

California SCH #2006091071

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To: All Interested Parties

From: Billie C. Blanchard, CPUC, and Lynda Kastoll, BLM, EIR/EIS Project Managers

Subject: Notice of Availability, Final Environmental Impact Report/Environmental Impact Statement and Proposed Land Use Plan Amendments for the Sunrise Powerlink Project for the Proposed Sunrise Powerlink Transmission Line Project

**Date:** October 13, 2008

The Bureau of Land Management (BLM) and the California Public Utilities Commission (CPUC) have prepared the Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for consideration of the Proposed Sunrise Powerlink Transmission Line Project. The Final EIR/EIS has been prepared in compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), and incorporates changes resulting from comments submitted during the Draft EIR/EIS comment period (January 2, 2008 through April 11, 2008) and the Recirculated Draft EIR/Supplemental Draft EIS comment period (July 2, 2008 through August 25, 2008).

The CPUC and BLM as CEQA and NEPA Lead Agencies have been supported by the following Cooperating and Responsible agencies: the U.S.D.A. Forest Service (Cleveland National Forest), the Bureau of Indian Affairs, Marine Corps Air Station Miramar, and the California Parks and Recreation Department (Anza-Borrego Desert State Park).

# A. What is the Proposed Project?

SDG&E proposes to construct a new 91-mile, 500 kilovolt (kV) electric transmission line from Imperial Valley Substation (in Imperial County, near the City of El Centro) to a new Central East Substation (in central San Diego County, southwest of the intersection of County Highways S22 and S2) and a new 59-mile 230 kV transmission line that includes both overhead and underground segments from the new Central East Substation to SDG&E's existing Peñasquitos Substation (in the City of San Diego).

# B. Project History and Status

On January 3, 2008, the CPUC and BLM published a Draft EIR/EIS on the Sunrise Powerlink Project. The Draft EIR/EIS contained 7,500+ pages in six volumes. It included the analysis of Proposed Project's effects, as well as the analysis of future possible transmission lines and "connected actions" that are likely to be built if the Sunrise Powerlink transmission line were built. A 90-day comment period on the Draft EIR/EIS ended on April 11, 2008. Nine workshops and five public participation hearings were held during the comment period, and nearly 2,300 pages of written comments were submitted. After the comment period, two additional public participation hearings were held on May 12, 2008 in Borrego Springs, California.

A Recirculated Draft EIR/Supplemental Draft EIS was published on July 11, 2008 to address: (1) new and revised analysis of the La Rumorosa Wind Project in Mexico and associated transmission/substation upgrades in the U.S.; (2) description and analysis of several transmission line route revisions; (3) revision of components of the Environmentally Superior Alternatives for northern and southern transmission line routes. A 45-day comment period followed, ending on August 25, 2008. Two workshops were held on August 4, 2008. Nearly 900 pages of written comments were submitted. This Final EIR/EIS will present responses to all comments received on the Draft EIR/EIS and comments on the Recirculated Draft EIR/Supplemental Draft EIS.

# C. What is Included in the Final EIR/EIS?

The Final EIR/EIS consists of the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS, as revised in response to comments received on these documents. Additionally, it consists of all comments on the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS as well as responses of the Lead Agencies to all comments. Complete lists of all persons, organizations, and public agencies commenting on the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS are presented in Section 1 of the Final EIR/EIS. Section 2 presents comprehensive "General Responses" to issues raised numerous times in comments made by multiple commenters. The comments and responses to comments received on the Draft EIR/EIS are presented in Section 3, and the comments and responses to comments received on the Recirculated Draft EIR/Supplemental Draft EIS are presented in Section 4.

The following three components make up the Final EIR/EIS. The contents of each document are listed in Table 1 below.

- Draft EIR/EIS with revisions (on DVD only)
- Recirculated Draft EIR/EIS with revisions (on DVD only)
- Printed Hard Copy in four volumes (over 4,000 pages): Comments on the Draft EIR/EIS and on the Recirculated Draft EIR/Supplemental Draft EIS and Responses to Comments (available in printed hard copy or on DVD).

