

C.1 INTRODUCTION TO ENVIRONMENTAL ANALYSIS AND MITIGATION MONITORING

C.1.1 INTRODUCTION/BACKGROUND

This section describes the general approach to environmental analysis that is taken in this Supplemental EIR. Because this document supplements the analysis presented in the 1988 Final EIS/EIR, both documents need to be considered for a complete analysis of project impacts. However, much of the environmental baseline from the older document has been presented here for the reader's assistance.

Section B offers a complete and detailed description of the Proposed Project and Alternatives, which were originally defined for the 1986 Draft EIS/EIR. Section C, examines the environmental consequences associated with the Proposed Project and Alternatives. The organization and content of Section C is described below.

C.1.2 CONTENTS OF PART C

Part C includes analyses of the 11 environmental issue areas listed below. These issue areas incorporate the topics presented in CEQA's Environmental Checklist (identified in Appendix G to CEQA Guidelines).

C.2	Air Quality	C.8	Public Safety, Health and Nuisance
C.3	Biological Resources	C.9	Socioeconomics and Public Services
C.4	Cultural Resources	C.10	Transportation and Traffic
C.5	Geology and Soils	C.11	Visual Resources
C.6	Hydrology and Water Resources	C.12	Impacts of the No Project Alternative
C.7	Land Use and Recreation		

For each issue area, the assessment methodology involved establishing the environmental baseline (which included review of the baseline described in the original EIS/EIR and an update of the baseline based on current conditions), identification of environmental consequences of the Proposed Project and Alternatives, determining impacts and impact significance, and evaluating and developing feasible mitigation measures. Where relevant, mitigation measures presented in the original EIS/EIR have been incorporated into this SEIR, but most have been expanded to provide additional specificity or clarity.

Within each issue area section, the following sections are presented:

- Environmental Setting (regional and project area)
- Regulations and laws applicable to the Project and Alternatives
- Environmental Impacts and Mitigation Measures for the Proposed Project
- Environmental Impacts and Mitigation Measures for the Western Corridor Alternative Segments
- Environmental Impacts and Mitigation Measures for the Eastern Corridor Alternative
- Mitigation Monitoring Table

By identifying the impacts associated with each issue area and the offsetting mitigation measures, the regulatory agencies and the general public are offered a discussion and full disclosure of the significant environmental impacts of this Proposed Project and its alternatives.

The environmental impacts of the No Project Alternative are presented in Section C.12.

C.1.3 ASSESSMENT METHODOLOGY

C.1.3.1 Environmental Baseline

The analysis within each issue area begins with an examination of the existing physical or baseline setting wherein the Proposed Project would be placed. The regulatory setting, which includes applicable government rules, regulations, plans, and policies, is also presented in the baseline setting. For the purpose of this document, and pursuant to CEQA Guidelines, the baseline used for the impact analysis reflects conditions at the time of issuance of the Notice of Preparation (July 10, 2001). This information has been updated in each section from that presented in the initial EIS/EIR, which was based on environmental conditions in 1985 and 1986.

C.1.3.2 Environmental Consequences

This SEIR addresses the environmental consequences and potential impacts that the Proposed Project and the Alternatives related to each issue area. Feasible mitigation measures for each impact are identified and the residual impact determined. The analysis of impacts on the environment and specific resources is based on the description of the Proposed Project and the Alternatives as presented in Part B of this document.

Significance Criteria. The impacts identified by applying the assessment methodology were then compared with predetermined, specific significance criteria, and were classified according to significance categories listed in each issue area (see Section C.1.4 for discussion of significance criteria). The cumulative impacts of the project taken together with the related cumulative projects (listed in Section E.3) were assessed next, and mitigation measures for each impact were identified, if feasible. The focus in the cumulative impact analyses was to identify those project impacts that might not be significant when considered alone, but contribute to a significant impact when viewed in conjunction with future planned projects. Finally, the impacts found to be significant and unavoidable or unmitigable to a non-significant level were identified. The same methodology was applied systematically to each alternative project and alternative route alignment. A comparative analysis of the Proposed Project and the alternatives is provided in Part E of this document.

