master Response #7 regarding economic and social impacts.



From: K Wright [mailto:twodogkd@yahoo.com]
Sent: Thursday, April 05, 2012 8:51 AM
To: Riverside Transmission Reliability Project; K Wright; Morton, Sherry
Subject: Fw: Karen Doris Wright public comments for the written record AGAINST having Transmission Lines in the Santa Ana River Bottom and also concerns that Tribes who history of being in the Santa Ana River bottom have NOT been directly contacted as recommend...

Additional Comments for the public Record of 4/5/2012 Riverside Planning Commission Item 2 Requesting that the meeting on ITEM 2 be moved to a future date for the reason stated below:

I add one item to my comments below:

The online backup for Item 2 could not be downloaded on my computer, and messages said that file was corrupted or words to that effect. While I was able to have the documents broken up and emailed to me yesterday afternoon, I believe that MOST RIVERSIDE CITIZENS who would have tried to access that file which was 31 megabytes according to City Staff on the phone, very likely could not have accessed it, it seems that the spirit of the Brown Act requiring access to the document would not have been met since the file did not open. Also there was no information that the file was 31 megs in size, which some individuals computers may not have been able to handle.

ZZZZ-1

Because of this I believe this hearing should be PUT OFF to a future date, and the information available online including maps be made individually accessible online for 72 hours in labeled smaller files.

Karen Doris Wright

--- On **Thu, 4/5/12, K Wright** <twodogkd@yahoo.com> wrote:

From: K Wright <twodogkd@yahoo.com>
Subject: Karen Doris Wright public comments for the written record AGAINST having Transmission Lines in the Santa Ana River Bottom and also concerns that Tribes who history of being in the Santa Ana River bottom have NOT been directly contacted as recommended by the Native American Heritage Commission, as it has been said Tongva or other tribes archeological artifacts have been paved over already in the Santa Ana Riverbottom.State for 3/5/2012 9 am Riverside Planning Commission Item 2
To: "Riverside Transmission Reliability Project" <rtrp@riversideca.gov>, "K Wright" <twodogkd@yahoo.com>, "Colleen" <city_clerk@riversideca.gov>
Date: Thursday, April 5, 2012, 8:43 AM

Date: April 5, 2012 8:42 am
To: Riverside Planning Commission members, c/o rtrp@riversideca.gov, Riverside City Clerk
From: Karen Doris Wright
Subject: Karen Doris Wright public comments

(0) As I am unable to attend this meeting I request that my written comments emailed be included as written public comments for todays hearing.

ZZZZ-2

(1)AGAINST having Transmission Lines in the Santa Ana River Bottom

(2) Against any decision about the transmission lines UNTIL AFTER EACH TRIBE which have history in the Santa

ZZZZ-3

Ana Riverbottom and adjacent areas have been DIRECTLY notified. A notice to the Native American Heritage Commission which TELLS YOU TO CONTACT the TRIBES directly, DOES NOT CONSITITUTE NOTICE TO THESE TRIBES.

(3) At the recent meeting in Fairmount Park about the Santa Ana River, one or more individuals present stated there IS A HISTORY of Tribes including I believe they said the TONGVA and one other Tribe IN THE SANTA ANA RIVER BOTTOM and and also concerns that Tribes who history of being in the Santa Ana River bottom and that it has been said Tongva or other tribes archeological artifacts have been paved over already in the Santa Ana Riverbottom.

(4) Direct contact with the aforementioned tribes need to be made, not just simple assertions that there is no need.

(5) The City of Riverside has or may have a practice and pattern of NOT DIRECTLY CONTACTING TRIBES to determine if they have a history in areas of concern, instead pretending that contacting teh Native American Heritage Commission suffices, when in fact that Commisison mails back the ADDRESSES of Tribes that Riverside should be directly contacting.

(6) There should be no Transmission Power lines along the Santa Ana River Trail which is an ocean to mountain trail that thousands will be using.

(7) There should be no Tranmission Power lines in the Riverbottom because an unusual Rain event could flood the areas of the Santa Ana River Trail, despite the fact that the River in the main has been shoved to the other side. An unusual event could flood the area of the Santa Ana River Trail.

(8) The City of Riverside is called Riverside because we are by a River. We should retain that River free from intrusions by the Transmission Power lines and my any more development whatsoever other than trails. Any and all concessions, parking lots etc should be OUT OF THE RIVER.

(9) The Santa Ana River and the Santa Ana River Trail are and will be TOURIST DESTINATIONS for RECREATION and can bring money into our region as a tourist destination. But that will not happen if the City of Riverside gluts the Santa Ana River on our side with unsightly and unhealthy power lines.

(10) Power Transmission lines come with health issues as one should not spend time near power lines or they may be impacted with medical issues resulting from nearness spent near those power lines. Therefore it should not be near the Santa Ana River Trail.

(11) I also wonder about the impacts on wildlife and the Santa Ana Sucker. Have studies been done to guarantee that Powerlines near the Santa Ana River will not negatively impact our endangered Santa Ana Sucker.

(12) I know while driving near power lines that they emit a noise and wonder about the negative impacts of power lines to the quality of life for those living on the bluffs or near the Power lines such as the two ladies who live near the Santa Ana Trail in the airplane frame house.

Karen Doris Wright
4167 Central Avenue
Riverside, CA 92506

ZZZZ-3

ZZZZ-4

ZZZZ-5

ZZZZ-6

ZZZZ-7

ZZZZ-8

ZZZZ-9

Comment Letter ZZZZ: Karen Doris Wright (to the Riverside City Planning Commission)**Response to Comment ZZZZ-1**

The Planning Commission meeting was held on April 5, 2012. The staff report was available on March 30, 2012. The DEIR was available for public review and comment for over 120 days.

Response to Comment ZZZZ-2

This comment does not raise any environmental issues so no response is required.

Response to Comment ZZZZ-3

Please see Response to Comment A-3 regarding Native American coordination.

Response to Comment ZZZZ-4

The Santa Ana River Trail would still be available for use during operation of the proposed 230 kV transmission line.

Response to Comment ZZZZ-5

Please see Response to Comment DDDD-58.

Response to Comment ZZZZ-6

This comment does not raise any environmental issues so no response is required.

Response to Comment ZZZZ-7

The CPUC adopted a policy that addresses public concern over EMF with a combination of education, information, and precaution-based approaches. This will be discussed in more in detail in the Field Management Plan that will be prepared for the Proposed Project. Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project. Please also see Master Response #6 regarding Electric and Magnetic Fields (EMF).

Response to Comment ZZZZ-8

Please see Response to Comment DDDD-12.

Response to Comment ZZZZ-9

Please see Section 3.2.11, Noise, of the DEIR for more information about noise characteristics, impacts, and mitigation.



From: Hanson, George R.
Sent: Monday, April 09, 2012 1:22 PM
To: Tonkovich, Jessica
Subject: Richard Ford

Richard F. – call came in on hotline and I returned his call at 909-952-0641 today.

His address is 10028 Julian in Riverside, west of Van Buren.

