Comment Set B.11: Lauren Development, Inc. - for Valley Vineyards, LLC

LAUREN
DEVELOPMENT INC.

October 3, 2006

John Boccio / Marian Kadota
CPUC/USDA Forest Service
c/o Aspen Environmental Group
30423 Canwood Street, Suite 215
Agoura Hills, CA 91301

Re: Draft Environmental Impact Report / Environmental Impact Statement on Southern California Edison's Antelope-Pardee 500-kV Transmission Line Project

Dear Members of the California Public Utilities Commission and Representatives of the United States Forest Service:

The following comments represent those of Lauren Development, Inc. concerning the adequacy of the referenced DEIR/EIS and the severe adverse environmental consequences of route Alternative 5 discussed therein. The scope of our interests are twofold, first we are concerned with the adverse impacts of Alternative 5 upon the entire community of Leona Valley, and secondly we are concerned with the impacts of Alternative 5 upon Assessors Parcels 3206-003-001, -007 and -008 (Valley Vineyards)[1]. The community of Leona Valley and the Valley Vineyards residential development will both suffer significant and extremely negative environmental, social and economic impacts should Alternative 5 be selected. The following comments relate to both the consequences of Alternative 5 on Leona Valley community and on our Valley Vineyards development. B.11-1

Land planning for the residential development of the Valley Vineyards residential development is well underway. Route Alternative 5, from approximately Mile 8.3 to Mile 8.8, runs through the Valley Vineyards community. At least two transmission towers in Alternative 5 are on Valley Vineyards property. Residential lots are planned for the land where the towers are proposed and for the land under the transmission lines.[2] B.11-2

No reference in made in the EIR/EIS to this pending 290 acre new home community of approximately 140 homes. This needs to be corrected. The significant and unmitigated adverse environmental impacts of Alternative 5 upon Valley Vineyards need to be addressed in the Final EIR/EIS.

[1] Lauren Development, Inc. is the Operating Manager of Valley Vineyards, LLC, which will own and develop the Valley Vineyards site. These properties are currently owned by Leona Valley Estates, LP, which is also a member of Valley Vineyards LLC.

[2] See attached plan "VALLEY VINEYARDS – Western Portion" which shows the area impacted by Alternative 5.

1

On June 15, 2005 the Valley Vineyards project was on the agenda of the Los Angeles County Regional Planning Department One Stop Review Committee. The project was discussed by members of the Regional Planning Department, Public Works Department and Fire Department. Environmental and engineering studies have been underway since that time. The Los Angeles County Department of Public Works issued Tract Number 66952 for this property on May 1, 2006. Biological surveys were completed August 15, 2006. Streambed jurisdictional analyses were completed August 15, 2006. Archeological, paleontological and cultural surveys were completed on September 8, 2006. Detailed slope analyses have been prepared in accordance with the Los Angeles County Hillside and Significant Ecological Areas regulations[3]. The site was flown and new topographic mapping was completed in July, 2006. Civil engineering for the site is in process with an expected submittal to the Regional Planning Department of Tentative Tract Map 66952 anticipated for October, 2006.

B.11-2 cont'd

B.4.5.1 Alternative 5 Description

This should be added:

At approximately Mile 8.3 to Mile 8.6, Alternative 5 runs through a 290 acre, 140± home residential community – "Valley Vineyards" – currently in the engineering stages. Two transmission towers are proposed where homesites are located and the transmission line itself goes directly over other proposed homesites.

C.3.10.1.3 Alternative 5 - Existing Conditions (Sensitive Vegetation Communities, Sensitive Wildlife and Jurisdictional Waters)

These descriptions are too general and unacceptable for inclusion in an EIR/EIS. For example, on page C-3.108 the EIR/EIS states that field surveys indicated only three sensitive vegetative communities occur within the survey area of Alternative 5. Table C.3-5 lists the locations, none of which are in Leona Valley. To make such a statement and to provide the reader with an adequate understanding upon which subsequent conclusions about impacts, a detailed inventory of vegetative communities needs to be prepared. Attached is a properly detailed inventory for the Valley Vineyards property.[4] This is the level of detail that needs to be prepared for the entire route of Alternative 5.

B.11-3

Similarly, the description on page C-3.113 of Sensitive Plant Species merely states that listed and special-status plant species that have the potential to occur in the proposed Project area "have the potential to occur along Alternative 5." Associated tables (eg Table C.3-6) list plants "with potential for occurrence." Detailed and site-specific surveys like that referenced above need to be prepared for the entire length of Alternative 5. Suppositions are not adequate.

Regarding jurisdictional waters, this too is overly general and misses important existing conditions. This section explicitly lists only "some of the larger streams or creeks" and

B.11-4

[3] Section 22.56.215 of the Los Angeles County Zoning Code
[4] PCR Services Corporation, Results of a General Biological Assessment and Sensitive Plant Surveys for the Approximately 290-Acre Bouquet Canyon Project Site, Unincorporated Los Angles County, California, August 15, 2006.

makes no mention of the many small watercourses that, by their jurisdictional definition, are important and must be included in the EIR/EIS. As shown in the attached review of jurisdictional sites on the Valley Vineyards property, there is a jurisdictional watercourse directly underneath the Alternative 5 transmission lines that is not referenced.[5] Information such as this for the entire length of Alternative 5 must be included in the EIR/EIS.

B.11-4 cont'd

C.3.10.2 Impacts and Mitigation Measures (to Sensitive Vegetation)

This section is unsatisfactorily general and vague. Categorizing loss of natural vegetative communities as either "permanent or temporary" (Impact Class B-1) is an unacceptable differentiation. In that light, what does it mean that "construction of Alternative 5 would result in a net impact to native vegetation communities (Impact B-1) compared to the proposed Project?" This statement is followed with "Under Alternative 5 this impact would be greater than the proposed Project as approximately 24 additional acres of land would be temporarily disturbed." Where is this 24 additional acres?

In addition to being unsatisfactorily general in the description of the impact, the above "Class B-1" impacts are defined as "Class II" impacts which are stated to be "Significant impact; can be mitigated to a level that is not significant. A Class II impact is a significant adverse effect that can be reduced to a less than significant level through the application of feasible mitigation measures presented in this EIR/EIS."[6] Mitigation is glossed over with the statement that "Permanent impacts outside of the NFS lands shall be mitigated at a ratio to be determined by the CPUC."[7] Postponing mitigation in this manner is not acceptable.

B.11-5

If the reader can follow the tables and cross references, what is actually provided is an inadequate inventory of existing conditions, impacts discussed only in generalities, and open ended and indefinite mitigation measures. This is not satisfactory for an EIR/EIS.