Mitigation Measures. The mitigation measures recommended in the original EIS/EIR are presented in each section, and the disposition of those measures is explained (i.e., whether the measure has been incorporated into a new measure, retained, or eliminated). Once an impact was identified, diligent effort was taken to identify mitigation measures that will reduce the impact to a level that is not significant. Since some reviewing agencies require a demonstration of reduction of impacts to the maximum extent possible, mitigation measures were identified for all classes of impacts (except

beneficial impacts). The mitigation measures recommended by this study have been identified in the impact assessment sections and presented in a Mitigation Monitoring Program table at the end of the analysis for each issue area (see also Section C.1.5 for discussion of the CPUC's Mitigation Monitoring Program).

Impact Analysis Without Specific Tower Locations

As of the time of preparation of this Draft Supplemental EIR, PG&E had not yet completed design of the Proposed Project sufficient to provide the specific locations of each transmission tower. Therefore, analysis in each issue area focused on identification of the resources that occur within each corridor and evaluation of the types of impacts that could occur within each corridor. Mitigation measures are recommended that would ensure that specific impacts at each tower location would be avoided or reduced.

C.1.4 IMPACT SIGNIFICANCE CATEGORIES

While the criteria for determining significant impacts are unique to each issue area, the classification of the impacts was uniformly applied in accordance with the following definitions:

- Class I:** Significant; cannot be mitigated to a level that is less than significant
- Class II:** Significant; can be mitigated to a level that is less than significant
- Class III:** Adverse, less than significant
- Class IV:** Beneficial impacts

C.1.5 MITIGATION MONITORING AND REPORTING

This section briefly describes the mitigation monitoring process if a project is approved by the California Public Utilities Commission (CPUC), and the roles and responsibilities of government agencies in implementing and enforcing the adopted mitigation measures.

This SEIR includes a proposed Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) for the mitigation measures proposed herein for the Los Banos-Gates 500 kV Transmission Project. An MMCRP for the Proposed Project and the alternatives is provided at the end of each issue area's environmental analysis in Sections C.2 through C.11. This section provides the recommended framework for the implementation of the MMCRP as it would be handled by the CEQA Lead Agency, the CPUC.

C.1.5.1 Authority for the Mitigation Monitoring, Compliance and Reporting Program

The State Constitution and the Public Utilities Code vest the CPUC with broad regulatory authority over public utilities, including authority regarding the service and the safety, practices and equipment of utilities subject to its jurisdiction. Consistent with these authorities as well as CEQA law, the CPUC also evaluates environmental issues related to the Proposed Project and adopts and requires the implementation of mitigation measures to be implemented properly, monitored, and reported on. In 1989, this requirement was codified statewide as Section 21081.6 of the Public Resources Code.

Section 21081.6 requires a public agency to adopt a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) when it approves a project that is subject to preparation of an EIR and where the EIR for the project identifies significant adverse environmental effects. CEQA Guidelines Section 15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting.

The purpose of a MMCRP is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. The MMCRP is a working guide to facilitate not only the implementation of mitigation measures by the project proponent, but also the monitoring, compliance, and reporting activities of the CPUC and any monitors it may designate. If the CPUC approves PG&E’s CPCN, a MMCRP will be adopted as a condition of approval.

C.1.5.2 Organization of the Final Mitigation Monitoring Plan

If the project is approved, the MMCRP should serve as a self-contained general reference for the Mitigation Monitoring Program adopted by the CPUC. To accomplish this, the Final Mitigation Monitoring Plan should contain seven elements. The CPUC will compile the Final Plan from the Mitigation Monitoring Program in the Final SEIR (Draft SEIR and Responses to Comments) that will be subsequently certified by the CPUC. Table F-1 presents the elements of the MMCRP.