He does not like the visual impact of the proposed 230kV lines.

Forward as a public comment.

George Hanson
Engineering Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501
951.826.2400
grhanson@riversideca.gov

AAAAA-1

Comment Letter AAAAA: Richard Ford**Response to Comment AAAAA-1**

Thank you for your comment. The potential visual impacts are analyzed in Section 3.2.1, Aesthetics, of the DEIR.



From: Hanson, George R.
Sent: Monday, April 09, 2012 2:08 PM
To: Tonkovich, Jessica
Subject: Doug Chroeder - 9327 Indiana

Spoke with Mr. Chroeder.

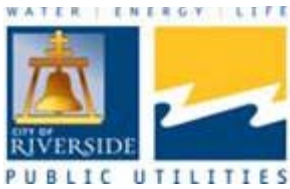
He would like to see as much of the 230kV line and 69kV lines placed underground as possible.

BBBBB-1

George Hanson
Engineering Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501
951.826.2400
grhanson@riversideca.gov

Comment Letter BBBB: Doug Schroeder**Response to Comment BBBB-1**

Please see Master Response #10a regarding undergrounding. A section of the 69 kV subtransmission line would now be placed underground along Doolittle Street in proximity to the Riverside Municipal Airport to be consistent with the airport land use plan. Changes to the 69 kV subtransmission line route are described in Chapter 2 of Volume II of this FEIR.



From: Hanson, George R.
Sent: Monday, April 09, 2012 1:56 PM
To: Tonkovich, Jessica
Subject: Bob Gano - 10018 Julian

Another late comment – he doesn't like the impact that the 230kV lines will have on his view.

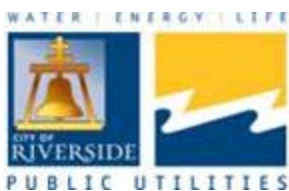
951-637-0745

George Hanson
Engineering Manager
Riverside Public Utilities
3901 Orange Street
Riverside, CA 92501
951.826.2400
grhanson@riversideca.gov

CCCCC-1

Comment Letter CCCCC: Bob Gano**Response to Comment CCCCC-1**

Thank you for your comment. The potential visual impacts are analyzed in Section 3.2.1, Aesthetics, of the DEIR.



From: Hanson, George R.
Sent: Wednesday, April 11, 2012 1:49 PM
To: Tonkovich, Jessica
Subject: FW: Riverside Transmission Reliability Program

Add this one to late comments received.

Mr. Roth wants to know exactly how the proposed transmission line structures impact their development.

Please forward to Power Engineers.

From: Tonkovich, Jessica
Sent: Wednesday, April 11, 2012 11:29 AM
To: Hanson, George R.
Subject: FW: Riverside Transmission Reliability Program

From: Brandon Roth [mailto:BRoth@StrathamHomes.com]
Sent: Wednesday, April 11, 2012 9:20 AM
To: Hanson, George R.
Cc: Tonkovich, Jessica; Jeff Evans
Subject: Riverside Transmission Reliability Program

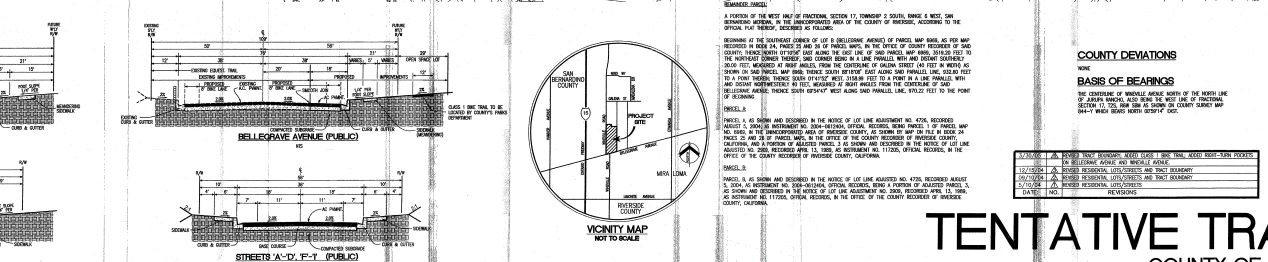
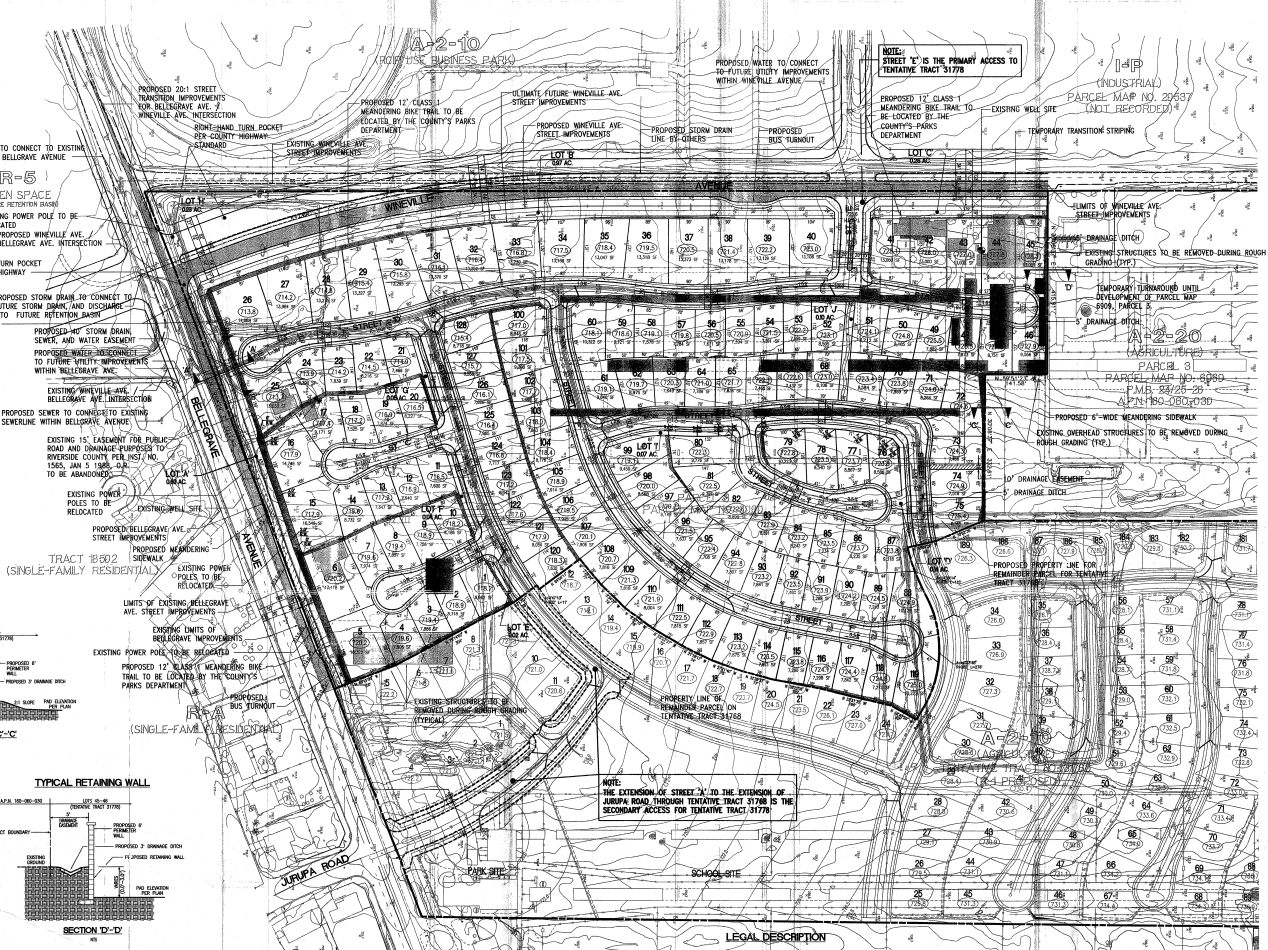
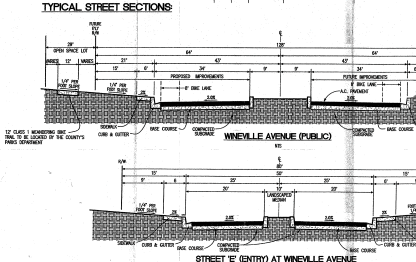
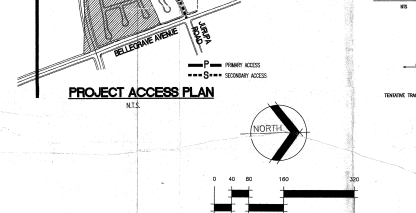
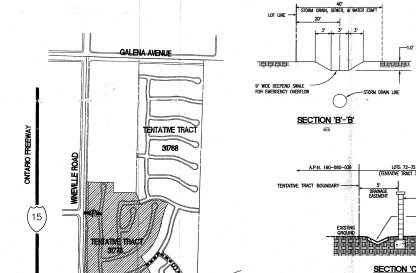
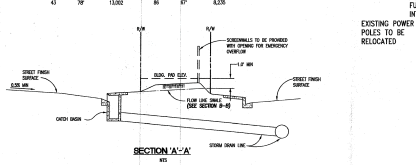
For today's 1:30pm conference call – thanks again