C.3.10.2 Impacts and Mitigation Measures (to Sensitive Vegetation) Impacts to Jurisdictional Waters and Wetlands (Criterion BIO4)

This discussion is misleading by glossing over and greatly minimizing the impacts that Alternative 5 would have on jurisdictional wetlands. A decision maker cannot know the impacts if the only statement is that "if there are impacts we will mitigate them" which is essentially the way this discussion is presented. A vague promise of mitigation does not inform the reader of the degree of the impact, which is what the EIR/EIS should be doing but fails.

B.11-6

As discussed above (in Existing Conditions) the EIR/EIS does not provide a complete description of all the jurisdictional wetlands that would be impacted by Alternative 5, only listing "some" of the watercourses. Obviously an impact analysis cannot be accomplished is the existing conditions are not known.

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[5] PCR Services Corporation, Investigation of Jurisdictional Wetlands and Waters of the U.S., Bouquet Canyon, Los Angeles California, August, 2006.
[6] C.1.3 Significance Categories
[7] C.3.5.1 Impacts and Mitigation Measures

The EIR/EIS makes statements with no specific relevancy to the site being discussed. The EIR/EIS says "Alteration of jurisdictional waters in turn could result in adverse impacts to plant and wildlife species that are dependent on these areas. If impacts to State or federal waters would occur, SCE would comply with the requirements of a Streambed Alteration Agreement and the Clean Water Act." The reader of this general statement is provided absolutely no specific information about the impacts of Alternative 5 on jurisdictional wetlands, only that if there is an impact, SCE will comply with the law. Postponing analysis of impacts and prescriptions of mitigation measures is not acceptable in an EIR/EIS.

B.11-6 cont'd

Following the generalized discussion of existing conditions and a generalized discussion of impacts is the following statement concerning mitigation measures: "Impacts to jurisdictional waters and wetlands (Impact B-28) would be adverse, but less than significant (Class III). No mitigation is recommended." This is unfounded and unsatisfactory. A Class III mitigation is defined in the EIR/EIS as "Adverse; less than significant. A Class III impact is a minor change or effect on the environment that does not meet or exceed the criteria established to gauge significance."[8] To be able to conclude that undefined impacts on uninventoried wetlands are "minor changes" is unacceptable in an EIR/EIS.

C.6.10.1 Affected Environment (Public Health and Safety) – Land Use

This section almost totally ignores the community of Leona Valley, first by saying simply in the first sentence: "Between . . . Mile 0.0 and approximately Mile 13, located at the northern edge of the Pelona Valley, Alternative 5 would traverse predominantly undeveloped grass and scrub land, and areas with scattered rural residences and small pockets of agricultural land." Leona Valley is much more than this and the reader of the EIR/EIS should be fully informed about the nature, lifestyle and demographics of this community. The follow-up sentence, that "Additionally, approximately 0.5 miles of line was routed onto NFS lands in the ANF to avoid impacting residential homes in Leona Valley" is self-serving and untrue in that the alternative does not avoid impacting homes in Leona Valley.

B.11-7

Add reference to the existence of the Vineyard Valley development at approximately Mile 8.4 to Mile 8.8.

B.11-8

C.6.10.2 Impacts and Mitigation Measures (Public Health and Safety) Introduction of hazards related to wind, earthquake, or fire (Criterion PHS4)

The EIR/EIS states that impacts from this source would be the same as the Proposed Project and therefore no design related hazards would occur. The proximity of Alternative 5 (and its towers) to the San Andreas Fault should be addressed. Additionally, the statement is made (when discussing the impacts from this source vis-à-vis the Proposed Project) that since the infrastructure is designed to meet CPUC and "other applicable requirements" that therefore "no design related hazards would occur." In view of the proximity of Alternative 5 to residents in Leona Valley and to the San Andreas Fault, this statement needs to be elaborated upon. To wit, just because something is designed to meet certain codes does not mean one can say that therefore "no design related hazards would

B.11-9

[8] C.1.3 Significance Categories

occur." Have there been problems with this type of infrastructure anywhere else, despite being designed according to applicable requirements? B.11-9 cont'd

C.6.10.2 Impacts and Mitigation Measures (Public Health and Safety) Harmful interference with radio/television/electronic equipment (Criterion PHS5)

Given the proximity of Alternative 5 to the community of Leona Valley, it is not correct to say "This impact for Alternative 5 would be exactly the same as the proposed Project." The Proposed Project is more remotely located than Alternative 5. In the Proposed Project description of this impact, it is stated "Corona or gap discharges related to high frequency radio and television interference impacts are dependent upon several factors, including the strength of broadcast signals. If these corona or gap discharges occur, they are anticipated to be very localized. If individual sources of adverse radio or television interference occur as a result of the Project, they can be located and corrected on the power lines. Conversely, magnetic field interference with electronic equipment such as computer monitors can be corrected through the use of software, shielding, or changes in the monitor location." To what extent is such interference an annoyance? Is it constant? How close does a home have to be to experience these impacts? B.11-10

The "mitigation" of the electronic equipment interference problem is not clear as to how effective the mitigation is; all this mitigation describes is how, if a problem occurs, "responsive action" will be taken. The mitigation measure is described as: "After energizing the transmission line, SCE shall respond to and document all radio/television/equipment interference complaints received and the responsive action taken. These records shall be made available to the CPUC for review upon request. All unresolved disputes shall be referred by SCE to the CPUC for resolution." This mitigation measure needs clarification. It does not say if the action works. Will residents' problems with this interference be solved or just reported? What is the history of resolution of such problems in residential areas? The residents of Leona Valley and decision makers reading this EIR/EIS need to know the true effect of these transmission lines. More information needs to be provided to justify stating that the impacts of this problem will be mitigated to a less than significant level. B.11-11

C.6.10.2 Impacts and Mitigation Measures (Public Health and Safety) Induced currents or shock hazards to the public (Criterion PHS6)

Given the proximity of Alternative 5 to the community of Leona Valley, it is not correct to say "This impact for Alternative 5 would be exactly the same as the proposed Project." The Proposed Project is more remotely located than Alternative 5. In the Proposed Project description of this impact, it is stated "Transmission lines constructed for the proposed Project would create induced currents and voltages on nearby conducting objects. However, this would not pose a threat in the environment if the conducting objects are properly grounded." To what extent are such shocks an annoyance? Is it constant? How close does a home have to be to experience these impacts. B.11-12