Table C.1-1 Elements of the MMCRP

MMCRP Introduction	<ul style="list-style-type: none"> • Authority and Purpose of the Program • Program Adoption Process
Organization of the MMCRP	<ul style="list-style-type: none"> • Contents of MMCRP
Roles and Responsibilities	<ul style="list-style-type: none"> • Monitoring Responsibility • Enforcement Responsibility • Mitigation Compliance Responsibility • Dispute Resolution
General Monitoring Procedures	<ul style="list-style-type: none"> • Environmental Monitor • Construction Personnel • General Reporting Requirements • Public Access to Records
Project Description	<ul style="list-style-type: none"> • A concise overview and reference description of the project that clearly outlines its physical locations and timetable, including construction spreads. • "Master" reference(s) to be used by the monitors and the Applicant in carrying out the Program (e.g., the Final EIR, but also more detailed working maps and plans). • Listing of any "Applicant-Proposed" measures to reduce potential impacts should be listed in this section.
Agency Jurisdictions	<ul style="list-style-type: none"> • List of agencies with jurisdiction over the project (from EIR Table A.3-1), and a description of where their respective jurisdictions exist (e.g., for a given construction spread, state what region of the California Department of Fish and Game has jurisdiction, provide the name of the regional manager, the address, telephone and fax numbers)
Mitigation Monitoring Programs	<ul style="list-style-type: none"> • Individual issue area Mitigation Monitoring Programs from the Final EIR. • Each mitigation measure is numbered and described briefly (the Final EIR should be consulted for an in-depth discussion of each mitigation measure). <p>For each mitigation measure a table will define:</p> <ul style="list-style-type: none"> • The party responsible, the schedule and the reporting requirements for carrying out the monitoring activity for each mitigation measure • Effectiveness criteria for evaluating the implementation of the mitigation measure.

C.1.5.3 Mitigation Monitoring Roles and Responsibilities

As the lead agency under CEQA, the CPUC would be required to monitor an approved project to ensure that the required mitigation measures are implemented. The CPUC would be responsible for

ensuring full compliance with the provisions of this monitoring program and has primary responsibility for implementation of the monitoring program. The purpose of the monitoring program is to document that the mitigation measures required by the CPUC are implemented and that mitigated environmental impacts are reduced to the level identified in the Program.

The CPUC may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as deemed necessary, and some monitoring responsibilities may be assumed by responsible agencies, such as affected jurisdictions and cities or the California Department of Fish and Game (CDFG). The number of construction monitors assigned to the project would depend on the number of concurrent construction activities and their locations. The CPUC or its designee(s), however, must ensure that each person delegated any duties or responsibilities are qualified to monitor compliance.

Mitigation measures requiring a study or plan that needs the approval of the CPUC generally allow at least 60 days for adequate review time. When a mitigation measure requires that a mitigation program be developed during the design phase of the project, the Applicant must submit the final program to CPUC for review and approval for at least 60 days before construction begins. Other agencies and jurisdictions may require additional review time. It is the responsibility of the environmental monitor to ensure that appropriate agency reviews and approvals are obtained.

The CPUC or its designee must also ensure that any deviation from the procedures identified under the monitoring program is approved by the CPUC. Any deviation and its correction shall be reported immediately to the CPUC or its designee by the environmental monitor assigned to the construction spread.

C.1.5.4 Enforcement Responsibility

The CPUC would be responsible for enforcing the procedures adopted for monitoring through the environmental monitor assigned to each construction spread. Other agencies, as indicated in the Mitigation Monitoring Program, would be responsible for enforcing aspects of the Program for which they are responsible. The environmental monitor acts to note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the CPUC or its designee.

If the CPUC approves a CPCN for a project, the CPUC has the authority to halt any construction, operation, or maintenance activity that is determined to deviate from the approved project or adopted mitigation measures.

C.1.5.5 Mitigation Compliance Responsibility

The Applicant, Pacific Gas and Electric Company (PG&E), would be responsible for successfully implementing all the mitigation measures adopted in the MMCRP. The "Environmental Analysis" sections of the EIR contain detailed significance criteria that establish a minimum threshold for successful mitigation. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Other

mitigation measures include detailed success criteria. Additional mitigation success thresholds will be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

The environmental monitor acts to inform the CPUC in writing of any mitigation measures that are not or cannot be successfully implemented. The CPUC or its designee would then assess whether alternative mitigation is appropriate and specify to PG&E the subsequent actions required.

C.1.5.6 Dispute Resolution

It is expected that the Final MMCRP will reduce or eliminate many potential disputes. However, in the event of a dispute, the following procedure is to be observed:

- Step 1** Disputes and complaints (including those of the public) should be directed first to the CPUC's designated Project Manager for resolution. The Project Manager will attempt to resolve the dispute.
- Step 2** Should this informal process fail, the CPUC Project Manager may initiate enforcement or compliance action to address deviations from the Proposed Project or adopted Mitigation Monitoring Program.
- Step 3** If a dispute or complaint regarding the implementation or evaluation of the Program or the mitigation measures cannot be resolved informally or through enforcement or compliance action by the CPUC, any affected participant in the dispute or complaint may file a written "notice of dispute" with the CPUC's Executive Director. This notice should be filed in order to resolve the dispute in a timely manner, with copies concurrently served on other affected participants. Within 10 days of receipt, the Executive Director or designee(s) shall meet or confer with the filer and other affected participants for purposes of resolving the dispute. The Executive Director shall issue an Executive Resolution describing his/her decision, and serve it on the filer and other affected participants.
- Step 4** If one or more of the affected parties is not satisfied with the decision as described in the Resolution, such party(ies) may appeal it to the CPUC via a procedure to be specified by the CPUC.