DDDDD-1

Brandon Roth
Stratham Homes
2201 Dupont Drive
Suite 300
Irvine, CA 92612
Phone: 949-833-1554, x250
Fax: 949-833-7853
Cell: 949-228-1345

This message and any attached documents contain information from Stratham Homes, Inc. that may be confidential in nature and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you have received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

No.	EQUATION		COEFFICIENTS		CONSTANT	
	NO.	FORM	COEFF.	UNIT	CONST.	UNIT
1	1	$E = 0.02$	44	mm	12,000	87
2	2	$E = 0.02$	44	mm	12,000	87
3	3	$E = 0.02$	44	mm	12,000	87
4	4	$E = 0.02$	44	mm	12,000	87
5	5	$E = 0.02$	44	mm	12,000	87
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26	26	$E = 0.02$	44	mm	12,000	87
27	27	$E = 0.02$	44	mm	12,000	87
28	28	$E = 0.02$	44	mm	12,000	87
29	29	$E = 0.02$	44	mm	12,000	87
30	30	$E = 0.02$	44	mm	12,000	87
31	31	$E = 0.02$	44	mm	12,000	87
32	32	$E = 0.02$	44	mm	12,000	87
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38	38	$E = 0.02$	44	mm	12,000	87
39	39	$E = 0.02$	44	mm	12,000	87
40	40	$E = 0.02$	44	mm	12,000	87
41	41	$E = 0.02$	44	mm	12,000	87



EXISTING LAND USE: UNDEVELOPED / DAIRY PRODUCTION
EXISTING ZONING: A-2-10
EXISTING GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL
PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL
PROPOSED ZONING: R-1
PROPOSED GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL / BUSINESS PARK OVERLAY
ADJACENT LAND USES: NORTH: DAIRY PRODUCTION
SOUTH: SINGLE-FAMILY RESIDENTIAL AND OPEN SPACE
EXIST: DAIRY








8. PAID REQUIREMENTS TO BE MET IN FULL BY DATE OF PAYMENT OF THIS ORDER.
9. SERVICES ARE PROVIDED BY: ARJUN CALIFORNIA SERVICES DISTRICT
10. WATER SERVICES ARE PROVIDED BY: ARJUN CALIFORNIA SERVICES DISTRICT
11. SEWER SERVICE PROVIDED BY: SOUTHERN CALIFORNIA GAS CO.
12. ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA Edison COMPANY
13. TELEPHONE SERVICE PROVIDED BY: P.A.C.BEL
14. TELEVISION SERVICE PROVIDED BY: INDIVIDUAL RECEPTION ANTENNA
15. SCHOOL DISTRICTS: LAKELAND UNIFIED SCHOOL DISTRICT
16. HEALTH CARE: ARJUN UNIFIED SCHOOL DISTRICT
17. ARE GLDINGERS SHOWN: YES
18. MULTIPLE PLAT MAPS MAY BE FILED PURSUANT TO SECTION 6004 OF THE CALIFORNIA GOVERNMENT CODE.
19. THIS PROJECT IS NOT WITHIN A SPECIFIC PLAT.
20. ALL SLOPES WILL BE A MAXIMUM OF 2:1, UNLESS OTHERWISE SHOWN AND APPROVED. INCLUDING PLAT, THIS PROJECT HAS TWO SLOPES.
21. ESTIMATED DRAINAGE QUANTITIES: ROW CAP: 15,000 C.Y.