The stated mitigation of this impact is not conclusive, but rather merely describes a procedure as to how SCE responds to complaints. Stating that "Implementation of Mitigation Measure PH-6 (Determine Proper Grounding Measures) would reduce Impact PH-6 to a less-than-significant level (Class II)" is not justified by the limited facts B.11-13

provided. This mitigation measure states that "SCE shall identify objects (such as fences, metal buildings, and pipelines) that have the potential for induced voltages and work with the affected parties to determine proper grounding procedures." It continues by stating that it is the "property owner's responsibilities with respect to notification for any new objects, which may require grounding and guidelines for maintaining the safety of the ROW." How much of an inconvenience will this be for property owners for years to come? What will be the impact of having to ground "new objects" for years to come? This impact is made to sound less ominous than it may be. Additional clarification is necessary. B.11-13 cont'd

The second mitigation for this impact, dealing with pacemakers, is unclear. It states that the impact will only have "short duration." Would this "short duration" only affect people passing by the transmission facilities or if it would impact those living near them, and how close they must be to experience this impact. B.11-14

C.7.10.2 Impacts and Mitigation Measures (Forest Management Activities)

The EIR/EIS acknowledges that Alternative 5 route would be located near proposed future housing development areas adjacent to the ANF. The EIR/EIS states that "should a wildfire occur and travel into these developments, the proposed tower heights could restrict aerial firefighting resources next to the transmission line in these developed areas in the same way as discussed for the proposed Project. No mitigation measures are known to reduce the impact to a less-than-significant level (Class I)." The proximity of Alternative 5 to the Valley Vineyards project would also adversely impact this residential development in terms of the ability of fire fighters to protect the residents from fire. B.11-15

C.9.2 Regulatory Framework (Land Use and Public Recreation)
C.9.2.3 Local Regulations

This discussion of the local land use regulatory framework must continue beyond just the General Plan / Land Use Element of the Leona Valley area. To say this area is "Open Space and Recreation"[9] is misleading and inaccurate. No mention is made of the zoning of the area impacted by Alternative 5, including the Leona Valley Community Standards District Regulations[10]. The zoning for much of this area allows gross residential densities of one unit per two acres, and the Leona Valley Community Standards District Regulations allow gross residential densities of one unit per two and one half acres with clustering of lots as small as one and one half acres. This is low-density residential zoning, not open space zoning. B.11-16

Additionally, the EIR/EIS should recognize and discuss the Los Angeles County regulations dealing with development in Hillsides and Significant Ecological Areas.[11] These regulations have important controls that should be considered when planning facilities such as that covered in this EIR/EIS. B.11-17

C.9.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.9.10.1 Affected Environment (Land Use and Public Recreation)
Table C.9-5. B.11-18

[9] Table C.9-5
[10] Section 22.44.122 of the Los Angeles County Zoning Code
[11] Section 22.56.215 of the Los Angeles County Zoning Code

This table is inaccurate. The "source" of this table is described as "site reconnaissance." "Land Use" should include the zoning, not just what appeared to those performing the reconnaissance. B.11-18 cont'd

The area between approximately Mile 8.3 and Mile 8.8 (roughly the areas identified on this table as being "North of Lost Valley Road" and "North of Bouquet Canyon Road") is the location of the Valley Vineyards residential project. This should be clearly stated in this table and elsewhere in the EIR/EIS. B.11-19

The areas identified on this table as "North of Lost Valley Road" and "North of Bouquet Canyon Road" are not under the jurisdiction of the BLM but are in unincorporated Los Angeles County. B.11-20

C.9.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.9.10.1 Affected Environment (Land Use and Public Recreation)

This section refers to the prior discussion in Section C.9.2 concerning government approved plans that are applicable to Alternative 5. As stated above, this section needs to also address the zoning of the Leona Valley area, particularly the Leona Valley Community Standards District Regulations. B.11-21

C.9.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.9.10.1 Affected Environment (Land Use and Public Recreation)
C.9.10.2 Impacts and Mitigation Measures

As stated above, the EIR/EIS does not discuss the zoning for the area impacted by Alternative 5. In the absence of this information, the EIR/EIS concludes "Alternative 5 would not conflict with the County of Los Angeles General Plan, the Antelope Valley Areawide General Plan, and the City of Lancaster General Plan." It also states "Although the alternative would create a new ROW across the Sierra Pelona, it would not preclude existing open space areas." This statement is only partially accurate, as the zoning of Leona Valley is not included in the EIR/EIS. B.11-22

The EIR/EIS should include the Leona Valley zoning and the impacts of the project thereon. The EIR/EIS should clearly state: "Alternative 5 would conflict with the zoning of this area, particularly with respect to the Leona Valley Community Standards District Regulations." The EIR/EIS should clearly state: "Alternative 5 would preclude residential uses in areas zone for such uses."

The EIR/EIS should also explore Alternative 5's consistency with the "Hillside Management and Significant Ecological Areas regulations.[12] B.11-23

The statement that "Construction of Alternative 5 would temporarily disrupt existing residential land uses" should be expanded upon to also state that it would impact future homes in the Valley Vineyards development, much of which is within 1,000' of the route. B.11-24

[12] Section 22.56.215 of the Los Angeles County Zoning Code

7

We disagree that the temporary disruption to residents due to construction activities would be "significant but mitigable." We disagree that the mitigation measures listed would reduce these impacts to a less-than-significant level. B.11-25

In the section of the EIR/EIS dealing with the visual impact of the towers on recreational uses, it is stated "Operation of Alternative 5 would contribute to the long-term loss or degradation of recreational trails."[13] This discussion continues "The proposed towers are large structures, ranging from 113 to 178 feet in height. Given the substantial size of these towers and their industrial appearance, the proposed towers would introduce prominent features in the existing landscape." These same conclusions need to be made with respect to the visual impacts of Alternative 5 on all residential areas in Leona Valley. B.11-26

The paragraph on page C.9-49 – 50 dealing with long-term disruption to residential uses is totally unsatisfactory. The impacts of Alternative 5 on residential uses in Leona Valley is the most important subject of this EIR/EIS and yet this single paragraph simply deflects any substantive discussion of these impacts by saying that, since final design studies of the alternative have not been done, it is not known how many homes will have to be removed. The EIR/EIS preparers acknowledge that they rather than SCE proposed this alternative and therefore no precise design studies have been done. And because of this glaring omission, the EIR/ EIS preparers then admit that they therefore have no information to tell the reader about the impacts. B.11-27

It is unacceptable to address the most important part of this EIR/EIS by stating "It is conceivable that once SCE develops final design for this alternative, some structures may need to be removed to accommodate the route."