Parties may also seek review by the CPUC through existing procedures specified in the CPUC's Rules of Practice and Procedure, although a good faith effort should first be made to use the foregoing procedure.

C.1.6 GENERAL MITIGATION MONITORING PROCEDURES

C.1.6.1 Environmental Monitor

Many of the monitoring procedures would be conducted during the construction phase of the project. The CPUC and the environmental monitor(s) would integrate the mitigation monitoring procedures into the construction process in coordination with PG&E. To oversee the monitoring procedures and to ensure success, the environmental monitor assigned to each construction spread must be on site during that portion of construction that has the potential to create a significant environmental impact or other impact for which mitigation is required. The environmental monitor is responsible to notify the CPUC of any deviation from procedures specified in the monitoring program.

C.1.6.2 Construction Personnel

A key feature contributing to the success of mitigation monitoring will be obtaining the full cooperation of construction personnel and supervisors. Many of the mitigation measures require action on the part of the construction supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures included in the Final Implementation Plan, will be taken:

- Procedures to be followed by construction companies hired to do the work will be written into contracts between PG&E and any construction contractors. Procedures to be followed by construction crews will be written into a separate agreement that all construction personnel will be asked to sign, denoting agreement.
- One or more pre-construction meetings will be held to inform all and train construction personnel about the requirements of the monitoring program (as detailed in the Final Implementation Plan).
- A written summary of mitigation monitoring procedures will be provided to construction supervisors for all mitigation measures requiring their attention.

C.1.6.3 General Reporting Procedures

Under the proposed mitigation monitoring program, site visits and specified monitoring procedures performed by other individuals will be reported to the environmental monitor assigned to the relevant construction spread. A monitoring record form will be submitted to the environmental monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the environmental monitor. A checklist will be developed and maintained by the environmental monitor to track all procedures required for each mitigation measure and to ensure that the timing specified for the procedures is adhered to. The environmental monitor will note any problems that may occur and take appropriate action to rectify the problems. The Applicant shall provide the CPUC with written monthly or quarterly reports (to be determined based on the level of project activity) of project activities, which shall include progress of construction, resulting impacts, mitigation implemented, and all other noteworthy elements of the project. Quarterly reports shall be required as long as mitigation measures are applicable.

C.1.6.4 Public Access to Records

The public is allowed access to records and reports used to track the monitoring program. The CPUC or its designee will make monitoring records and reports available on request for public inspection. The CPUC and the applicant will develop a filing and tracking system. For additional information on mitigation monitoring and reporting for an approved project, the Energy Division of the CPUC will maintain an Internet website, accessible from the "Environmental Projects Page" at: <http://www.cpuc.ca.gov/environment.htm>.

C.1.7 MITIGATION MEASURE EFFECTIVENESS REVIEW

In order to fulfill its statutory mandates to mitigate or avoid significant effects on the environment and to design a Mitigation Monitoring Program to ensure compliance during project implementation (CEQA ' 21081.6):

- The CPUC may conduct a comprehensive review of conditions which are not effectively mitigating impacts at any time it deems appropriate, including as a result of the Dispute Resolution procedure outlined in F.3.4; and
- If in either review, the CPUC determines that any conditions are not adequately mitigating significant environmental impacts caused by the project, or that recent proven technological advances could provide more effective mitigation, then the CPUC may impose additional reasonable conditions to effectively mitigate these impacts.

These reviews will be conducted in a manner consistent with the CPUC's rules and practices.

C.1.8 MITIGATION MONITORING PROGRAM TABLES

Mitigation Monitoring Program tables are presented at the end of each issue area section (Sections C.2 through C.11). These tables, along with the full text of the mitigation measures themselves, will form the basis for the Mitigation Monitoring Program.