# D. How Is the Final EIR/EIS Distributed?

Copies of the Final EIR/EIS have been mailed to parties of the CPUC's General Proceeding; to Federal, State, and local government agencies that commented on the Draft EIR/EIS; as well as to some members of the public. Copies of the Final EIR/EIS on DVD or a separately bound Executive Summary (with DVD included) may be requested by phone or fax at (866) 711-3106 or by e-mail at sunrise@aspeneg.com. A limited number of printed copies of the four volume comments and responses to comments document, including a DVD of the complete Draft EIR/EIS documents, is available upon request at the telephone number and e-mail address above.

The document is also available on the CPUC's project website at:

http://www.cpuc.ca.gov/Environment/info/aspen/sunrise/sunrise.htm

## E. What Are the CPUC and BLM Decision Processes?

**NEPA Process and BLM Record of Decision (ROD).** The Final EIR/EIS and Proposed Land Use Plan Amendment will be available for review for 30 calendar days from the date the Environmental Protection Agency (EPA) publishes the Notice of Availability (NOA) in the Federal Register, which is expected to occur on October 17, 2008. The review period would end on November 15, 2008. At a minimum, a ROD cannot be issued until this 30-day period has lapsed.

Pursuant to BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for the proposed plan amendment and has an interest which is or may be adversely affected by the planning decisions may protest approval of the planning decision within the above described 30 day review period. The protest period cannot be extended. For further information on filing a protest, please see the accompanying protest regulations in Attachment # 1 to this Notice. The regulations specify the required elements of your protest. Take care to document all relevant facts. As much as possible, reference or cite the planning documents or available planning records (e.g. meeting minutes or summaries, correspondence, etc.). To aid in ensuring the completeness of your protest, a protest check list is attached to this letter (labeled as Attachment #2).

E-mailed and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the e-mailed or faxed protest as an advance copy and will afford it full consideration. If you wish to provide the BLM with such advance notification, please direct faxed protests to the attention of Brenda Hudgens-Williams- BLM protest coordinator at 202-452-5112, and e-mailed protests to: Brenda Hudgens-Williams@blm.gov.

All protests, including the follow-up letter (if e-mailing or faxing) must be in writing and mailed to the following address:

Regular Mail:	Overnight Mail:
Director (210)	Director (210)
Attention: Brenda Williams	Attention: Brenda Williams
P.O. Box 66538	1620 L Street, N.W., Suite 1075
Washington, D.C. 20035	Washington, D.C. 20036

Before including your address, phone number, e-mail address, or other personal identifying information in your protest, be advised that your entire protest – including your personal identifying information – may be made publicly available at any time. While you can ask us in your protest to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The BLM Director will make every attempt to promptly render a decision on each protest. The decision will be in writing and will be sent to the protesting party by certified mail, return receipt requested. The decision of the BLM Director shall be the final decision of the Department of the Interior.

The BLM must resolve any protests on the proposed land use plan amendment before issuing a ROD. If no changes to the Final EIR/EIS are warranted based on the comments, the BLM will prepare a Record of Decision (ROD), which documents the selected alternative and specific mitigation measures.

**CEQA Process and CPUC General Proceeding.** CEQA requires that the CPUC provide written responses to public agency comments at least 10 days prior to certifying the EIR (Public Resource Code 21092.5(a)). This is accomplished by sending the Final EIR/EIS to all agencies that commented.

The CPUC will determine the adequacy of the Final EIR/EIS, and if adequate, will certify the document as compliant with CEQA. The CPUC will issue a Proposed Decision on the Sunrise Powerlink Project, which will be announced and published concurrent with a scheduled CPUC Meeting. Each Commissioner may draft an Alternate Decision presenting differing conclusions or opinions. All five Commissioners will then vote on the Proposed Decision and any Alternate Decisions at a meeting of the full Commission. If the project or an alternative is approved, the CPUC will adopt a mitigation monitoring and reporting program to require monitoring of adopted mitigation measures and definition of mitigation monitoring procedures.