Where precisely will the towers and lines be located? How many homes will be displaced? How many properties will have to be acquired or will be made unusable or less useable by this alternative? Where are these homes and properties? Design studies must be done, tower and line locations must be resolved, and then the environmental impacts can be analyzed and revealed to residents and decision makers. A detailed map of Leona Valley and other areas that shows exactly what homes and properties will be impacted is necessary. To do any less is totally contrary to the entire EIS/EIS process. B.11-28

Notwithstanding this acknowledged imprecision of the alignment, for purposes of this response to the Draft EIR/EIS as it relates to the Valley Vineyards residential development, we must assume that the alignment will be as shown in the EIR/EIS. As such, implementation of Alternative 5 will have significantly adverse environmental and economic impacts on the Valley Vineyards development. Approximately 12 lots will be directly displaced by the construction of the two proposed towers on this property and by the presence of the overhead power lines. The layout of the development will have to be completely revised and at least that number of lots could be lost. In addition, all other residences in this development would be adversely impacted by the visual, noise, electromagnetic presence of the structures and lines to the extent that the viability of the entire project would have to be reevaluated. Implementation of this alternative could make the development of Valley Vineyards economically infeasible and cause it to be abandoned. The cost of acquiring this property by eminent domain needs to be addressed. B.11-29

[13] Page C.9-53: "Long-term loss or degradation of recreation areas"

The economic impact of this Alternative 5 on the Valley Vineyards development and on all of Leona Valley must be quantified in the EIR/EIS. The preparers of the EIR/EIS need to obtain precise alignment information from SCE and need to thoroughly address this impact.

B.11-29 cont'd

C.10.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.10.10.1 Affected Environment (Noise)
Table C.10-11. Sensitive Receptors Along Alternative 5

This table needs to be revised to show the proximity of the alternative to the Valley Vineyards residential development. The "Distance from Route" for the Valley Vineyards development would be "immediately adjacent."

B.11-30

C.10.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.10.10.2 Impacts and Mitigation Measures (Noise)

The statement that "Alternative 5 would have the potential to affect a greater number of residences along the ROW compared to the proposed Project" needs to be quantified. This paragraph states "Alternative 5 would traverse approximately 103 private parcels, whereas the proposed Project and other alternatives would traverse between 58 and 60 private parcels." Whatever the number of parcels is does not equate to the number of residences, such as the Valley Vineyards development which at the present time is on just two separate parcels. The 140± home Valley Vineyards development will be impacted by the noise from this Alternative and that impact needs to be quantified.

B.11-31

C.10.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.10.10.2 Impacts and Mitigation Measures (Noise)
Figure C.10-5b

This figure needs to be revised to reflect the proximity of Valley Vineyards residential development as an impacted noise sensitive receptor location.

B.11-32

C.10.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.10.10.2 Impacts and Mitigation Measures (Noise)
A Permanent and Substantially Higher Level of Ambient Noise (Criterion NOI3)

This statement is too vague and needs to be quantified: "As mentioned above, a greater number of residences would be impacted by Alternative 5 compared to the proposed Project or other alternatives." This is a very important impact to all of Leona Valley and it needs to be clarified in the EIR/EIS.

B.11-33

C.12.10 Alternative 5: Antelope-Pardee Sierra-Pelona Re-Route
C.12.10.2 Impacts and Mitigation Measures (Socioeconomics)

This statement that "Alternative 5 could require the removal of residential structures" is too vague and needs to be quantified. How many? Where? It is not adequate to say only that "it is possible" that "several residences" would need to be purchased and removed. As stated above (regarding the paragraph on page C.9-49 – 50 that deals with long-term disruption to residential uses) this information also does not present a clear indication of the extent of the impacts of Alternative 5.

B.11-34

In terms of housing impacted and the economic impacts thereof, specific information on the Valley Vineyards development needs to be included in the EIR/EIS. As stated earlier, approximately 12 lots would become unbuildable should Alternative 5 be implemented. Also, the proximity of Alternative 5's facilities to the rest of the property may make it economically unacceptable to proceed with the development, thus in effect removing all the Valley Vineyards homes from the housing market.

B.11-35

The impact of Alternative 5 on property values is a major concern to Leona Valley, however it is discussed only briefly and in generalities. The EIR/EIS states that Alternative 5 "could substantially decrease property values along the Project alignment." The EIR/EIS continues, "however, the effects are generally smaller than anticipated" and that the impact would be "less than significant." These statements are vague and no factual documentation is provided to support them. It is obvious that Alternative 5 will decrease property values, and the EIR/EIS needs to quantify what this means.

B.11-36

C.15 Visual Resources
Figure C.15-2 Key Observations Position Map

This exhibit (when viewed as a .pdf file) does not show the locations of all the KOPs. KOPs 5-4 through 5-11 are not shown.

B.11-37

C.15.10 Alternative 5: Antelope-Pardee 500-kV Sierra Pelona Corridor
C.15.10.1 Affected Environment (Visual Resources)

It is misleading to say that Alternative 5 avoids directly impacting residential properties in Leona Valley because it crosses Lake Elizabeth Road "west of the town of Leona Valley." The alignment will be seen by residents of Leona Valley in this location, as well as when it runs parallel to Lost Valley Ranch Road and again when it turns south and crosses Bouquet Canyon Road. Photo simulations that show actual homes in Leona Valley and accurately depict the proximity of homes to the proposed infrastructure need to be prepared. This information in the EIR/EIS needs to be amplified.

B.11-38

Also it needs to be pointed out that when the alignment crosses Lost Valley Ranch Road it will be within the boundaries of the Valley Vineyards residential development. The facilities will be highly visible to the homes in this development.

Valley Vineyards should be listed as one of the "Specific areas of concern for Alternative 5."

B.11-39

C.15.10 Alternative 5: Antelope-Pardee 500-kV Sierra Pelona Corridor
C.15.10.1 Affected Environment (Visual Resources)
KOP 5-4 – Lost Valley Ranch Road

Lost Valley Ranch Road runs through the Valley Vineyards residential development. The presence of this development and the alternatives route through it needs to be included in the description of this KOP.

B.11-40

Additional "before" and "after" photographs should be provided in this area, specifically showing the impact of Alternative 5 on the Valley Vineyards homesites. For example,

photographs looking westward from a new location to the east of KOP 5-4 would show the impact of Alternative 5 on this residential community.

An analysis of Visual Quality, Viewer Concern, Viewer Exposure and Overall Visual Sensitivity needs to be prepared for this additional Valley Vineyards KOP.

The visual impacts of Alternative 5 on the Valley Vineyards residential community would be significant and unavoidable and should be listed as such on page C.15-134.

B.11-40 cont'd

Summary:

In conclusion, we believe the DEIR/EIS is significantly lacking in its detail and therefore fails to present to the reader a clear identification of impacts associated with Alternative 5. The preparers of the DEIR/EIS acknowledge that no design studies have been done for this alternative and admit that it is therefore not possible to quantify certain important and very basic impacts, such as number of homes and properties that will be displaced by the facilities. For this EIR/EIS to serve its intended purpose far more information needs to be provided than is currently in the document.