21. QUARTERS INCLUDE STORAGE AND OVERSEAS/ARMED ASSAULTS. THE
22. CONTRACTORS WILL BE IN A RISKY SITUATION.
23. THE MILITARY CONTRACTORS WILL BE IN A RISKY SITUATION.
24. ON SEPTEMBER 10, 2000 (2000-10-10).
25. THERE WILL BE OTHER CHALLENGES AND NON-VOLUNTARY STRUCTURES UNDER
26. THE DEPARTMENT OF THE INTERIOR TRACTS AND NON-VOLUNTARY STRUCTURES UNDER
27. THE DEPARTMENT OF THE INTERIOR TRACTS AND NON-VOLUNTARY STRUCTURES UNDER
28. ALL CITIES WITHIN THE TRACTS AND NON-VOLUNTARY STRUCTURES UNDER
29. MANAGED BY THE COUNTY OF HENRICO.
30. DEVELOPERS REQUESTING THE RIGHT TO MOVE INTO THE FINAL MAP.
31. THE TRACTING TRACT MAP LIES WITHIN THE COUNTY OF HENRICO AND DOES NOT
32. HAVE A ZONE 1 DESIGNATION EITHER BECAUSE OF ITS BOUNDARIES
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28 TENDRINE TRACT MAP BY THE STATE OF CALIFORNIA FOR OTHER GRADATIONS.
29 TENDRINE TRACT MAP BY THE STATE OF CALIFORNIA FOR OTHER GRADATIONS.
30 THE PROPOSED IMPROVEMENTS SCHEDULED FOR TENDRINE TRACT MAP 31778 IS
31 PER SCHEDULE 1 SCHEDULE 1 SCHEDULE 1 SCHEDULE 1 SCHEDULE 1
32 TOPOGRAPHIC SURVEY WAS PLANNED AND COMPLETED BY ROBERT LUNDG, A
33 SAVED MAN, 2000.
34 THERE ARE TWO EXISTING WELLS ON THE PROPERTY. WELLS HAVE BEEN IDENTIFIED
35 ON THE TENDRINE TRACT MAP.
36 THERE ARE NO PROPOSED OPEN STORM DRAIN CHANNELS WITHIN THE
37 TENDRINE TRACT MAP.
38 THE PROPERTY IS NOT SUBJECT TO OCEANIC INTRUSION OR FLOOD HAZARDS
39 DETERMINED BY PLANS TO PROPERTY LINES SHALL CONFORM TO ORDINANCE
40 REQUIREMENTS.
41 OTHER AMENDMENTS DESIGNED PER THE COASTAL DEFENSE DESIGN STANDARDS.
42 THIS IS NOT A GRATED CANNON.
43 ACCESS SHALL BE RESTRICTED TO TRAILER ACCESS AND THROUGH DRIVE
44 IMPROVEMENTS OF TENDRINE TRACT 31780.
45 PROPOSED CHANGING, IMPROVEMENTS, AND FINAL DESIGN WILL CONSIDER AND COMPLY WITH
46 ALL APPLICABLE SUPPLEMENTARY 100% DESIGN REQUIREMENTS TO BE APPROVED
47 ACCESSIBLE TO THE COUNTY.

40. THE PROPOSED TRAIL SHALL BE LOCATED ON THE EAST SIDE OF THE
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LEGEND

EXISTING STREET ELEVATION	
EXISTING WELL	
EXISTING STORM DRAIN	
EXISTING SEWER SYSTEM	
EXISTING WATER SYSTEM	
EXISTING PUBLIC UTILITY EASEMENT (TYPIC NOTED ON PLAN)	
PROPOSED STREET ELEVATION	

PROPOSED FINISH SURFACE ELEVATION

PROPOSED STORM DRAIN SYSTEM

PROPOSED SEWER SYSTEM

PROPOSED WATER SYSTEM

FUTURE RECAPTURED WATER SYSTEM

PROPOSED PWD ELEVATION

PROPOSED LOT NUMBER

7.11

0

10

PROPOSED LOT AREA
PROPOSED TRENDING WALL
PROPOSED TRENDING TRACT BOUNDARY
PROPOSED 2:1 SLOPE
PROPOSED 6' BADIUS
PUBLIC STREET LOTS
SEWER AND STORM DRAIN ENCUMENT
LIMITED USE AREA

CIA-DE-SAC LENGTH
HIGHEST MCL RESIDENTIAL LOT

EXISTING OVERHEAD STRUCTURE (TO BE REMOVED)

EXISTING HOUSE OR BARNY BAINS (TO BE REMOVED)

ASSESSOR'S PARCEL No.

180-090-03X, 160-060-01

LAND USE SUMMARY			
LOTS	LAND USE	ACRES	%
1-128	SINGLE-FAMILY RESIDENTIAL	27.7	67.0
11 - 12	OPEN SPACE	2.51	6.1
	LOCAL STREETS W-T	8.06	19.5
	MONROVIE AVENUE	2.74	6.8
	BELLEVOUE AVENUE	0.33	0.8
GROSS ACRES		41.32	100.0

LOT 1-128
 SINGLEST SINGLE-FAMILY RESIDENTIAL LOT SIZE: 7,234 SF
 SINGLEST SINGLE-FAMILY RESIDENTIAL LOT SIZE: 17,110 SF
 AVERAGE SINGLE-FAMILY RESIDENTIAL LOT SIZE: 9,969 SF
 ACRES ACROSS: 43.32
 -NET ACRES: 38.10
 NUMBER OF RESIDENTIAL LOTS: 120
 GROSS DENSITY: 3.19 DU/AC
 NET DENSITY: 4.24 DU/AC

* SEE DENSITY MINUS LOCAL
 STREETS "K-T, BELLEVUE,
 ARLINE, AND VINCLUE AVENUE

OWNERS

HILLOREST HOMES, INC.
200 WEST 2ND STREET, TUSTIN, CA 92780
(714) 830-9612
ATTN: DAVID ARNOLD

APPLICANT / DEVELOPER

HILLOREST HOMES, INC.
200 WEST 2nd STREET
TUSTIN, CA, 92780
(714) 830-9612
ATTN: DAVID ARNOLD

PREPARED

C.I. WILLIAMS GROUP, LLC.
305 WEST 2nd STREET
TUSTIN, CA 92780
(949) 872-6224
ATTN: CAREN WILLIAMS

TENTATIVE TRACT NO. 31778

NUMBER OF LOTS:	TOTAL	128	GROSS ACREAGE	41.32 AC.
	RESIDENTIAL	128	CONTIGUOUS INTERNAL	1 FOOT
	OPEN SPACE	10	SCALE:	1"=80'
			DATE:	SEPTEMBER 1, 2006

ENDED MAP NO. 2
T NO. 31778
IDE STATE OF CALIFORNIA

IDE, STATE OF CALIFORNIA
SEP 10 2005

Comment Letter DDDDD: Brandon Roth (Stratham Homes)**Response to Comment DDDDD-1**

As currently planned, beginning at the east end of Langdon Drive, an approximately 1/3-mile section of the 230 kV transmission line of the Proposed Project would be located along the western edge of the property for the proposed Stratham Homes project and parallel to Wineville Avenue. The Proposed Project would not bisect the Stratham Homes property. SCE and RPU would consult with affected property owners during final design when additional engineering occurs to finalize the location of the line and structure placement.



From: Honeyfield, Dan
Sent: Thursday, April 12, 2012 2:26 PM
To: Tonkovich, Jessica
Cc: Hanson, George R.; McAllister, Gerald
Subject: RTRP 69kV - 7509 Arlington Ave

Hi Jessica,

I spoke with Heinz Zwinger, property owner at 7509 Arlington Ave. He recently found out about the RTRP project from the ALUC notice. He is concerned with the route since it penetrates the west side of his property. He has concerns over the proposed route, since he is planning to build storage units within this portion of his property. He has also requested to meet on Monday to further discuss the project.

EEEEEE-1

Please consider this a late comment.

Thanks,

Daniel Honeyfield, P.E.
Utilities Senior Electrical Engineer
City of Riverside - Public Utilities
3787 University Avenue
Riverside, CA 92501
T-951.826.2122
F-951.826.5597

Comment Letter EEEEE: Heinz Zwinger**Response to Comment EEEEE-1**

Thank you for your comment. RPU would consult with all affected property owners during final design when additional engineering occurs to finalize the location of the line and structure placement. RPU has discussed the Proposed Project with Mr. Zwinger to identify engineering options to reduce conflicts with construction planned on Mr. Zwinger's property.

Tonkovich, Jessica

From: Bob and Margaret Gano <rmgano1@sbcglobal.net>
Sent: Wednesday, May 02, 2012 2:34 PM
To: Riverside Transmission Reliability Project
Cc: Bob and Margaret Gano
Subject: Re: Riverside transmission reliability project
Attachments: Bob and Margaret Gano.vcf



5-2-12

Mr. George Hanson, Project Manager

City Council Chambers, City Hall

3900 Main Street

Riverside, CA 92522

Re: Riverside Transmission Reliability Project, proposed

Dear Mr. Hanson:

I appreciate the recent phone conversation that we had regarding the proposed Riverside Transmission Reliability Project that is set now to proceed behind our homes near Julian Drive, in Riverside California. i am totally against this project in any shape or form in our area, unless it is under the ground like our other electricity.

First of all I believe that this project is totally based on the costs involved and not on the people or safety concerns. I'm sure that if this project was in the vicinity of your home you would be very upset and against it too. It appears that this project is planned for the area of least resistance.

Why can't they put the lines under the ground instead of above. The only reason is that it costs more to do this. Why can't the lines be placed somewhere else instead within a few hundred feet of our homes. Not only will the value of all our homes be diminished but there are health concerns that may arise in the future.

This is the first that we have heard of this project. At the most recent meeting on 4-5-2012, the planning commission meeting was filled with very angry citizens at 9:00 in the morning which means that many other people who would have been there were working.

Yet with all of this obstruction, cost figures of \$180 million, (in a great depression time) the commission, still blindly takes their position and plods on to shove this project down our throats.

I have talked with my neighbors and we will continue to halt and stop this project. Reliability, does not include safety, extreme cost, and utter disregard for the facts.

Please inform me of any further updates or meetings planned. I appreciate your cooperation in this matter. I can be reached at 915-637-0745.

FFFFF-1

FFFFF-2

Sincerely,

Robert L.Gano

10018 Julian Drive

Riverside, CA 92503

Comment Letter FFFFF: Bob and Margaret Gano**Response to Comment FFFFF-1**

Thank you for your comment. Please see Master Response #10a regarding undergrounding.

Response to Comment FFFFF-2

Project notices were published in local newspapers and postcard notifications were mailed in advance to property owners as identified through Riverside County parcel and tax (i.e., equalized assessment) records. Please also see Chapter 7 of the DEIR, which describes the public and agency notification methods. Please see Master Response #6 regarding electric and magnetic fields and Master Response #7 regarding economic and social impacts.

Tonkovich, Jessica

From: Derek Carrington <carringtongroup@sbcglobal.net>
Sent: Wednesday, April 04, 2012 7:43 PM
To: Riverside Transmission Reliability Project
Cc: Derek Carrington
Subject: Meeting April 5th

Mr. Hanson:

I VOTE NO!
to the 15 corridor
to the Van Buren Blvd. route

the only alternative that is effective is Eastern-City property and stations!

GGGGG-1

I am disabled and unable to attend.

Please count my vote as a vehement--NO!!!!!!!!!!

Thank you,

Heather Carrington
(951) 685-4430
P.O. Box 464
Mira Loma, Ca 91752

Comment Letter GGGGG: Heather Carrington**Response to Comment GGGGG-1**

Please see Master Response #10b regarding the Eastern Route.

APRIL 5, 2012
PRESENTATION ON RTRP TO RIVERSIDE PLANNING COMMISSION
BY CHUCK HUGHES

(Mr. Hughes is an electrician who has worked at and is familiar with SCE substations around Riverside, and he understands the power grid system which is involved.)

Members of the Commission:

We understand the need for Riverside to bring in more electric power. You have or will hear many issues from your proposal to build a 230 kV along I-15 through Jurupa Valley.

Essentially you studied three routes thru Jurupa from Mira Loma-Vistaline near Mira Loma. One followed the Union Pacific Railroad line, another ran along the Bain street flood control channel, the third was along the I-15 freeway. A fourth alternate through Agua Mansa from the same line near Colton was in early proposals. Many voices may recommend reconsideration of the Agua Mansa Eastern proposal which was dropped early on with no real study, probably because the towers would impair your own river view.

HHHHH-1

Most criticism will be over decisions in the EIR prepared by the Public Utilities Department. However, the greatest flaw may be omissions. There are two obvious options which have never been studied.

Your demand for more power is substantially responsive to growth, which has largely been toward the east and south. A Far Eastern and a Southern route have potential, to tie with SCE system, without the impact of traversing concentrated populations as in either Jurupa Valley or Riverside. These two routes cross areas mostly composed of open space, industrial and scattered light residential. They could

HHHHH-2

bring power into your Orange Crest or Spring substations. This would necessitate building a step-down substation.

Far Eastern Route: Build the new substation on open land just east of the Santa Ana river, on the Mira Loma-Vistaline, west of Vista substation instead of near the Van Buren sewer plant. It would convert 230 kV to 69 kV. This route would avoid crossing the Santa Ana river.

HHHHH-2

Southern Route: SCE Valley substation in Romoland, is a 500 kV to 115 kV station. As a alternate source other then Mira Loma-Vista line. Build a new substation in city limits, west of March field near Hwy 215, taking 115 kV to 69 kV In Riverside. This could feed into Orange Crest or Spring substation. Bringing in 115 kV would be less expensive than the proposed 230 kV line, and could feasibly be undergrounded like 69 kV in any critical locations.

Some accommodation will be necessary for either of these alternate routes. Power coming in at a different substation than your current EIR plan may require distribution modifications.

Riverside ratepayers should assume all fiscal responsibility for their new substation and distribution line construction, because the City of Riverside is the sole beneficiary.

HHHHH-3

It's unfortunate that you were not provided all feasible routes and / or substation locations.

Sincerely,

Charles W. Hughes
8114 Galena Street, Jurupa Valley CA 92509
(951) 685-3370 (951) 544-2982
Charleswh.ga@gmail.com

Comment Letter HHHHH: Chuck Hughes**Response to Comment HHHHH-1**

An EIR is not required to consider every conceivable alternative to the proposed project, but a reasonable range of potentially feasible alternatives; there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason (CEQA Guidelines 15126.6(a)). As such, the City of Riverside considered a range of alternatives that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects, and eliminated from detailed consideration those that failed to meet most of the Project objectives, were infeasible, or did not avoid significant environmental impacts (CEQA Guidelines 15126.6(c)). Accordingly, the commenter's proposed routing alternatives were inherently included in the City's siting study and were eliminated from further consideration.

A reasonable range of alternative routes for the 230 kV transmission line was presented and discussed in the DEIR (Chapter 6, Section 6.2.1, beginning on page 6-3 of the DEIR). The discussion also includes description of the Siting Study, included as Appendix D to the DEIR, which evaluated environmental resources and engineering constraints in order to identify reasonable alternatives for the proposed 230 kV transmission line. The Eastern Route was eliminated from detailed consideration due to several constraining engineering and environmental factors; please see Master Response #10b regarding the Eastern Route.

Response to Comment HHHHH-2

Alternate substation locations and other voltages (including 115 kV through a tie-in at Valley Substation) were discussed in Chapter 6 of the DEIR. Please see Response to Comment HHHHH-1.

Response to Comment HHHHH-3

Please see Master Response # 14 regarding local benefits of the Proposed Project and Response to Comment HHHHH-1.

City of Jurupa Valley

Laura Roughton, Mayor . Verne Lauritzen, Mayor Pro Tem . Micheal Goodland,
Council Member . Frank Johnston, Council Member . Brad Hancock, Council Member

April 5, 2012

Mr. Larry Allen, Planning Commission Chair
City of Riverside Planning Commission
3900 Main Street
Riverside, CA 92522

RE: Meeting request on behalf of the City of Jurupa Valley regarding the Draft Environmental
Impact Report for Riverside Transmission Reliability Project.

Dear Mr. Allen:

On behalf of the brand new City of Jurupa Valley, I am requesting a meeting for both of our cities
to sit down and meet face to face to determine a solution that would bring the necessary electrical
power to the City of Riverside without the negative consequences of the project currently outlined
within the DEIR.

IIII-1

Within this conversation, the key topics that are of extreme importance to the City of Jurupa
Valley are the health and welfare of our residents, economic well-being of the city, and the
environmental impact on our scenic open spaces.

Our residents voted to become a new city to have a voice in developing Jurupa Valley to its
highest potential. Our residents have expressed their opposition to the Riverside Transmission
Reliability Project (RTRP) in the current proposal. By meeting face to face, we hope to find a
solution that both cities can agree to.

This challenge to both of our cities is a unique opportunity to build a solid relationship as good
neighbors.

I look forward to meeting with you soon.

Sincerely,



Laura Roughton, Mayor

cc: The Riverside City Planning Commission
Mayor Ron Loveridge
The Riverside City Council
Stephen G. Harding, City Manager, City of Jurupa Valley
The Jurupa Valley City Council
The Jurupa Valley City Planning Commission

Comment Letter IIIII: City of Jurupa Valley – Mayor Roughton**Response to Comment IIIII-1**

This letter contained a meeting request with the City of Riverside from Jurupa Valley Mayor Laura Roughton regarding the DEIR and does not present any comments requiring a response in this FEIR. Please see Master Comment #1 regarding non-environmental issues. However, since receipt of this letter, the two cities have been in communication and have been meeting to discuss the Proposed Project.

Dr. Ed Hawkins

APRIL 5, 2012

HEARING ON RIVERSIDE TRANSMISSION RELIABILITY PROJECT (RTRP)
BEFORE THE RIVERSIDE PLANNING COMMISSION

Members of the Commission:

I have a variety of observations about the "Riverside Proposal." I call it that because it is uncertain whether the lead agency has been the City or the Public Utilities Department. Apparently, either is a self-interest violation of CEQA regulations.

JJJJJ-1

This appears to be an effort to bring in the additional electric power you need as cheap as possible, and to be sure unsightly towers do not impair the views of Riverside citizens, irrespective of anyone else. Taking any of the three proposed short routes across Jurupa Valley would ensure low cost. Each of them would place the unsightly towers and any health risks from electro-magnetic fields on citizens of Jurupa Valley, sparing Riverside. Having Southern California Edison ratepayers pick up the tab for the new substation and distribution lines, which would only benefit Riverside, would be another coup for Riverside ratepayers, too.

JJJJJ-2

It seemed obvious that early discard of the Eastern route through Agua Mansa, without any serious study, was a blatant move to avoid crossing the river at Market Street and locating towers along the Riverside shoreline to a new Van Buren substation.

JJJJJ-3

Overall, the Draft EIR was a research tragedy. It was loaded with assumptions which are, at best, educated guesses. It drew conclusions without empirical findings to support them. Perhaps worst, it was a document leading to choosing options, but it contained no cost data, not even estimated costs. It is a farce to choose whether to place a power line underground or on giant towers if you have no cost information. If undergrounding was only ten cents a foot more than towers we would obviously select undergrounding. If the Eastern route through sparse residential, light industrial and open space areas was of equal cost, of course we would route around developed areas of Jurupa Valley.

JJJJJ-4

The voices of Jurupa Valley are stridently opposed to your preferred route along I-15. The new city has targeted that route for commercial development to serve our citizens and to provide tax revenue to support public services. The tower blight you propose would dramatically undermine these goals. To finish with a monstrous tower right in the middle of the shopping center by Lowe's, and facing the new home tract just to the south, is preposterous.

JJJJJ-5

The voices of 100,000 citizens in Jurupa Valley are adamant in wanting a thorough study of the Agua Mansa Eastern route despite your engineers' desire to avoid having to deal with other agencies over habitat issues.

JJJJJ-6

The City of Jurupa Valley presented a massive bundle of reasons this study needs to start over with the PUC or perhaps SCE as lead agency, this time with participation by the City of Jurupa Valley. This 96 page tome cites many violations of CEQA regulations in the EIR. It also notes contradictions in the EIR with a flock of court findings on pertinent issues all over California. A careful reading of this report shows the City of Jurupa Valley did its homework, whereas the EIR was a shoddy production which some say was pulled off shelves where it has lain for some 15 years.

I heard another voice which was fascinating. I spent considerable time with electrician Chuck Hughes who has uniquely different views. He understands the systems of power grids and is familiar with the circle of electric substations surrounding Riverside. He took me to see them, and has a brief report for you. I urge you to recommend that Riverside evaluate his Far Eastern and Southern route potentials. Either would totally eliminate major head butting with Jurupa Valley and avoid a river crossing without denigrating scenic views of Riverside along the riverfront. And deciding to conduct a thorough EIR would truly support Riverside as an All American City.

JJJJJ-7

Thank you. Ed Hawkins, Jurupa Valley

Comment Letter JJJJJ: Ed Hawkins**Response to Comment JJJJJ-1**

The City of Riverside is the Lead Agency for the Proposed Project. Please see Master Response #5 regarding lead agency.

Response to Comment JJJJJ-2

The potential visual impacts are analyzed in Section 3.2.1, Aesthetics, of the DEIR. Please see Master Response #6 regarding electric and magnetic fields and Master Response #14 regarding local benefits.

Response to Comment JJJJJ-3

Please see Master Response #10b regarding the Eastern Route.

Response to Comment JJJJJ-4

The City of Riverside has thoroughly analyzed, considered, and disclosed the potential environmental effects of the Proposed Project through the preparation of the DEIR. The analysis of environmental impacts in the DEIR is sufficient and complete to provide decision-makers with adequate information to approve or reject the Proposed Project, as required by CEQA Guidelines Section 15151. Please also see Master Response #1 regarding non-environmental issues and Master Response #10a regarding undergrounding.

Response to Comment JJJJJ-5

Since the publication of the DEIR for public review and comment, SCE evaluated an alternative alignment suggestion by the Vernola Marketplace property owner that was received during the DEIR public review and comment period and determined it was feasible. The proposed realignment would place a section of the proposed 230 kV transmission line between the Vernola Marketplace buildings and the I-15 northbound off-ramp onto Limonite Avenue. This realignment would skirt the western edge of the Vernola Marketplace property away from the shopping center's primary parking area. The tower footings would be placed outside of Caltrans ROW. An aerial easement would be required from Caltrans, as some of the arms that support the conductors on one of the poles would encroach upon Caltrans ROW. This change is reflected in Chapter 2, Section 2.3.1, of Volume II (redlined DEIR) of this FEIR; also see Response to Comment P-114. Please also see Master Response #7 regarding social and economic impacts.

Response to Comment JJJJJ-6

Please see Master Response #10b regarding the Eastern Route and Master Response #9 regarding *post hoc* rationalization/commitment.

Response to Comment JJJJJ-7

For discussion of Lead Agency for the Proposed Project, see Master Response #5. For responses to comments submitted by the City of Jurupa Valley and its representatives, please see Comment Letters D, P, TTTT, and IIII. The DEIR was prepared in accordance with CEQA and is a full and adequate disclosure of the potential environmental effects of the Proposed Project. The analyses conducted for the DEIR are up-to-date and address current conditions in the Project area.

A reasonable range of alternative routes for the 230 kV transmission line was presented and discussed in the DEIR (Chapter 6, Section 6.2.1, beginning on page 6-3 of the DEIR). The discussion also includes description of the Siting Study, included as Appendix D to the DEIR, which evaluated environmental resources and engineering constraints in order to identify reasonable alternatives for the proposed 230 kV transmission line. Please see Comment Letter HHHHH for responses to comments from Chuck Hughes. In addition, as previously stated, the analysis of environmental impacts in the DEIR is sufficient and complete to provide decision-makers with adequate information to approve or reject the Proposed Project.



Lovett's Children, Inc.
a California State Preschool Part-Day Program

April 3, 2012

City of Riverside Planning Commission
3900 Main Street
Riverside, California 92522

Regarding Project: Riverside Transmission Reliability Project
Applicant: City of Riverside

Dear Honorable Commissioners:

As the Chief Executive Officer of Lovett's Children, Inc, I am writing to you today to voice opposition to the Riverside Transmission Reliability Project.

Our early care and education program was established in 1976 and is a contracted California Department of Education State Preschool Part-Day Program. The free to income-eligible families program provides part-day services with a core class curriculum that is developmentally, culturally, and linguistically appropriate for the children served. The program also provides meals to children, parent education, referrals to health and social services for families, and staff development opportunities to employees. Programs like ours are typically administered through local educational agencies, colleges, community-action agencies, and private nonprofit and for-profit agencies.

Lovett's Children, Inc. is widely recognized as a model program and exemplary leader in the field for best practices by the California Legislature, California Department of Education Child Development Division, California Department of Social Services Community Care Licensing, Riverside County Office of Education, Riverside County Child Development Consortium, local universities and colleges, professionals and community. We are also a training site with collaborative partnerships for California Baptist University, La Sierra University, University of Phoenix, Riverside Community Colleges, Riverside County Office of Education Child Care Occupations Program (ROP), and local High School Advance Via Individual Determination (AVID) Programs. Our administrators often provide leadership and support to other program directors, teaching staff and school districts throughout Riverside and San Bernardino Counties. The California Preschool Instructional Network consultants use our site for photos, tours, observation and coaching practitioners to improve their programs.

Over the 36-year history, our program has demonstrated positive effects touching over 5,000 lives of young children in a place where they are valued as individuals and where their need for attention, approval, affection, safety and health are supported. Lovett's is also a place where children and families can be helped to acquire a strong foundation in the knowledge and skills needed for success in school and life. This includes a strong commitment with a worldwide movement to reconnect and children and families with nature.

Chapter 3 of the Environmental Analysis describing the extreme problems associated with air quality and its effects on the most sensitive people, including young children. Your

KKKKK-1

environmental report clearly states (page 3-77) "there are no hospitals or schools within 100 feet of the proposed RERC – Harvey Lynn/Freeman 69 kV Sub transmission Lines route." This is simply *not true*. And, in fact the proposed transmission lines are directly in front and down the side of our school, our publicly funded school (see attached *CalEdFacts*). Why is the language, "not within 100 feet of schools" included in this document, if indeed this is not an important issue associated with the project?

↑
KKKKK-1

California has long been a leader in recognizing the value of early care and education programs for more than 67 years. Evidence-based research focuses the attention on the value of children's preschool education and long term benefits throughout a child's education. It is extremely disheartening to see early childhood education centers are not identified or recognized as "schools" by the City of Riverside. Most importantly, what are the real emergency disaster and environmental consequences that potentially impact us with the proposed lines surrounding our building, integral construction and voltage operations of the 69 kV electrical systems? If we have a natural disaster such as an earthquake or severe winds we are literally trapped with these lines wrapped around our facility. Currently there are approximately 20 lines hanging adjacent to Hole Avenue. The proposed installation includes another three lines across Hole Ave. and three installed around the corner of the building and strung along Broderick Drive, which are the entrance, exits and parking.

KKKKK-2

Unfortunately, our records clearly show the notice of this commission meeting to be the first formal document being mailed to property owners within 1000 feet of the proposed project site. The lack of school recognition in a potential distance zone and exclusion from earlier participation is not only alarming, but elevates our health and safety concerns for the well-being of our learning community, especially during construction and/or subsequent maintenance operations (see Chapter Analysis page 3-86 Table 3.2.3-9 Proposed Project Construction Emissions/Air District Regional Threshold Comparison and paragraph 3 "Under worst case scenario") How many other early care and education programs also exist along proposed transmission routes who might also be affected?

KKKKK-3

On behalf of the 188 children, families and staff at Lovett's Children, Inc. State Preschool, I respectfully ask that you oppose this proposal on Thursday, April 5, 2012, or continue the actions until a reasonable determination can conclude the proposed project will not have any adverse effect on the quality of life of our community now and in the future. I look forward to working with you and public utilities staff on a better solution for early care and education programs.

Thank you for your consideration and supporting Riverside's youngest learners.

Sincerely,



Linda Lovett
Chief Executive Officer

Attached: Child Care and Development Programs - *CalEdFacts*

Child Care and Development Programs - *CalEdFacts*

This content is part of California Department of Education's information and media guide about education in the State of California. For similar information on other topics, visit the full [CalEdFacts](#).

California has long been a leader in recognizing the value of quality child care and development programs for infants, toddlers, prekindergarteners, and school-age children. For more than 67 years, the California Department of Education (CDE) has developed and funded agencies throughout the state so that families can find safe, healthy, and educationally enriched environments that are staffed by competent, caring adults. Funding is provided for services to low-income families, including welfare recipients, in licensed center-based programs; licensed family child care homes; and license-exempt settings, such as a family's own home or the home of a relative or neighbor.