Within 30 days after the decision is issued by the CPUC, parties can apply for rehearing. For further information on the CPUC's decision-making process, call the CPUC Public Advisor at (866) 849-8390 or (415) 703-2074 or email public.advisor@cpuc.ca.gov.

## F. Where is Other Information Available?

Table 2 lists the public repository sites at which project documents may be reviewed. For additional information or to read the Draft, Recirculated/Supplemental Draft, or Final EIR/EIS online, check the project's Internet website (see address above).

# Table 1 – Contents of the Final EIR/EIS

# Draft EIR/EIS

Changes from the January 2008 Draft EIR/EIS are shown using strikeout and <u>underline</u> (available on DVD only)

- Executive Summary and Impact Summary Tables
- Section A, Introduction
- Section B, Project Description
- Section C, Alternatives
- Section D, Environmental Analysis: Proposed Project and Northern Route Alternatives analysis in 14 environmental disciplines
- Section E, Environmental Analysis: Southern Route Alternatives, Non-Wires Alternatives, System Alternatives, No Project Alternative analysis in 14 environmental disciplines
- Section F, Other CEQA/NEPA Requirements
- Section G, Cumulative Analysis
- Section H, Comparison of Alternatives
- Section I, Mitigation Monitoring
- Section J, Public Participation
- Section K, Index
- Section L, Glossary
- 14 Appendices

# **Recirculated Draft EIR/Supplemental Draft EIS**

Changes from the July 2008 RDEIR/SDEIS are shown using strikeout and  $\underline{underline}$ 

(available on DVD only)

- Section 1, Introduction
- Section 2, New and Revised Analysis of the La Rumorosa Wind Project
- Section 3, Description and Analysis of Transmission Line Route Revisions
- Section 4, Other Modifications to the Draft EIR/EIS
- Section 5, Environmentally Superior Alternatives

# **Final EIR/EIS**

(available in printed hard copy [4,000 pages] or on DVD)

- Executive Summary and Impact Summary Tables
- Section 1, Introduction and List of Commenters
- Section 2, General Responses to Major Comments
- Section 3, Comments and Responses on the Draft EIR/EIS
- Section 4, Comments and Responses on the Recirculated Draft EIR/Supplemental Draft EIS
- Section 5, Graphics