Now that information has been provided to the preparers of the EIR/EIS concerning the eminent development of the Valley Vineyards residential project, this document needs to fully address the impacts of Alternative 5 on that project.

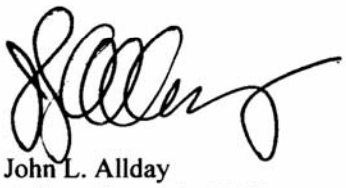
B.11-41

The environmental consequences of Alternative 5 upon all of Leona Valley – even though not as clearly explained as CEQA and NEPA require – are still obviously adverse enough that Alternative 5 should be rejected.

We respectfully request that the above comments, with factual responses to each comment, be included in the Final EIR/EIS.

Thank you for the opportunity to comment on this Draft EIR/EIS.

Very truly yours,



John L. Allday
Valley Vineyards, LLC
By: Lauren Development, Inc.
It's Operating Manager

Attachments:

1. Map "VALLEY VINEYARDS – Western Portion" showing overlay of Alternative 5 on Valley Vineyards residential community.

2. PCR Services Corporation, Results of a General Biological Assessment and Sensitive Plant Surveys for the Approximately 290-Acre Bouquet Canyon Project Site, Unincorporated Los Angles County, California, August 15, 2006.

3. PCR Services Corporation, Investigation of Jurisdictional Wetlands and Waters of the U.S., Bouquet Canyon, Los Angeles California, August, 2006.

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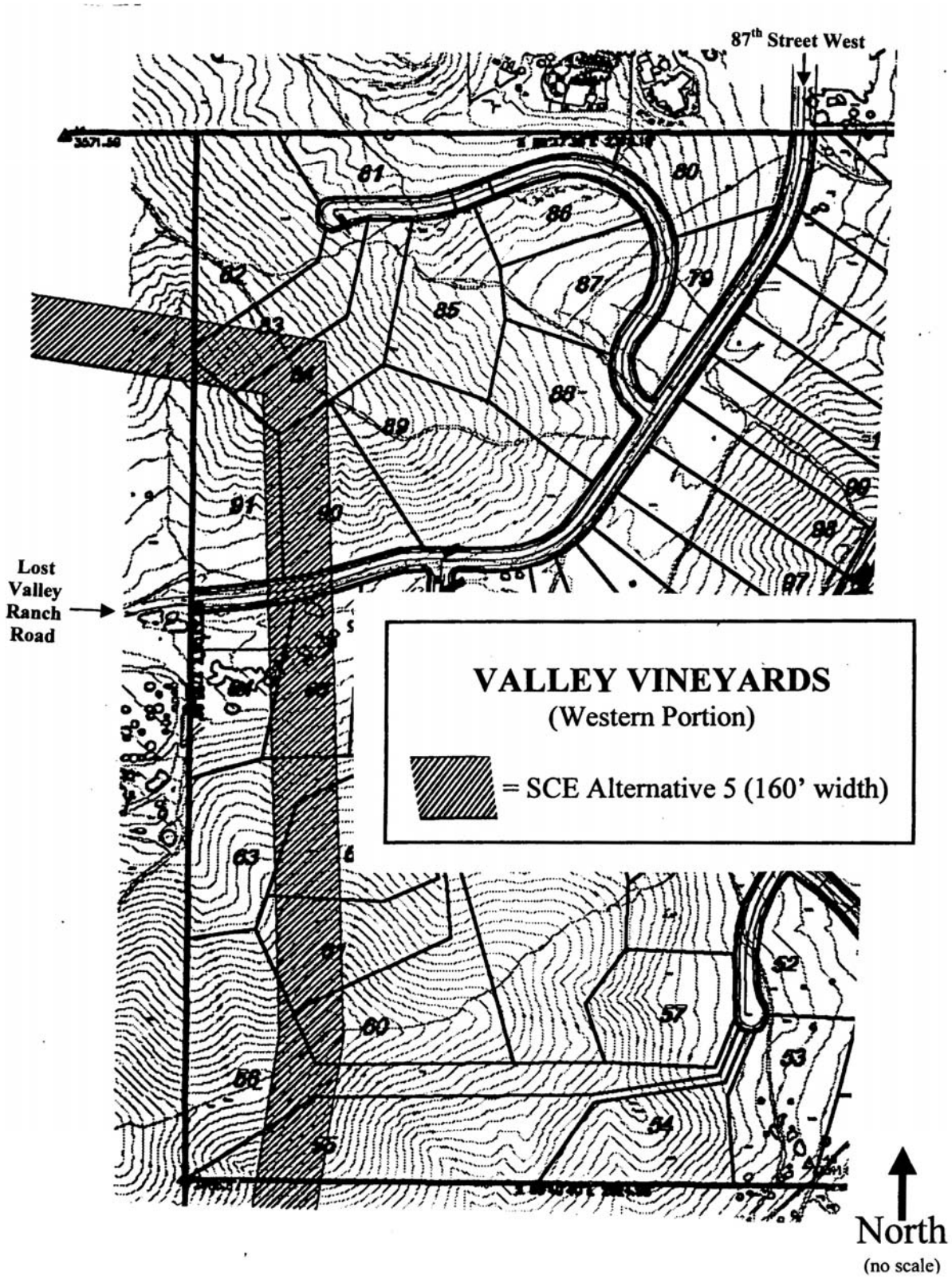
87th Street West
Lost Valley Ranch Road
VALLEY VINEYARDS
(Western Portion)
= SCE Alternative 5 (160' width)
North
(no scale)

Response to Comment Set B.11: Lauren Development, INC. - for Valley Vineyards, LLC

B.11-1 Thank you for submitting your comments and opinions on the Project. These will be shared with the decision-makers at the USDA Forest Service and the CPUC.

B.11-2 The EIR/EIS preparers provided maps that were the most current available at the time the Draft EIR/EIS was prepared and understand that recent development would not be reflected. Site visits were conducted in May and July 2005 to verify conditions and note new development; however, due to how much development is currently occurring in the Santa Clarita area at this time, not all new development would have been assessed in the Draft EIR/EIS. Per CEQA Guidelines Section 15125 (a), the baseline environmental conditions by which the lead agency determines whether an impact is significant is established based on the physical environmental conditions at the time the notice of preparation is published. The notice of preparation was published and available for public review June 28, 2005. As noted in Draft EIR/EIS Section B.5, Cumulative Impacts Scenario, the cumulative projects presented in Table B.5-1 reflect projects provided by the County of Los Angeles Regional Planning Department as of October 2005. As noted, the County did not assign a tract map number until May 1, 2006. As such, this project was not identified at the time the Draft EIR/EIS was prepared.