Three major trends have focused public attention on the value of children's preschool education: (1) the unprecedented labor force participation of women with young children, which is creating a pressing demand for child care; (2) an emerging consensus among professionals and, to an even greater extent, among parents, that young children should be provided with educational experiences; and (3) the accumulation of research that shows high quality educational experiences in the preschool years can have a positive effect and long term benefit throughout a child's education.

In 2008, Assembly Bill 2759 was signed into law, consolidating all the current State Preschool, Prekindergarten Family Literacy, and General Child Care and Development programs serving preschool-aged children into the California State Preschool Program, effective July 1, 2009. This is the largest state-funded preschool program in the nation. It streamlines the administration of state preschool programs and improves the efficiency and effectiveness of program administration.

Senate Bill 1629, also passed in 2008, creating the California Early Learning Quality Improvement System (CAEL QIS) Advisory Committee. The charge of the CAEL QIS Advisory Committee was to develop the policy and implementation plan for an Early Learning Quality Improvement System to improve the quality of early childhood education programs. The Advisory Committee was also charged with developing an early learning rating scale that includes features that most directly contribute to high quality and a funding model aligned with a quality rating scale. You can find information regarding the work of the CAEL QIS Advisory Committee and the Final Report on the CDE [Senate Bill 1629 Advisory Committee Web page](#).

On November 9, 2009, Governor Schwarzenegger signed Executive Order S-23-09 establishing the California State Advisory Council on Early Childhood Education and Care (ELAC). Currently the work of the ELAC is on hold. For more information on the activities of the ELAC to date, see the CDE [Early Learning Advisory Council Web page](#).

The child care and development system administered by the CDE continues to be the largest, most culturally diverse, and most comprehensive system in the nation, with funding at almost \$2 billion for fiscal year (FY) 2011-12. The CDE maintains approximately 1,420 service contracts with nearly 770 public and private agencies supporting and providing services to 489,200 children (FY 2009-10). Contractors include school districts, county offices of education, cities, local park and recreation districts, county welfare departments, other public entities, community-based organizations, and private agencies.

The CDE works collaboratively to develop a streamlined and consolidated state plan for early care and education services that meets the needs of California's families and children. This collaboration includes Head Start and Early Head Start through a federal grant to support the CDE's California Head Start State Collaboration Office. The CDE also works collaboratively with First Five California to improve the quality and availability of child care and development programs statewide.

Currently, there are a variety of CDE-administered programs that meet the needs of California's families. The eligibility for federally- and state-subsidized services continues to be based primarily on income and need, with additional criteria depending on program type and funding source. The CDE is committed to maximizing parental choice of care and to improving the availability and quality of infant, preschool, and before- and after-school services. Services to children at risk of abuse, neglect, and exploitation and children receiving protective services through county welfare departments remain a top priority. The CDE has also implemented several initiatives to support and assist child care and development programs to create welcoming and inclusive environments for children with exceptional needs.

For more information regarding child care and development programs, please contact the Child Development Division at 916-322-6233. Additional information is available on the CDE [Child Development Web page](#).

Comment Letter KKKKK: Linda Lovett**Response to Comment KKKKK-1**

The text noted by the commenter has been corrected and now states that the “proposed RERC-Harvey Lynn/Freeman 69 kV subtransmission line route is located within 100 feet of the Lovett’s Children, Inc. State Preschool.” This revision has been incorporated into Chapter 3, Section 3.2.1, of the FEIR, as shown in Volume II.

The commenter erroneously states that the “proposed transmission lines are directly in front and down the side of” the school. In fact, the proposed 69 kV subtransmission lines in this area would be installed on existing subtransmission structures and run east to west on Hole Avenue only. There are no existing or proposed transmission lines running north to south on either side of the subject property.

The subtransmission structures and lines on Hole Avenue pre-date Lovett’s Children, Inc. State Preschool. According to the City of Riverside, Lovett’s Children Child Development Center (10744 Hole Avenue) was issued a business license on 4/15/1985. Construction drawings indicate that the existing subtransmission lines along Hole Avenue were constructed in 1967. Under guidelines implemented by the California Department of Education in 2006 (Education Code Section 17251; Title 5 CCR 14010(c)), it is not recommended to build new school facilities within 100 feet of a 50 to 133 kV power line. However, compliance with this requirement would be the responsibility of the school district to site the proposed new school a minimum distance away from the edge of the power line easement; the utility would not be required to align a transmission project a minimum distance from existing schools.

Please also see Section 3.2.3, Air Quality, and Section 3.2.7, Hazards and Hazardous Materials, of the DEIR in Volume II, along with Master Response #6, regarding EMF, in Section 2.2.1 herein.

Response to Comment KKKKK-2

Contrary to the commenter’s statement, no transmission lines “surround” or would surround the subject property. The information in the DEIR related to structure strength is based upon the RTRP meeting the requirements of applicable codes and regulations. The entities with jurisdiction over the public policy and regulations related to design of transmission lines determine the sufficiency of these codes to provide for the protection of public health and safety.

The DEIR discusses environmental hazards, including earthquakes, for the RTRP. Earthquakes are addressed and impacts assessed in Section 3.2.6 (Geology and Soils) of Chapter 3 of the DEIR. Design codes require that the structures be designed to withstand all physical loadings, including the conductor tension loads that are imposed on the structure due to line angles. The DEIR also addresses the Proposed Project’s potential to pose an increased risk of harm to persons and property should an extreme weather event that causes structural failure occur. SCE and RPU have indicated that they meet or exceed appropriate State of California codes in their design for earthquake, flood, weather, and other known ground disturbance events.

Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of Chapter 3 of the DEIR, which describes potential hazards to public health and

safety associated with construction and operation of the Proposed Project. In addition, please refer to Master Response #6 regarding electric and magnetic fields.

The comment incorrectly states that the Proposed Project would include the installation of transmission lines along Broderick Drive. The Proposed Project does not include installation of any transmission or subtransmission lines along Broderick Drive, which is to the west of the subject property. Nowhere in the DEIR is it stated that construction of any kind on Broderick Drive would be included. Rather, as stated in Chapter 2, Section 2.3.2 (page 2-20 of the DEIR), the proposed 69 kV subtransmission line would join an existing single-circuit 69 kV subtransmission line on double-circuit poles along Hole Avenue to Hiers Avenue, where it would leave the existing 69 kV line and rejoin it along Minnier Avenue. The provided map (Figure 2.3-6b) clearly shows the proposed route passing by Broderick Drive along Hole Avenue, not traveling down or on Broderick Drive.

Response to Comment KKKKK-3

Project notices were published in local newspapers and postcard notifications were mailed in advance to property owners as identified through Riverside County parcel and tax (i.e., equalized assessment) records. Our records indicate mailings for the subject property were sent to: Dennis Lovett, 1828 Praed St., Riverside, CA 92503. Please also see Chapter 7 of the DEIR, which describes the public and agency notification methods.

Health and safety concerns and potential impacts from the Proposed Project are disclosed in Section 3.2.7 of the DEIR, which describes potential hazards to public health and safety associated with construction and operation of the Proposed Project.