Table 2. Repositories for Sunrise Powerlink Documents		
Imperial County - Public Libraries and I	BLM Office	
Brawley Public Library	400 Main Street, Brawley, CA 92227	(760) 344-1891
Calexico City Library	850 Encinas Avenue, Calexico, CA 92231	(760) 339-2470
El Centro Public Library	539 West State Street, El Centro, CA 92243	(760) 337-4565
Imperial Public Library	200 West 9th Street, Imperial, CA 92251	(760) 355-1332
BLM - El Centro Field Office	1661 South 4th Street, El Centro, CA 92243	(760) 337-4400
San Diego County - Public Libraries		
Alpine Branch Library	2130 Arnold Way, Alpine, CA 91901	(619) 445-4221
Borrego Public Library	571A Palm Canyon Drive, Borrego Springs, CA 92004	(760) 767-5761
Campo-Morena Village Branch Library	31356 Highway 94, Campo, CA 91906	(619) 478-5945
Carmel Valley Branch Library	3919 Townsgate Drive, San Diego, CA 92130	(858) 552-1668
Descanso Branch Library	9545 River Drive, Descanso, CA 91916	(619) 445-5279
El Cajon Branch Library	201 East Douglas, El Cajon, CA 92020	(619) 588-3718
Jacumba Branch Library	44605 Old Highway 80, Jacumba, CA 91934	(619) 766-4608
Julian Branch Library	1850 Highway 78, Julian, CA 92036	(760) 765-0370
Lakeside Public Library	9839 Vine Street, Lakeside, CA 92040	(619) 443-1811
Pine Valley Branch Library	28804 Old Highway 80, Pine Valley, CA 91962	(619) 473-8022
Potrero Branch Library	24883 Potrero Valley Road, Potrero, CA 91963	(619) 478-5978
Poway Branch Library	13137 Poway Road, Poway, CA 92064	(858) 513-2900
Ramona Public Library	1406 Montecito Road, Ramona, CA 92065	(760) 738-2434
Rancho Peñasquitos Library	13330 Salmon River Road, San Diego, CA 92129	(858) 538-8159
San Diego City Central Library	820 E Street, San Diego, CA 92101	(858) 484-4440
Scripps Miramar Ranch Library	10301 Scripps Lake Drive, San Diego, CA 92131	(858) 538-8158
Spring Valley Branch Library	836 Kempton Street, Spring Valley, CA 91977	(619) 463-3006
Riverside County - Public Libraries		
Grace Mellman Community Library	41000 County Center Drive, Temecula, CA 92591	(951) 600-6262
Lake Elsinore Branch Library	600 W Graham Ave, Lake Elsinore, CA 92530	(951) 674-4517
Other Government Offices		
BLM - Palm Springs South Coast Field Office	690 West Garnet Avenue, No. Palm Springs, CA 92258	(760) 251-4800
CPUC - Los Angeles Office	320 West 4th Street, Suite 500, Los Angeles, CA 90013	(213) 576-7000
CPUC - San Francisco Office	505 Van Ness Ave, Rm 2103, San Francisco, CA 94102	(415) 703-2074

#### Attachment 1

[Code of Federal Regulations] [Title 43, Volume 2] [Revised as of October 1, 2002] From the U.S. Government Printing Office via GPO Access [CITE: 43CFR1610.5-2] [Page 20] TITLE 43--PUBLIC LANDS: INTERIOR

CHAPTER II--BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR PART 1600--PLANNING, PROGRAMMING, BUDGETING--Table of Contents Subpart 1610--Resource Management Planning

#### Sec. 1610.5-2 Protest procedures.

(a) Any person who participated in the planning process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues which were submitted for the record during the planning process.

(1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the Federal Register. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.

(2) The protest shall contain:

(i) The name, mailing address, telephone number and interest of the person filing the protest;

(ii) A statement of the issue or issues being protested;

(iii) A statement of the part or parts of the plan or amendment being protested;

(iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and

(v) A concise statement explaining why the State Director's decision is believed to be wrong.

(3) The Director shall promptly render a decision on the protest. The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested.

(b) The decision of the Director shall be the final decision of the Department of the Interior.

# Attachment 2

# **Resource Management Plan Protest**

# Critical Item Checklist

The following items *must* be included to constitute a valid protest whether using this optional format, or a narrative letter. (43 CFR 1610.5-2)

Before including your address, phone number, e-mail address, or other personal identifying information in your **protest**, be advised that your entire **protest**--including your personal identifying information--may be made publicly available at any time. While you can ask us in your **protest** to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations and businesses, will be available for public inspection in their entirety.

**Resource Management Plan (RMP) or Amendment (RMPA) being protested:** 

Name:

Address:

Phone Number: ( )

Your interest in filing this protest (how will you be adversely affected by the approval or amendment of this plan?):

Issue or issues being protested:

Statement of the part or parts of the plan being protested:

**Chapter:** 

Section:

Page:

(or) Map:

Attach copies of all documents addressing the issue(s) that were submitted during the planning process by the protesting party, <u>OR an indication of the date the issue(s) were discussed for the</u> record.

Date(s):

A concise statement explaining why the State Director's decisions is believed to be wrong:

CPUC/BLM Sunrise Powerlink Transmission Project c/o Aspen Environmental Group 235 Montgomery Street, Suite 935 San Francisco, CA 94104



Notice of Availability: Sunrise Powerlink Final EIR/EIS