Information regarding the Valley Vineyards development project will be shared with the decision-makers at the USDA Forest Service and CPUC.

B.11-3 The Draft EIR/EIS has been prepared to address the impacts of the proposed Project across a wide geographic area that supports a variety of plant communities and a broad assemblage of both sensitive and common wildlife. The existing biological conditions that are present in the project area have been fully characterized in Section C.3.1.3 (Existing Conditions) and Section C.3.10.1.3 (Alternative 5 Existing Conditions) of this EIR/EIS and are of sufficient detail to evaluate impacts to biological resources.

It is acknowledged that detailed environmental surveys were not conducted on some areas of the ANF and on private lands for the Draft EIR/EIS. Comprehensive surveys of the entire transmission line were not conducted for a variety of reasons. Sections of the transmission line that were inaccessible due to topographical constraints or located on private lands where native habitats were absent were not subject to biological surveys. In addition, as the project impacts are limited to the tower location and spur roads, only small areas relative to the transmission line corridor would be subject to project disturbance. As the exact tower locations have not been identified the biologists focused their attention on habitats that were likely to support the highest concentration of sensitive resources. Seasonal restrictions also limited the level of intensity for the biological surveys. Surveys conducted outside the flowering period for annuals plants can offer little additional information regarding their presence in an area. Subsequently the biologists developed mitigation measures that require detailed site surveys during the proper flowering period prior to construction. However, it is important to note the biologists evaluated the potential impacts to rare species based on the potential for them to occur and not solely on whether a particular species was identified during a survey. Negative survey results, even conducted during the best of years, does not rule out the potential for a species to be present, rather it suggests that during any given period that species was not identified. However, as stated in Section C.3.1 (Affected Environment), the analysis of the

biological baseline for the proposed Project was partially based on an extensive literature review that included the Proponent's Environmental Assessment (Mackness, 2004) as well as field survey documents prepared for surveys conducted on NFS lands for the proposed Project. The extensive literature review included an examination of numerous other resource documents (USDA Foresters list of Sensitive Plants and Animals, BLM plan documents, Angeles National Forest Land Management Plan, etc.) that contained information on expected or reported locations of sensitive vegetation communities and sensitive and/or listed species. In addition, the CNDDB and CNPS databases were also reviewed prior to conducting the field reconnaissance. Following the compilation of data from the literature review, the field reconnaissance survey was conducted. The survey focused on determining whether the plant communities that were previously described along the route were consistent with what was found during the summer 2005 surveys. The environmental analysis of the proposed Project and specifically for Alternative 5 analysis contained in the Draft EIR/EIS is sufficient for determining the potential impacts to biological resources from the proposed project and alternatives, and it satisfies the requirements of CEQA and NEPA. The biologists evaluated the potential impacts to rare species based on the potential for them to occur and not solely on whether a particular species was identified during a survey. Negative survey results, even conducted during the best of years, does not rule out the potential for a species to be present, rather it suggests that during any given period that species was not identified.

A recommendation to conduct species surveys prior to construction does not constitute a deferral of analysis because the impacts on plant and wildlife are analyzed in the Draft EIR/EIS and that analysis is considered complete and adequate. The analysis in the Draft EIR/EIS does not indicate that additional information is needed to reach conclusions regarding impacts – the necessary analysis and impact conclusions are presented in the Draft EIR/EIS. These mitigation measures are often pre-cautionary and, therefore, protective of the environment and sensitive resources. For example, pre-construction surveys are recommended to ensure that no sensitive wildlife species have moved into the construction zone between the time the Draft EIR/EIS was prepared and the time construction commences. Similarly, sensitive plant surveys are recommended prior to construction because plants often bloom erratically season to season and could have been missed in prior surveys. Regardless, the potential impacts to sensitive wildlife and plants (whether they actually occur in reality or not) are described in the Draft EIR/EIS.

B.11-4 Section C.8.1.2 (Surface Hydrology) identifies the major surface water crossings that occur in the proposed Project area. Although formal jurisdictional wetland delineations were not conducted for the proposed or alternative transmission line routes, the Draft EIR/EIS identifies that numerous ephemeral drainages are present in the proposed Project area and that may be impacted by project construction. Wetlands that fall under the jurisdiction of the ACOE and CDFG were noted to occur in several areas in the Draft EIR/EIS including Bouquet Creek, Santa Clara River, and San Francisquito Creek during the biological reconnaissance surveys of the project area. Riparian and wetland habitat is discussed under Biological Resources in Section C.3 of the Draft EIR/EIS. SCE has indicated that the project would span riparian and wetland areas where possible. In addition, implementation of Mitigation Measure B-1b (No Activities will occur in Riparian Conservation Areas) would avoid impacts to water bodies located on NFS lands. Prior to conducting any activities, SCE would be required, as a matter of law, to obtain authorization from the Regional Water Quality Control Board via a Clean Water Act 401 Water Quality Certification (This certification ensures that the proposed activity does not violate State and/or federal water quality

standards.), ACOE Clean Water Act 404 permit which defines the conditions which must be met by Federal projects before they may make discharges into the Nation's waters., and CDFG Section 1602 Streambed Alteration Agreement. Section 1602 requires an agreement between the CDFG and a public agency proposing a project that would protect the natural flow, bed, channel, and bank of any river, stream, or lake designated by the California Department of Fish and Game (CDFG).

B.11-5 The Draft EIR/EIS addresses the potential impacts to biological resources, including listed, candidate, and sensitive species, in detail in Sections C.3.5.1 (Impacts and Mitigation Measures) and in Section C.3.10.2. Describing impacts to vegetation as either temporary or permanent provides the reader with information to determine biological effects and evaluate potential impacts to both common and sensitive resources. Temporary impacts are associated with the development of staging areas and work sites located adjacent to the transmission line towers. These sites would be subject to ground disturbance and would remain barren during construction of the proposed Project. However, at the conclusion of construction these areas would be subject to restoration to comply with Mitigation measure Bio-1 (Provide Restoration/Compensation for Impacts to Native Vegetation Communities). In order to clarify Section C.3.10, the following sentence has been modified in the Draft EIR/EIS to read "Construction of Alternative 5 would result in a net increase in impacts to native vegetation communities (Impact B-1) compared to the proposed Project". Table ES-10 of the Draft EIR/EIS describes the total land disturbance in acres for each alternative. For example, Alternative 5 would disturb approximately 17 percent more land than the proposed Project. Impacts to vegetation would occur along the entire route and would not be limited to one specific section of the ROW.

Mitigation Measure B-1a (Provide Restoration/Compensation for Impacts to Native Vegetation Communities) identified in the EIR/EIS regarding restoration of disturbed areas provides an enforceable mechanism to ensure impacts are reduced to less-than-significant levels. Mitigation ratios provide flexibility to the lead agency in regard to the type of impact and the physical condition of a particular area. A temporary impact to a barren field for example would not require the same level of mitigation as the disturbance of a coastal sage scrub community. Providing this flexibility to the lead agency ensures that mitigation is both reasonable and enforceable. In addition, there is no statutory requirement that sets the mitigation ratio of specific habitats. SCE shall submit the restoration plan to the CPUC/USFS for approval prior to implementation. At that time the mitigation ratios will be determined by qualified biologists in consultation with the regulatory agencies.

B.11-6 Please see the response to Comment B.11-4 regarding impacts to jurisdictional waters.

B.11-7 Although the land use discussion was specific to Public Health and Safety, the EIR/EIS section C.6 description of the environment has been revised to include a reference to the Land Use section for a detailed discussion of land uses along alternative 5.

The statement that "approximately 0.5 miles of the line was routed onto NFS lands in the ANF to avoid impacting residential homes in Leona Valley" reflects the difference in the Alternative 5 alignment addressed in the EIR/EIS versus the completely non-Forest alignment presented in the Alternatives Screening Report in Appendix 1 (see Antelope-Pardee 500-kV Line in New Corridor Alternative), from which Alternative 5 was developed. In fact, the realignment does avoid impacts to homes in Leona Valley identified in the Antelope-Pardee 500-kV Line in New Corridor

Alternative; although impacts to other homes in Leona Valley would still occur as part of Alternative 5.

B.11-8 The existing settings are those conditions that existed at the time of publication of the NOI-NOP (June 2005). Please see the response to Comment B.11-2, above.

B.11-9 The proposed Project and all the alternatives cross the San Andreas Fault at some point along their respective alignments. Overhead transmission lines currently exist within the Antelope Valley area, which cross the San Andreas Fault. CPUC design guidelines and other applicable requirements provide detailed engineering standards to prevent impacts from wind, earthquakes, and fire. Transmission support structures are designed to withstand different combinations of loading conditions including extreme winds. These design requirements include use of safety factors that consider the type of loading as well as the type of material used, e.g., wood, steel or concrete. Failures of transmission line support structures are extremely rare and are typically the result of anomalous loading conditions such as tornadoes or ice storms. Although rare, structural failure is possible, but it is beyond the scope of the EIR/EIS to attempt to predict the likelihood of any specific or generalized structural failure. Detailed engineering design of the towers and footings, taking into consideration local geologic and meteorological conditions, would be undertaken for Alternative 5, or any of the other alternatives, only if approved. Because it is not possible to define any specific scenarios that might result in structural failure of a tower(s), only general speculation is possible regarding the potential consequences of tower failure.

Overhead transmission lines consist of a system of support structures and interconnecting wire that is inherently flexible. Industry experience has demonstrated that under earthquake conditions structure and member vibrations generally do not occur or cause design problems. Overhead transmission lines are designed for dynamic loading under variable wind conditions that generally exceed earthquake loads.

B.11-10 Although radio and television interference (RI/TVI) can occur from transmission lines this is not a common and widespread phenomenon along transmission lines. The radio and television interference can vary from "static" sounds on AM radios to distorted TV reception. Magnetic fields can cause computer monitors/screens to flicker. The majority of RI and TVI problems are traced to local electric distribution lines that serve residences and businesses, not high voltage transmission lines. When RI/TVI is generated by a line it does attenuate with lateral distance from transmission lines and is typically not an issue beyond a few hundred feet.

B.11-11 Radio and television interference occurs from gap discharges that occur when an arc forms across a gap in loose or worn line hardware and can be sporadic dependent upon the movement of the hardware. Once an interference problem is identified there is equipment which the utility can use to locate the specific source of the interference. Once the interference is traced to its source the hardware can be repaired or replaced to remedy the problem.

B.11-12 The electric field strength from the proposed Project drops off significantly with the distance from the transmission line. The peak electric field in the right-of-way is anticipated to be 5 – 6 kV/meter and drops 80 percent within 100 feet of the line to near 1 kV/meter. Overhead high-voltage transmission lines include system protection designed to safeguard the public and line equipment. These protection systems consist of transmission line relays and circuit breakers that are designed to rapidly detect faults and cut-off power to avoid shock and fire hazards. This equipment is typically

set to operate in 2 to 3 cycles, representing a time interval range from 2/60 of a second to 3/60 of a second. Therefore, power in a fallen line would be cut off very quickly. Small secondary shocks may occur from fences which cross the right-of-way or from large metal objects such as vehicles or buildings that are in close proximity. As noted in Section C.6.1.1 of the Draft EIR/EIS, secondary shocks cause no physiological harm and they would be similar to the shock from static electricity when walking on a carpet in socks.

B.11-13 Secondary shocks resulting from metal objects near the transmission line do not pose a safety hazard to the public and property owners. Grounding of metal objects is done to eliminate secondary shocks as a nuisance. Metal fences across the right-of-way or steel buildings in close proximity to the line would be grounded at the time the transmission line is first constructed. This grounding only needs to be installed once and would not present any continuing inconvenience for the property owner. If a property owner builds a new large metal object close to the right-of-way any necessary grounding would be a one time installation and would not present a significant inconvenience.

B.11-14 As noted in the Draft EIR/EIS Section C.6.1.1, this potential impact does not affect all types of pacemakers and is only related to some older model synchronous pacemakers. The effect would only occur when near (within 100 feet of the line) or passing across the transmission line right-of-way and would be a momentary affect.

B.11-15 Thank you for the additional input regarding the Valley Vineyards development. As discussed in Draft EIR/EIS Section C.11.10.2, once operational, "Alternative 5 would have the same demands on fire and police protection as the proposed Project (Impact P-2). The regular maintenance proposed by SCE would ensure that the potential for risk of fire would not substantially increase and result in a corresponding demand for fire protection services on non-NFS lands. Consequently, impacts to non-NFS lands would not be significant (Class III)." From this assessment, no long-term impacts to service providers would result from Alternative 5. During construction, Mitigation Measure P-1 (Expansion of the Southern California Edison Fire Prevention and Response Plan) would ensure that the components of the FPRP apply to construction activities along the entire Alternative 5 route to reduce impacts to a less-than-significant level (Class II).

B.11-16 As described in Section A.5.3 of the Introduction, the CPUC has preemptive jurisdiction over the construction, maintenance, and operation of SCE facilities in California and the Forest Service has jurisdiction over NFS lands. Therefore, the Leona Valley Community Standards District Regulations are not applicable to the Project. CEQA only requires an EIR to discuss inconsistencies between the proposed project and applicable plans. (See CEQA Guidelines § 15125(d). Accordingly, no additional discussion of the local land use regulatory framework is necessary. No changes will be made to the discussion.

B.11-17 Please refer to the response to Comment B.11-16 regarding additional discussion of the local land use regulatory framework.

B.11-18 As discussed above, because no other discussion of the local land use regulatory framework is necessary, inclusion of the zoning for areas identified in Table C.9-5 is not necessary. Please refer to the response to Comment B.11-16 regarding additional discussion of the local land use regulatory framework.

B.11-19 Please refer to the response to Comment B.11-2 regarding the Valley Vineyards development.

B.11-20 While the areas in the vicinity of the alignment are in unincorporated Los Angeles County, the Alternative 5 route traverses BLM land in this area. No changes will be made to the discussion.

B.11-21 While the Leona Valley and Agua Dulce Community Standards Districts (CSDs) both emphasize the rural character of those areas, neither prohibits, limits, or restricts transmission lines such as would be implemented under Alternative 5. As described under Criterion LU1 of Section C.9.10.2, Alternative 5 would be consistent with the Los Angeles County General Plan as well as these CSDs. Please note that local regulations and standards are not applicable to State and federally permitted projects, such as the Antelope-Pardee 500-kV Transmission Project; however, such regulations and standards can be considered by decision-makers at their discretion.

B.11-22 Please refer to the response to Comment B.11-16 regarding additional discussion of the local land use regulatory framework and the response to Comment B.11-21 regarding the Leona Valley and Agua Dulce Community Standards Districts.

B.11-23 Please refer to the response to Comment B.11-16 regarding additional discussion of the local land use regulatory framework.

B.11-24 Please refer to the response to Comment B.11-2 regarding the Valley Vineyards development.

B.11-25 Your comments will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC.

B.11-26 The visual impacts of Alternative 5 are clearly and accurately depicted in Section C.15.10.2. It is not feasible or practical to take photographs and prepare simulations from every residence that would be affected in Leona Valley. The proximity to homes is accurately depicted in simulations of the proposed Project and all alternatives, including Alternative 5. Alternative 5 is shown to have the highest quantity of significant (Class I) visual impacts, commensurate with its increased length. The numbers of visual impacts are displayed in Table C.15-21, Table D.4-14, Table ES-6, and Table ES-10. These visual impacts include residential properties in Leona Valley.

Your comments will be forwarded to the decision makers at the CPUC and USDA Forest Service.

B.11-27 The impacts of Alternative 5 are described in detail in the Draft EIR/EIS. Detailed plans for each alternative are not required or necessary to conduct an impact analysis for an EIR/EIS. An exact number of homes that may need to be acquired cannot be known until detailed routing and engineering studies are conducted prior to construction. However, Impact L-3 under Criterion LU2 of Section C.9.10.2 identifies that the preclusion of existing and planned land uses and the possible removal or acquisition of existing residences or properties would create significant and unavoidable impacts (Class I).

B.11-28 Please refer to the response to Comment B.11-27 above regarding the long-term disruption and preclusion of residential uses.

B.11-29 Please refer to the response to Comment B.11-2 regarding the Valley Vineyards development and the response to Comment GR-2 regarding property acquisition and compensation.

B.11-30 Table C.10-11 presents existing sensitive receptors along the Alternative 5 route. Please see response to Comment B.11-2 regarding analysis of impacts to the Valley Vineyards development. However, Impact L-3 under Criterion LU2 of Section C.9.10.2 identifies that the preclusion of

existing and planned land uses and the possible removal or acquisition of existing residences or properties would create significant and unavoidable impacts (Class I).

B.11-31 As noted, the Draft EIR/EIS states that "Alternative 5 would have the potential to affect a greater number of residences along the ROW compared to the proposed Project and other alternatives", but it continues to explain the basis of this statement which is that this is "due to the fact that Alternative 5 would not traverse the ANF, except for a 0.5-mile segment, where there are few residences, and would instead cross through rural development in both Leona Valley and Agua Dulce, as well as urban development in Santa Clarita (common to the proposed Project and other alternatives." The number of parcels traversed is secondary to this statement and does not correlate to the number of residences affected as noted by the commenter. Please see the response to Comment B.11-2 regarding analysis of impacts to the Valley Vineyards development.

B.11-32 Figure C.10-5b presents existing noise sensitive receptor locations along the Alternative 5 route. Valley Vineyards was not developed at the time the Draft EIR/EIS was prepared; therefore, it was not included. Please see the response to Comment B.11-2 regarding analysis of impacts to the Valley Vineyards development.

B.11-33 Please see the response to Comment B.11-31 for clarification.

B.11-34 As discussed in Section C.9.10.2, the majority of land uses that would be restricted as a result of Alternative 5 would be from the erection of new structures within the alternative ROW. However, given that SCE has not conducted construction or final alignment and design studies for Alternative 5, the EIR/EIS has assumed that the removal of one or more homes may occur. It is not anticipated that a substantial number of existing (at the time the Draft EIR/EIS was developed) housing would be displaced by Alternative 5.

B.11-35 Please see the response to Comment B.11-2 regarding analysis of impacts to the Valley Vineyards development.

B.11-36 Please see General Response GR-1 regarding effects on property values.

B.11-37 The EIR/EIS preparers are aware that Figure C.15-2 presented in the Draft EIR/EIS was missing several of the Key Observation Positions (KOPs). This map has been updated in the Final EIR/EIS.

B.11-38 It is not feasible or practical to take photographs and prepare simulations from every home that would be affected in Leona Valley. The proximity to homes is accurately depicted in simulations of the proposed Project and all alternatives. As described in Section C.15.1.1, photographs used in the EIR/EIS were taken from vantage points called key observation positions (KOPs). Each KOP was carefully selected to display the typical or worst-case view from major travel routes or use areas that provide visual access to affected landscapes. From dozens of potential observer positions, and in consultation with CPUC and Forest Service personnel, 14 locations were selected as KOPs for detailed analysis of the proposed Project, and 14 additional KOPs were selected for detailed analysis of alternatives.

B.11-39 Thank you for the additional information regarding the Valley Vineyards development. Please see the response to Comment B.11-2 regarding analysis of impacts to the Valley Vineyards development.

B.11-40 Please see the response to Comment B.11-2 regarding analysis of impacts to the Valley Vineyards development.

B.11-41 Your comments will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC.