

**Emails Received on PacifiCorp's Permit to Construc the Lassen Substation A.15-11-005**

<b>Email</b>	<b>Date Received</b>	<b>Time</b>	<b>Name</b>	<b>Email</b>
1	11/30/2015	8:22 PM	Mary Saint-Marie	<a href="mailto:marysaintmarie@finestplanet.com">marysaintmarie@finestplanet.com</a>
2	12/1/2015	1:56 PM	Andrew Oser	<a href="mailto:adoser777@yahoo.com">adoser777@yahoo.com</a>
3	12/1/2015	3:38 PM	Andrew Sackheim	<a href="mailto:drew.sackheim@gmail.com">drew.sackheim@gmail.com</a>
	12/1/2015	12:50 PM	Baruch Inbar	<i>Email message was incomplete - see resubmission</i>
4	12/1/2015	12:52 PM	Baruch Inbar	<a href="mailto:baruch@snaut.com">baruch@snaut.com</a>
5	12/1/2015	7:24 PM	Beth Wadman	<a href="mailto:corion8012@aol.com">corion8012@aol.com</a>
6	12/1/2015	8:36 PM	Carrie Sachs	<a href="mailto:cscasa@gmail.com">cscasa@gmail.com</a>
7	12/1/2015	3:52 PM	Danielle Light	<a href="mailto:rxbreathe@yahoo.com">rxbreathe@yahoo.com</a>
8	12/1/2015	6:26 PM	Joa Janakoayas	<a href="mailto:joa@universityofmountshasta.org">joa@universityofmountshasta.org</a>
9	12/1/2015	8:01 PM	John Sanguinetti	<a href="mailto:johnsang@yahoo.com">johnsang@yahoo.com</a>
10	12/1/2015	1:31 PM	Kathy Zavada	<a href="mailto:zavada@snowcrest.net">zavada@snowcrest.net</a>
11	12/1/2015	4:42 PM	Kim Latos	<a href="mailto:kimlatos@gmail.com">kimlatos@gmail.com</a>
12	12/1/2015	1:44 PM	Mark Kennedy	<a href="mailto:coldcreekinn@gmail.com">coldcreekinn@gmail.com</a>
13	12/1/2015	3:30 PM	Molly Brown	<a href="mailto:mollyybrown@gmail.com">mollyybrown@gmail.com</a>
14	12/1/2015	5:19 PM	Vixie, Forrest, and Vela O'Farrell	<a href="mailto:vixielife@gmail.com">vixielife@gmail.com</a>
15	12/1/2015	3:00 PM	Touson Saryon	<a href="mailto:touson@sbcglobal.net">touson@sbcglobal.net</a>
16	12/2/2015	12:35 PM	Ana Holub	<a href="mailto:anaholub1@gmail.com">anaholub1@gmail.com</a>
17	12/2/2015	2:02 PM	Beverly Sosin	<a href="mailto:bevsosin@yahoo.com">bevsosin@yahoo.com</a>
18	12/2/2015	4:48 PM	Gloria and Ron Cooper	<a href="mailto:academynewage@gmail.com">academynewage@gmail.com</a>
19	12/2/2015	4:38 PM	David Moss	<a href="mailto:davidmoss43@gmail.com">davidmoss43@gmail.com</a>
20	12/2/2015	1:09 PM	Eleanor Kennedy	<a href="mailto:eleanorakennedy@gmail.com">eleanorakennedy@gmail.com</a>
21	12/2/2015	4:28 PM	John Livingston	<a href="mailto:livingstonjohn@att.net">livingstonjohn@att.net</a>
22	12/2/2015	10:46 AM	Katie Jessup	<a href="mailto:kojessup@gmail.com">kojessup@gmail.com</a>
23	12/2/2015	10:18 AM	Micah Dobush	<a href="mailto:eyesofsource@gmail.com">eyesofsource@gmail.com</a>
24	12/2/2015	4:57 PM	Scott Springer	<a href="mailto:valon.powerorganics@gmail.com">valon.powerorganics@gmail.com</a>
25	12/2/2015	1:53 PM	Shannon Noorzad	<a href="mailto:redcrystal6689@gmail.com">redcrystal6689@gmail.com</a>
26	12/2/2015	4:05 PM	Stephanie Norswing	<a href="mailto:s.norswing@gmail.com">s.norswing@gmail.com</a>
27	12/2/2015	4:52 PM	Thomas Giunta	<a href="mailto:tj_giunta@yahoo.com">tj_giunta@yahoo.com</a>
28	12/2/2015	4:59 PM	Vicki Gold	<a href="mailto:victoria7@snowcrest.net">victoria7@snowcrest.net</a>
29	12/3/2015	4:48 PM	Deborah G. Johnsen	<a href="mailto:joyouslight1212@gmail.com">joyouslight1212@gmail.com</a>
30	12/3/2015	2:22 PM	Winnemem Wintu Tribe/Chief Caleen Sisk*	<a href="mailto:caleenwintu@gmail.com">caleenwintu@gmail.com</a>
31	12/10/2015	12:55 PM	Karen Rogers	<a href="mailto:karen@finestplanet.com">karen@finestplanet.com</a>

**\*Notes**

Email 30: *There are specific protocols for contacting Chief Sisk. Also noted in the letter were contact info for Claire Hope Cummings, legal advisor to Winnemem Wintu Tribe and Darcie Houck with Fredericks Peebles, a& Morgan LLP.*

## Allen, Cathie

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**From:** Mary Saint-Marie <marysaintmarie@finestplanet.com>  
**Sent:** Monday, November 30, 2015 8:22 PM  
**To:** Allen, Cathie  
**Cc:** jarmstrong@goodinmacbride.com; michael.rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Construction and PEA (A.15-11-005)

To whom it may concern at CPUC,

\*Regarding the upgrade to PacifiCorp Lassen Substation Project in Mount Shasta:

I moved to Mount Shasta in 1974. I am an artist and performance artist who loves beauty. I deeply understand and value what Beauty brings to the lives of everyone on the planet. It is an intrinsic value of all hearts everywhere. Aesthetics and Beauty must be in balance with the practical aspects in our lives. We are part of nature.

Financial progress must not rule our lives while the cultural beauty is given little value.

The balanced yin and yang of the planetary expression is not idle philosophy. It is an active, universal, inviolate law of balance in all of nature. The Voice of Beauty is relevant.

It is relevant especially in a mountain community where tourists and pilgrims come for nature's Beauty! They come for it in the form of sports, ecological living and spiritual deepening.

This is an opportunity to have the public review the upgrade and maintenance portion of the project. The lines need to be put underground. This should be a major consideration for this particular mountain community.

A good way to begin this would be to call a public hearing. The citizens who live here need to be heard as they are they ones who have been sculpting the direction toward sports and spiritual tourism and ecology for decades.

\*About the payment for this upgrade that appears to be clearly for Crystal Geysers:

First of all, I will say that I do not support multinational corporate bottling of water at all. Especially in plastic. And in a drought. And having it shipped to Japan. Privatization of water clearly destroys the idea that water is a public right. Water is not something to be bought and sold in this way. Again the subject is...what do we value?

Secondly, I would say that even if there is an EIR for Crystal Geysers, they should pay for their portion of this project. That seems so obvious, since they are the ones who benefit.

This project does not benefit Mount Shasta people. We are a fast growing world tourist destination. The people coming are not coming to see the blight of an immense corporate heavy industry. That is the antithesis of beauty. It goes against the very direction Mount Shasta has been flowing, as a tourist destination, for many decades.

Now is the time to go deeply into your hearts and be the leaders in the emerging world and culture of caring for the universal law of balance in all of nature.

Now is the time to be caring of our earth.

Now is the Time.

In Beauty,

Mary Saint-Marie

## Allen, Cathie

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**From:** Andrew Oser <adoser777@yahoo.com>  
**Sent:** Tuesday, December 01, 2015 1:56 PM  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear friends,

I am writing to strongly oppose the proposed Lassen substation and request than a full EIR be done before this project moves forward.

The town of Mt. Shasta has been growing very slowly has minimal, if any need for this project. The only reason for this project is that Crystal Geyser will use huge amounts of energy if it opens its bottling plant. Why should the taxpayers of Mt. Shasta pay for Japanese mega-corporation to have the power it needs to bottle the precious water it is taking from us and the rest of our state in the midst of this drought?

I also request that PacifiCorp hold an Open House in order to be completely transparent and to explain the difference between community power needs multi billion dollar conglomerate's wants.

Mt. Shasta's economy is tourism based. People from around the world come here to enjoy our pristine environment. Building this substation and all the necessary power lines would be damaging to our pristine environment.

In general, the Crystal Geyser project is a huge threat to the local environment, tourism industry, and quality of life in our community. A full, impartial EIR is essential before this project moves forward.

Thank you for your consideration,  
Andrew Oser  
POB 232

Mt. Shasta, CA

Andrew Oser  
Mount Shasta Retreat  
[www.mountshastaretreat.net](http://www.mountshastaretreat.net)

## **Allen, Cathie**

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**From:** Drew Sackheim <drew.sackheim@gmail.com>  
**Sent:** Tuesday, December 01, 2015 3:38 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction PEA (A. 15-11-005)

PacifiCorp Notice of Proposed Lassen Substation Construction PEA (A. 15-11-005)

To Whom It May Concern:

My name is Andrew Sackheim. I'm a professional photographer currently residing in New York. I'm from California and have been on several occasions to Mount Shasta.

I've of course noted the beauty of the area, and I often found it difficult to shoot photos because of the numerous power lines. Perhaps this is an opportunity to improve a situation that is in my opinion, in need of an improvement.

I also remarked that the water is one of their most extraordinary resources. Should anything happen to their water in an attempted takeover by the company Crystal Geyser, this would be unthinkable. That's my opinion, and I hope that you can do anything possible to help protect this stunning environment and it's precious resources.

Sincerely,

Andrew Sackheim

## Allen, Cathie

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**From:** Baruch inbar <baruch@snaut.com>  
**Sent:** Tuesday, December 01, 2015 12:52 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov; Vicki Gold; Dawn Roberts  
**Subject:** Re: A letter of concern from a Mount Shasta residence regarding Crystal Geyser

To: The California Public Utilities Commission (CPUC)  
Date: December 1st, 2015

To Whom It May Concern,

Greetings,

My name is Baruch Inbar, and I am a resident of Mount Shasta. I moved up here with my wife from LA a year ago.

The main reason for my move, was to live in a peaceful, clean, abundant, spiritual and environmentally conscious community, and this is exactly what we love about here and feel such deep appreciation for this incredibly special place with our beautiful community, pristine water and abundant natural resources and nature.

Within a short time after my arrival here, I found out about the sinister agenda of Crystal Geyser to open a water extraction and bottling facility in the city, and I became very aware and knowledgeable of all the horrendous environmental implications of such facility on our community and our well being.

The most prominent requirement for such facility, is the EIR (Environmental Impact Research) which any reasonable community would fiercely demand prior to even considering such endeavor. On top of that, the fact that a foreign JAPANESE pharmaceutical company will be taking away OUR water and will be selling it TO US is to me a pure EVIL agenda.

Moreover, I can hardly believe that there are any mindful residents of Californian who would allow this to happen, once they realize that such facility will be draining our sate's water in the midst of the worst draught ever.

It is rather easy to see that the only motive for this is MONEY and GREED. But unfortunately, we can't drink money.

Without going into all the details of the negative implications of such action against our community, I would say the following: CRYSTAL GEYSER is NOT wanted here until we learn al the facts and make a collective decision. Plane and simple. No matter what kind of financial incentives are involved, the bottom line is until we truly study this to the core and it's environmental implications are outlined, we as a community will make all legal efforts to stop this crime from happening.

On top of that, we will utilize all media outlets to expose this atrocity.

Being The California Public Utilities Commission that you are, a PUBLICLY nominated, tax financed agency by the people and for the people, it is your job to represent our collective interest, and nothing else.

I am demanding that you take immediate action to stop this at once, and demand CRYSTAL GEYSER to conduct the EIR prior to any further action.

Sincerely yours,  
~Baruch Inbar

## Allen, Cathie

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**From:** corion8012@aol.com  
**Sent:** Tuesday, December 01, 2015 7:24 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE:PacificCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

To the California Public Utilities Commission,

This letter is in regards to the proposed Lassen substation construction. As an 11 year resident of Mt. Shasta, who loves this beautiful and pristine mountain and surrounding area, I am deeply distressed by yet another attempt by the multi-billion dollar Japanese conglomerate's attempt to avoid paying for, or participating in, comprehensive environmental review and power infrastructure for their desired expansion of the Crystal Geyser water bottling plant. There first of all, has not been sufficient time for the community to respond and the public notice did not mention the Crystal Geyser Water bottling plant. Mount Shasta is a destination for spiritual and eco tourists and it is extremely important to maintain it's beautiful natural environment. Also it would be extremely important to underground the utilities so as to not destroy our lovely view sheds. I am not opposed to upgrades, but in this situation, it seems that the upgrades are to bring greater power to the Crystal Geyser Water bottling plant and they should pay for this - not the taxpayers. I would also request that PacificCorp hold a transparent meeting to let the community know what their plans are for the community and what Crystal Geyser's wants are. It is my understanding that Crystal Geyser is expected to use 4 times more power than the previous Coca Cola plant and this projected need for increased power does not reflect an increased community need but an increased corporate need of a Japanese company. It seems to me that Crystal Geyser is again trying to avoid responsibility for the impact their operation will have on our wonderful pristine environment and community.

Mt.Shasta is a small community and we are relying on you as public officials to help and support us in this distressing situation to hold Crystal Geyser accountable for transparent and complete environmental review of the impact of their intended operations.

Thank you for your attention,

Beth Wadman, M.D.  
PO Box 1350  
Mount Shasta  
Ca.96067

## Allen, Cathie

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**From:** Carrie Sachs <cscasa@gmail.com>  
**Sent:** Tuesday, December 01, 2015 8:36 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Mt Shasta is known for it's pristine wilderness.

Tourism is of great economic importance in all seasons There should not be more poles obstructing the spectacular views.

It is not acceptable to subsidize Crystal Geysir at the taxpayers expense.

Local ratepayers should not be charged for Crystal Geysir's expansion.

Let's request PacifiCorp be completely transparent about community power needs vs the needs of a Japanese conglomerate.

This is about aesthetics, community values and equity.

Let's do what's best for everyone in the community not what's best for a foreign corporation.

Thank you

Carrie Sachs



**Allen, Cathie**

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**From:** Delight <rxbreathe@yahoo.com>  
**Sent:** Tuesday, December 01, 2015 3:52 PM  
**To:** Allen, Cathie  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear Cathie,

I will not take up your time reviewing another plea to protect the beauty of Mt.Shasta. I have been a resident here for 45 years. It is my home and place of worship. I own many properties in the area. My home is 200 yards from Crystal Geyser Bottling plant. Personally I have every reason to object to the proposed Lassen Substation.

Thank you for considering my plea.

Sincerely, Danielle Light

## Allen, Cathie

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**From:** Joa Janakoayas <joa@universityofmountshasta.org>  
**Sent:** Tuesday, December 01, 2015 6:26 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear Ones:

As a citizen of mount shasta for 19 years and owner of two businesses, I would like to make it clear that I have continued to be disappointed with city officials backing projects to make Mount Shasta something else than what we are. We are an environmental tourist town. Instead of enrolling citizens into a common vision that recognizes our number one business is tourism that depends on our pristine environment, this substation is obviously another disconnected effort of city officials attempting to make mount shasta an industrial town. This non-transparent proposal does not have the citizens' vision behind it. It is obviously driven by profit without purpose. As long as you continue in this direction there will be continued lawsuits. This substation is obviously for Crystal Geyser, a Japanese pharmaceutical company that was chased out of Orland for not filing an EIR, and I promise you - will soon be run out of our town if they do not file an EIR immediately. Building the substation now is putting the cart before the horse. First, Crystal Geyser must file an EIR before moving forward. Environment must come first, especially when our number one business, tourism depends on it. Stop wasting your time and money on any projects that are not backed by the majority of our citizens. We will not have growth without our united purpose!

Look at Ashland, a city that had a vision of beauty and abundance from its tourism and university. If we hadn't wasted so much money on projects that were not backed by the people, we would have already been well on our way to being a beautiful town like Ashland by now. We must stop acting without a united vision to work towards. Stop wasting our money on what we the citizens of mount shasta do not want! Find out what we all want first, then we will harmoniously co-create a beautiful and abundant town we deserve to enjoy.

Sincerely,

Joa Janakoayas

SHASTA SHUTTLE & TAXI  
510 N. Mt. Shasta Blvd Suite C  
Mt. Shasta CA 96067

<http://Shastashuttle.com>  
530-859-3266



Joa Janakoayas  
President,  
[www.UniversityofMountShasta.org](http://www.UniversityofMountShasta.org)  
[joa@universityofmountshasta.org](mailto:joa@universityofmountshasta.org)  
530-925-6770



***Step up to your Higher Purpose.***

**University of Mount Shasta**

510 N. Mt. Shasta Blvd Suite C  
Mt. Shasta, CA 96067  
Phone: 530-918-6062

***"Don't ask yourself what the world needs. Ask yourself what makes you come alive. Because what the world needs is people who have come alive."***

**Howard Thurman**

## Allen, Cathie

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**From:** John Sanguinetti <johnsang@yahoo.com>  
**Sent:** Tuesday, December 01, 2015 8:01 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
Rosauer  
**Subject:** PacifiCorp Notice of Proposed Construction Lassen Substation and PEA (A.15-11-005)

From the Desk of John Sanguinetti  
Sanguinetti Electric  
Formerly C-10 336658

To whom it may concern.

I am a recently retired Electrical Contractor who has worked and contracted in California for the past 44 years. I have been a resident of Mt Shasta, Siskiyou County for the past 27 years. I have been involved in many projects here working with the City of Mt Shasta, County of Siskiyou and Pacific Power.

I am concerned about this project to supply the Crystal Geyser (CG) facility with a much larger electrical supply but not require a clear Environmental Impact Report or Statement for it when it is clearly intended to supply the CG production facility. It looks like PP&L, the city of Mt Shasta, CG and CPUC are trying to make it look like this is just a normal service enhancement for a portion of Mt Shasta so that PP&L rate payers will foot the bill and keep Crystal Geyser (CG) from having to pay for it or acknowledge that it is part of their project in order to avoid from having to do a full Environmental Impact Report that would disclose their true intentions and the scope of their project and it's probable impacts.

I think it is important for the Public Utilities Commission to monitor what utilities are doing in this state and be sure that they are following all the laws that are in place to enable the Public to know about and express concern about apparent discrepancies by Public Utilities and other government bodies.

Thank You for your attention to this important issue.

John Sanguinetti

**Allen, Cathie**

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**From:** Kathy Zavada <zavada@snowcrest.net>  
**Sent:** Tuesday, December 01, 2015 1:31 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacifiCorp Notice of Proposed Construction and PEA (A.15-11-005)]

----- Original Message -----  
Subject: RE: PacifiCorp Notice of Proposed Construction and PEA  
(A.15-11-005)  
From: [zavada@snowcrest.net](mailto:zavada@snowcrest.net)  
Date: Fri, November 27, 2015 11:46 pm  
To: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov).  
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Dear Folks at CPUC,

I am writing with serious concerns about Pacificorps plans to dramatically increase power output at "Lassen sub-station" for the obvious benefit of the impending opening of Crystal Geyser plant. We the citizens of this community should certainly not have to foot any of the bill in increased power costs, and there should be a full and complete EIR done before any of this build out is agreed upon. The beauty of our environment and the tourism that we depend upon is adversely affected by new poles/more above ground power lines/etc.

Please understand that this community and the public here are watching this carefully and expect you to have an open house and be completely transparent in explaining to us the real needs of our small community vs. the needs of a giant corporation intent on coming here and taking our precious water at a time of unprecedented drought; a corporation that the majority of the citizens here do not want.

Thank you for dedicated efforts in preserving the well being of the citizens and the environment.

Kathy Zavada

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This message was sent using SnowCrest WebMail.  
<http://www.snowcrest.net>

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This message was sent using SnowCrest WebMail.  
<http://www.snowcrest.net>

## **Allen, Cathie**

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**From:** Kim Latos <kimlatos@gmail.com>  
**Sent:** Tuesday, December 01, 2015 4:42 PM  
**To:** Allen, Cathie  
**Subject:** letter

CPUC (California Public Utilities Commission)

RE: Crystal Geysers and Mount Shasta

I have recently become aware of the PacifiCorp Lassen Substation Project. I request PacifiCorp hold an Open House in order to be completely transparent and to explain the difference between community power needs and the needs of Crystal Geysers.

How can this new substation be built at the taxpayers' expense when so much of it is additional power needed and requested by Crystal Geysers? The portion of the plans to bring much greater power to the water and beverage bottling plant is a usual and customary cost of doing business. If a new residence or business required more power than what was currently available, they would expect to be charged for bringing the power to them. What is Crystal Geysers paying?

The newspaper also stated that the new "light water bottling plant" requires additional power. This plant is not a "light" industrial plant. It's far from "light". I live the closest to the plant and what may have been considered a "Light industrial" plant in the past has grown into a massive conglomeration that shouldn't be located among homes and schools. This scares me knowing they need so much more power.

I am not opposing necessary repairs and maintenance for safety and reliability of power delivery for resident customers. I am opposed of this project not getting a thorough review.

Kim Latos

1200 Wertz

Mt Shasta, CA 96067

530-859-3953

## Allen, Cathie

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**From:** Mark <coldcreekinn@gmail.com>  
**Sent:** Tuesday, December 01, 2015 1:44 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Michael.Rosauer@cpuc.ca.gov; Allen, Cathie; jarmstrong@goodinmacbride.com  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

To Whom It May Concern,

I am writing to share my concerns about the construction of the proposed Lassen substation and PEA.

It is my understanding that this project is being proposed for the community power needs. This is not the case. This project is needed to power the Crystal Geyser plant expansion in Mt Shasta. It is wrong to structure the payment for this construction on the rate payers, rather this project should be paid for in full by Crystal Geyser.

In addition, I understand that the power lines will need to be changed. This is a very sensitive economic issue for a town based on tourism. People come to Mt Shasta for the natural beauty and wonderful views of the surrounding mountains. As evidence of this need, the City of Mt Shasta had many blocks on power lines along Chestnut street located downtown placed underground to enhance and protect the views from our main shopping district. I think any changes to the power lines in or around Mt Shasta should be put underground to protect our local economy and quality of life.

I am curious why pacific power is proposing to change the name of the the Mt Shasta Substation to Lassen? This seems like it would confuse rate payer as to where the work was taking place. I support the name be left as is and request a reason why it is being proposed to Lassen.

Further more, as a rate payer and a resident I am not *opposing necessary repairs and maintenance for safety and reliability of power delivery*. But the *portion of the plans to bring much greater power to the water and beverage bottling plant is usual and customary cost of doing business. This should be paid for by the water bottling business.*

Since I first herd about this project, the scope and type of manufacturing said to be taking place at the plant has changed significantly many times. I am requesting that the current full extent and scope of the Crystal Geyser plant construction, production and processing capabilities be shown to the public via an open house meeting.

Thank you for your consideration of this timely and important issue. I look forward to your response.

Mark Kennedy



## Allen, Cathie

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**From:** Molly Brown <mollybrown@gmail.com>  
**Sent:** Tuesday, December 01, 2015 3:30 PM  
**To:** CPUC  
**Cc:** Michael.Rosauer@cpuc.ca.gov; Allen, Cathie; jarmstrong@goodinmacbride.com  
**Subject:** PPacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)  
**Attachments:** PUC re PacifiCorp PEA.docx

Please see my comments on the above named project, below and attached. Please use your regulatory powers-- and your good consciences--to protect the public from corporate harms.

December 1, 2015

To: public.advisor@cpuc.ca.gov

cc: Cathie.Allen@pacificorp.com, jarmstrong@goodinmacbride.com,

Michael.Rosauer@cpuc.ca.gov

RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

The California Public Utilities Commission is set to approve the construction of a new Pacific Power electrical substation, primarily to serve the power needs of Crystal Geysers Water Company (CGWC), which wants access to four times as much power as the former Coca Cola/Dannon plant required. And this will apparently be done at ratepayers' expense, amounting to corporate welfare.

The Pacific Power plans include installation of stronger, taller power poles, which will mar our scenic view shed along the Cascade Volcanic Scenic Byway and in our neighborhoods. The PEA documents prepared by PacifiCorp are deficient in not presenting the height and increased diameters (bulk) of the proposed new poles. They could be increased from 39 feet to 80 feet in height and could be much broader, greatly affecting our views of Mount Shasta, Spring Hill and Black Butte. Yet the proposed MND says the effects will be negligible. This is patently untrue. In fact, this tourist-based town needs power lines *buried* to protect our scenic views— and to better prevent power outages due to snow loads and falling trees. This is an issue of aesthetics, community values and equity.

Why is the new substation called the “Lassen” substation, when it is being built right here in Mt Shasta? Is this an attempt to confuse local citizens so they won’t realize what is happening in their town? The Public Notice in the Mt Shasta Herald was inadequate and confusing and made no mention of CGWC’s request for power. PacifiCorp should be required to hold an Open House to explain the difference between community power needs and a Japanese multi billion dollar conglomerate's wants (Otsuka Pharmaceutical Holdings/ Crystal Geyser). When an Open House was held in 2010, CocaCola had announced it was closing and there was then no stated need for the new line going to the plant. This is a new project and deserves thorough review, with an extended time for public comment. Otherwise, it appears that PacifiCorp is attempting to sneak this project through without adequate public input and a full EIR.

Why do our local, county, and state officials continue to bow down to a foreign corporation? Crystal Geyser will produce a totally unnecessary product, use unlimited amounts of our precious water in a time of severe drought, waste huge amounts of electricity in production, and huge amounts of oil delivering their superfluous product to distant customers —while shipping the profits overseas. All for a promise of a handful of jobs, largely filled by workers from plants being closed in other small towns. The PUC needs to consider the welfare and health of local communities, not the profits of a foreign corporation.

If CGWC needs so much power, then the company should pay for the upgrade, not the residential and small business ratepayers. To expect the ratepayers to cover this under "projected growth of the area" is illegitimate and unethical. This is corporate welfare, period.

The attempts to avoid a full and thorough Environmental Impact Report continue as well. It appears the State, County, and City officials are cooperating with Crystal Geyser in “piecemealing” the necessary environmental assessments. Here is one piece of that plan, to move through a MND on the power substation and avoid a fuller EIR, which would have to take into account ALL the impacts of CGWC’s plant. Please use your regulatory powers to prevent this travesty.

Sincerely,

Molly Young Brown, M.A., M.Div

722 Meadow Ave Mt Shasta CA 96067

530-926-0986 (phone & fax)

[MollyYBrown@gmail.com](mailto:MollyYBrown@gmail.com)

MollyYoungBrown.com

PsychosynthesisPress.com

December 1, 2015

To: public.advisor@cpuc.ca.gov

cc: Cathie.Allen@pacificorp.com, jarmstrong@goodinmacbride.com,  
Michael.Rosauer@cpuc.ca.gov

RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

The California Public Utilities Commission is set to approve the construction of a new Pacific Power electrical substation, primarily to serve the power needs of Crystal Geysers Water Company (CGWC), which wants access to four times as much power as the former Coca Cola/Dannon plant required. And this will apparently be done at ratepayers' expense, amounting to corporate welfare.

The Pacific Power plans include installation of stronger, taller power poles, which will mar our scenic view shed along the Cascade Volcanic Scenic Byway and in our neighborhoods. The PEA documents prepared by PacifiCorp are deficient in not presenting the height and increased diameters (bulk) of the proposed new poles. They could be increased from 39 feet to 80 feet in height and could be much broader, greatly affecting our views of Mount Shasta, Spring Hill and Black Butte. Yet the proposed MND says the effects will be negligible. This is patently untrue. In fact, this tourist-based town needs power lines buried to protect our scenic views—and to better prevent power outages due to snow loads and falling trees. This is an issue of aesthetics, community values and equity.

Why is the new substation called the "Lassen" substation, when it is being built right here in Mt Shasta? Is this an attempt to confuse local citizens so they won't realize what is happening in their town? The Public Notice in the Mt Shasta Herald was inadequate and confusing and made no mention of CGWC's request for power. PacifiCorp should be required to hold an Open House to explain the difference between community power needs and a Japanese multi billion dollar conglomerate's wants (Otsuka Pharmaceutical Holdings/ Crystal Geysers). When an Open House was held in 2010, CocaCola had announced it was closing and there was then no stated need for the new line going to the plant. This is a new project and deserves thorough review, with an extended time for

public comment. Otherwise, it appears that PacifiCorp is attempting to sneak this project through without adequate public input and a full EIR.

Why do our local, county, and state officials continue to bow down to a foreign corporation? Crystal Geysers will produce a totally unnecessary product, use unlimited amounts of our precious water in a time of severe drought, waste huge amounts of electricity in production, and huge amounts of oil delivering their superfluous product to distant customers —while shipping the profits overseas. All for a promise of a handful of jobs, largely filled by workers from plants being closed in other small towns. The PUC needs to consider the welfare and health of local communities, not the profits of a foreign corporation.

If CGWC needs so much power, then the company should pay for the upgrade, not the residential and small business ratepayers. To expect the ratepayers to cover this under "projected growth of the area" is illegitimate and unethical. This is corporate welfare by any other name.

The attempts to avoid a full and thorough Environmental Impact Report continue as well. It appears the State, County, and City officials are cooperating with Crystal Geysers in "piecemealing" the necessary environmental assessments. Here is one piece of that plan, to move through a MND on the power substation and avoid a fuller EIR, which would have to take into account ALL the impacts of CGWC's plant. Please use your regulatory powers to prevent this travesty.

Sincerely,

Molly Brown

[mollybrown@gmail.com](mailto:mollybrown@gmail.com)

## Allen, Cathie

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**From:** Vixie Javier <vixielife@gmail.com>  
**Sent:** Tuesday, December 01, 2015 5:19 PM  
**To:** public.advisor@cpuc.ca.gov; Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear Cathie, Michael and all involved with PacifiCorp,

We are writing to you today to express how strongly we care about the natural beauty here in our precious home of Mount Shasta. We know in our hearts that we are called on to do everything it takes to make sure that the special place we've chosen to birth and raise our daughter remains pure and protected on all levels.

We are not in agreement with Crystal Geysers plans; we feel it would harm our community and the overall aesthetic of our mountain village. The application for the power line simply doesn't make any sense to us; people from all over the world come to Mount Shasta to enjoy the crystal clear mountain views and obstructing the view would negatively effect what majestic Mount Shasta is known for. We urge you to protect the view of the mountain.

We feel it is completely unethical to move forward with a project like this without first putting together a full-detailed Environmental Impact Report. Please do what you can to keep us informed (i.e. in our local paper, the Mt Shasta Herald) and communicate with us transparently about any projected plans that would effect our sacred mountain home and community we love very much.

Many people come to Mount Shasta to pray and tune in with the power of nature, not unsightly bulky power poles. As local residents and owners of a family-operated local business in downtown Mount Shasta we are not in agreement with paying for this project or for paying for the sacred water that has been and should continue to be free for all people to access.

Thank you,  
Vixie, Forrest and Vela O'Farrell

## Allen, Cathie

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**From:** Touson S. <touson@sbcglobal.net>  
**Sent:** Tuesday, December 01, 2015 3:00 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** Mt Shasta Substation Concerns

RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear CPUC Officials,

I'm writing to express my concerns about the upgrades PacifiCorp intends to implement for the Mt Shasta substation. Firstly the town has worked hard to beautify our surroundings including the view shed. Larger poles will further obstruct views. Although the public announcement in the Herald does not mention Crystal Geyser, it's quite obvious this is the main reason for the upgrades as they will need 4 times the power that Coca Cola required. I'm not willing to pay their way!

In the spirit of transparency, I request PacifiCorp hold a public meeting on the subject. This town does not actually need more power, as the use has decreased over the years due to high efficiency lighting and appliances. Crystal Geyser should rightly be the one to absorb **all** costs for these upgrades since they and they alone appear to be the reason it is needed. Also, why are we now calling it the Lassen substation instead of Mt Shasta?

I am certainly not opposed to **necessary** repairs to the system as long as they are truly necessary for the residential population of the City and **not** only to serve more power to an international corporate entity who will only drain our natural resources and create pollution.

Sincerely,  
Touson Saryon  
Mt Shasta Resident

## **Allen, Cathie**

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**From:** Ana Holub <anaholub1@gmail.com>  
**Sent:** Wednesday, December 02, 2015 12:35 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

To: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov).

cc: [Cathie.Allen@pacificorp.com](mailto:Cathie.Allen@pacificorp.com), [jarmstrong@goodinmacbride.com](mailto:jarmstrong@goodinmacbride.com),

[Michael.Rosauer@cpuc.ca.gov](mailto:Michael.Rosauer@cpuc.ca.gov)

RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

To Whom It May Concern:

I am a long time resident of Mount Shasta, CA. I love this place because of its pristine mountain views, clean water and wonderful community. I write to you out of concern that these essential values will be damaged by the upgrade of the Lassen Substation. Here are my thoughts:

1. Tourism is the principal economic driver of our entire area, for good reason. This place is amazing! Any upgrade of utilities should include putting the lines underground to improve the views for tourists and community members alike. Increasing the bulk and height of the existing 36 poles would violate our aesthetics and mar the beauty of the immediate area.

2. I question why this upgrade is needed. If it is a gift to Crystal Geyser (CG), paid for by ratepayers (i.e. regular folks, many of them already struggling financially in this area), then I go on record as saying that Crystal Geyser needs to pay its own bills. We, the People, do not want nor need to subsidize Otsuka Pharmaceutical Holdings, the huge Japanese corporation which owns CG. I do not oppose any necessary repairs or maintenance of the existing power grid. I DO oppose the greed and underhanded tactics of CG if they and the PUC are indeed disguising this upgrade as necessary when it is actually a huge give-away to wealthy corporate interests.

3. "Projected growth of the area" is not the same as "projected growth and power needs of CG at full build-out." There is a huge difference. Statistics show that due to conservation, new light technology and the ski area being closed for most of the past two years, local energy use has actually dropped. I want transparency from CG and the PUC, and candid discussion with the community. We need an

open forum for honest, shared communication. Only then can we discover what is fair and best for our community, and what is really needed for the future.

4. Why do you want to change the name of the substation? I'm wondering if there are plans for more substations in the future. If so, the public needs to know why, where and what the true need for this would be.

5. Senator Dianne Feinstein's letter of support for the EDA grant to the City of Mt Shasta specifically referenced that Crystal Geysers would bring a new substation to the community *on their property*. Now, it appears the ratepayers are being asked to pay for this substation instead. CG needs to address ALL of its impacts in an EIR, not farm out its power needs to the public without review.

with respect,

Ana Holub

PO Box 174

Mount Shasta, CA 96067

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Ana Holub, MA • Clear Path To Peace, Author of *Forgive and Be Free: A Step-by-Step Guide to Release, Healing and Higher Consciousness*

[www.anaholub.com](http://www.anaholub.com) • [info@anaholub.com](mailto:info@anaholub.com)

530-926-4639 or 530-925-1081 PST

P.O. Box 174, Mount Shasta, CA 96067



## Allen, Cathie

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**From:** Bev Sosin <bevsosin@yahoo.com>  
**Sent:** Wednesday, December 02, 2015 2:02 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacificCorp Notice of Proposed aen Substation Construction and PEA (A.15-11-005)  
**Attachments:** letter dec. crystal geysers.pdf

This is a request for a full EIR before decisions are made regarding the proposed substation. A.15-11-005

Please review the attached letter.

Thank you,

Beverly Sosin

**December 2, 2015**

**Re: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)**

**To Whom It May Concern;**

**I am a resident of Mt Shasta, California and I am writing to request an extensive Environmental Impact Report to include Crystal Geyser's full buildout plans before making a decision on how this project will affect the taxpayer's of Siskiyou County and the city of Mt Shasta. Crystal Geysers needs for powering their plant must be financed by that Corporation. Not only do most people in this area oppose the water bottling facility we also oppose tax increases to update the additional power necessary to run the plant at their full projected capacity. This is not to say we oppose maintaining our electrical plant. However you cannot make an accurate decision as to how much power is needed by Crystal Geyser and how it will affect our community without a full EIR.**

**The economic sustainability of the Mt Shasta area depends on tourism. This Mountain has long been an international destination for spiritual seekers visiting the sacred places, people in need of a healing space as well as nature lovers for the pristine beauty, hiking, fishing and exceptional water and air quality.**

**The scenery and aesthetics of our town draw visitors from all over the world let alone the views that increase our property values. Underground utilities are the next step to improve the current distribution system. More or larger poles would be detrimental to the area.**

**California is in a severe drought and many of its residents are affected now and most probably in the future. The idea that California is selling its precious water resource to bottling plants for international distribution is unjustifiable and at the least we could enact a temporary moratorium on such practices. And now the local taxpayers may have to fund this expanded use of power for one of the plants? What happened to good judgement and common sense?**

**Please insist upon a full EIR from Crystal Geyser/Otsuka Pharmaceutical Holdings so that all of us know the impact of this facility on our town and the necessity of additional power needed to sustain this operation. No one can make a good decision without this necessary information.**

**Thank you,**

**Beverly Sosin      1217 Scenic Drive      Mt Shasta, California**

## Allen, Cathie

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**From:** New Age Academy <academynewage@gmail.com>  
**Sent:** Wednesday, December 02, 2015 4:48 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear Public Advisor,

My husband and I have lived in Mt Shasta since 2008.

We love this sacred mountain and the quality of life in our local community.

The proposed construction of the Lassen Substation (why is the substation called Lassen instead of Mt. Shasta?) deserves public review, particularly since the public is expected to pay for the "projected growth area."

The proposed project counters the aesthetic values of our community.

It also counters the community's participation (and constitutional mandate) for a comprehensive review of our power and future infrastructure.

Sincerely,

Gloria and Ron Cooper

## Allen, Cathie

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**From:** David Moss <davidmoss43@gmail.com>  
**Sent:** Wednesday, December 02, 2015 4:38 PM  
**To:** Allen, Cathie  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear California Public Utilities Commission (CPUC),

When I heard that today is the deadline for public comments regarding the potential rate increases associated with the upgrade and provision of power to CGWC's plant in Mt Shasta, CA, I am duty bound to send this brief letter (I am visiting family in Guam, my grandson bouncing on my knee) to say, "Please wake up to your responsibilities as representatives of the people! Please give the people of this community a chance to enter the process going on between Pacificorp & the Crystal Geyser Corporation. Do we not have a right to be heard, to give resistance to the takeover of our water aquifer by Crystal Geyser?"

I am not against constructing new power lines if the community needs it, but we will not, cannot standby and let the Crystal Geyser Company be gifted with more power for their water takeover while the people foot the bill. Isn't it only fair that a company pay for it's own utility improvements as the usual cost of business?

Can we not at least insist on fairness in this process? Can you not smell the stink of unfairness in this scenario? At least allow us the opportunity to expose this pillage of a sacred aquifer at the headwaters of the Sacramento River for what it is. Give us a level playing field please. Fairness for all (not just the powerful) is the foundation of a democracy, isn't it??

David Leeper Moss  
8339 Castle Lake Rd  
POBox 567  
Mt Shasta, CA 96067  
[530-966-1862](tel:530-966-1862)

"I am not called to do great things, only little things with great love." M. Theresa

**Allen, Cathie**

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**From:** Eleanor Kennedy <eleanorakennedy@gmail.com>  
**Sent:** Wednesday, December 02, 2015 1:09 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacificCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

I am writing to you as a very concerned citizen and business owner in Mt. Shasta City, CA. My family owns and operates a local motel called the Cold Creek Inn. Our family and our employees are very fortunate to live and make a living in a region that is visited by people from all over the world for its pristine natural beauty and spiritual significance. Visitors stay at our motel and enjoy the many natural wonders of which many are water features such as pristine alpine lakes, streams, creeks, water falls and springs. Over the years, we have worked hard to contribute to making this area a tourist destination for long-term economic viability. New power poles are completely against the core-values of natural beauty views from as many points in town as possible.

The impact of a water bottling plant in our small tourist based economy is frightening as well as poor long term planning given the drought, pollution both visual and environmental. The blatant disregard by PacificCorp and Crystal Geysers (CGWC) for our community is bad planning and policy. I request that the CPUC require CGWC pay for a comprehensive environmental review and any power infrastructure needed for future expansion of the water bottling plant. Water and quality of life resources are public assets that should not be destroyed by corporate greed.

I understand the necessity of the repairs needed. I request that the under grounding of utilities be part of any power distribution system. In fact, the city of Mt. Shasta went through the expense of under grounding lines because the mountain is a primary view shed

that is world-renown. This would enable the view shed to be minimally impacted particularly around Mt. Shasta and Black Butte. It is my understanding that PacificCorp intends to increase the bulk and the height of the current 36 poles which will be significantly more usually intrusive. It is also confusing to rename the substation to "Lassen Substation." CGWA should be held fully responsible for all costs of increasing the amount of power to the old Coca Cola plant. To expect the ratepayers to subsidize this expense is unacceptable and amounts to corporate welfare. The community of Mt. Shasta does not need additional sources of power and the decline in the the growth rate reflect that. As the drought continues, and the ski parks success unknown, it is a wasteful expenditure of money and resources and I do not support it.

I also feel that the CGWC needs to hold another more relevant open house/meeting. Since CGWC bought the plant in 2010, the scope of their planned operations has changed drastically. In order for transparency with the community they intend to impact, all information needs to be clearly and concisely communicated to the current population.

Most Sincerely,

Eleanor Armstrong Kennedy

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*Out beyond ideas of wrongdoing and rightdoing  
there is a field. I'll meet you there. Rumi*

***Eleanor A Kennedy***  
[eleanorakennedy@gmail.com](mailto:eleanorakennedy@gmail.com)

## Allen, Cathie

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**From:** John Livingston <livingstonjohn@att.net>  
**Sent:** Wednesday, December 02, 2015 4:28 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)  
**Attachments:** PGE Substation Mt. Shasta.docx

Please see comment letter attached.

December 2, 2015

This letter is addressed to: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov).  
With cc: [Cathie.Allen@pacificorp.com](mailto:Cathie.Allen@pacificorp.com), [jarmstrong@goodinmacbride.com](mailto:jarmstrong@goodinmacbride.com),  
[Michael.Rosauer@cpuc.ca.gov](mailto:Michael.Rosauer@cpuc.ca.gov)

Subject: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

I am writing to express my concern about the proposed so called "Lassen Substation" located in Mt. Shasta, California to replace the existing substation along with quite a bit of power delivery elements. I live in Redding but travel to Mt. Shasta throughout the summer and winter to hike, cross country ski and walk the streets of the town and enjoy the restaurants. I am concerned that the project as packaged will not be in the vest interests of the public and especially those that are residents of the area or those who visit it frequently. I offer the following concerns:

1. The more letters received, the greater the likelihood of a full EIR (Environmental Impact Report) rather than a MND (Mitigated Negative Declaration). We want them to include CGWC's full buildout plans and to be certain that ratepayers aren't charged for their beverage bottling business expansion. This is a simple matter of logic and justice.
2. Mount Shasta is an international eco and spiritual tourist destination. Tourism is the principal economic driver of the town's prosperity. With Climate Change, the influx of tourists will likely increase because of longer summers, less snow and more rainfall. The importance of maintaining the pristine environment and quality of life cannot be overstated.
3. In the country of England, all of its utilities are placed underground wherever possible. I just spent 6 weeks there and their small towns are visually marvelous because they do not have any power poles and their cables are underground in the streets and sidewalks. This greatly enhances the appearance of the towns and makes them much more attractive to residents and visitors. Placing all the cables underground in Mt. Shasta is a method of helping the local economy prosper by attracting tourists and visitors. Our scenic views are appreciated from virtually everywhere along the path of the wooden poles now in place. Any increase in the height or size of the poles over the existing lines will decrease the appeal and will significantly obstruct views of Mt. Shasta, Black Butte and Mt. Eddy and all 360 degrees of view shed around the area.
4. The Mitigated Negative Declaration may be sufficient for a large city where there are hundreds of thousands of poles but for Mt. Shasta, the view shed is the principal attribute of the area. A full EIR is needed due to the view shed issues and the delivery of power to the Crystal Geyser facility which is very controversial.
5. Crystal Geyser should be required to absorb all costs associated with bringing their desired power (4 times that used by Coca Cola) to the plant. To expect the ratepayers to cover this under "projected growth of the area" is not legitimate and not transparent.
6. The projected need of the community for additional power has not been accurately taken into consideration. There has been a significantly diminished ski seasons for 2 years and consequent lack of need for power at many businesses in Mt. Shasta. Additionally the actual growth rate of Mt Shasta has declined rather than increased as projected in the General Plan. Conservation and use of new light sources both in the city and in private homes and businesses has decreased the power use. This must be accurately described in the EIR.



I request the following:

1. That PacifiCorp hold an Open House in January 2016 in order to be completely transparent and to explain the difference between community power needs and the Crystal Geysers facility. The Crystal Geysers facility must be discussed.
2. The Mt. Shasta Substation name be retained and not changed to Lassen Substation.
3. That a full EIR be prepared for the substation and transmission project that includes clearly identified needs of the community as separate from the Crystal Geysers facility. The EIR should also include a time scale for the power needs of the facility and the needs of the community for the next 50 years.
4. Due to the short time to review the project documents and the holiday season disruptions, I request the public comment period be extended to mid-January, 2016. In addition to having a public meeting in Mt. Shasta in January, this will allow the public more time to understand the full impact of the project.

Sincerely,

John Livingston  
2378 Waldon Street  
Redding, CA 96001

## Allen, Cathie

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**From:** Katie Jessup <kojessup@gmail.com>  
**Sent:** Wednesday, December 02, 2015 10:46 AM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear Pacificorp and all other interested parties,

I am writing to encourage you to rethink and explore the proposed Lassen Substation Project. The Mt Shasta community is deeply aware of our fragile exquisite natural environment and feel it is imperative to take care and preserve it. I have several requests.

Please consider the following:

1. Please put the power lines underground. Power poles are a tremendous eye sore and subject to damage when the winters get tough. We are continuing to build our area for eco-tourism, biking, skiing, etc. Power poles would have a negative impact.
2. Potential rate increase....if Crystal Geyser's new plant is driving the need for expansion are they going to be expected to proportionately pay for the expansion rather than the rate payers absorbing the costs? Crystal Geyser should pay their way.
3. Public Notice....it would be appreciated if the community were to be given the time and opportunity to participate. I would like to understand Crystal Geyser's full needs at completed build out and what that affects the need for the Substation Project.
4. The name. Why is Mt. Shasta's substation to now be named Lassen? What is the Lassen area substation called?
5. Power Use Needs. What is the current usage of power.....what is the projected use for expansion with/out Crystal Geyser....and with Crystal Geyser?

Thank you for giving this thorough attention. You can play a big part in preserving this area and making it attractive to many people to visit and to come live here....both of which would create added income to you. If we are not sensitive to the environmental needs of this area we will directly be responsible for harming out future.

Thank you for you time.

Sincerely,

Katie Jessup  
1234 Nixon Road  
Mt. Shasta, CA 96067

**Allen, Cathie**

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**From:** Micah Dobush <eyesofsource@gmail.com>  
**Sent:** Wednesday, December 02, 2015 10:18 AM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

## RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Greetings Sirs and Madams,

I am a resident of Mt Shasta and Siskiyou County. I am a rate payer. I am fully aware of the shrinking population in our community as real estate prices rise, utilities rates increase, water sources are diminished and the costs of living drive people out of the county. Since the 1980's retreat of lumber companies our unemployment rate has hovered at 18%. Since the 2008 economic disaster our town has decreased in population and new homes are rarely being built. Our need for more electric utilities energy has lessened. The average income in Siskiyou County (of the 20,000 people eligible to work) has stagnated at \$ 36,000 annual income. Our County is low income dominated and half our population (50%) are retired or not in the work force age group. Our people cannot pay for or support the multibillion dollar corporations need for more electricity. Where are the solar and wind energy systems that we prefer to convert to in this equation?

Please consider the proposed Substation and power increase ONLY for Crystal Geyser's needs and therefore not needed by our community. I demand that the cost of this substation be the sole burden of the Crystal Geyser. CG needs more electricity to run their bottling business. When a land owner needs to connect to the electric grid they are charged the full cost of connecting, why would this be different? We have a substation for Mt Shasta make Crystal Geyser pay the full cost of doing business. CG is a multibillion dollar corporation that can afford the cost of expansion for their needs and you need to charge them not the rate payer. It is inappropriate to pass this fee to the private sector and rate payer. The private citizen needs subsidies and we expect a multinational corporation to be giving to the community not being subsidized by the people of the community. Make CG pay for a localized substation of alternative renewable energy that will pay us instead of you!

Mt Shasta community depends on tourism. People from around the world come here to enjoy the beauty of the Mountain and landscape. Visual impacts from power poles is already an issue and additional taller poles are not welcome for our economy. Any further grid expansion must be sensitive to our visual impacts and underground wires would satisfy the need to reduce visual trash in our mountain community.

As for the comment period, I believe our community needs more time to respond and I request at least 90 more days for review. I also believe that the Power Corporation must take a month of full page ads in all Siskiyou County newspapers, daily ads on the radio and reach out to every

ratepayer by post and email to inform us of the impacts and plans prior to the 90 day review. Due process is necessary to avoid lawsuits and poor decisions.

Please respond directly to me, Micah Dobush

PO Box 665

Mt Shasta CA 96067

**Allen, Cathie**

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**From:** Valon Ralls <valon.powerorganics@gmail.com>  
**Sent:** Wednesday, December 02, 2015 4:57 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com  
**Subject:** RE: Pacificorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

I am the owner of 2 acres at 301 S. Old Stage Road just south of the power station. We have a spectacular view from our building. The only unpleasant site in our view is the existing power poles. Mt. Shasta is a world renowned aesthetic mountain and deserves the unsightly power lines to be underground. PLEASE!!!  
Scott Springer

## Allen, Cathie

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**From:** shannon hacker <redcrystal6689@gmail.com>  
**Sent:** Wednesday, December 02, 2015 1:53 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com  
**Subject:** PacificCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear CPUC,

I am very much opposed to this substation project. I own a home in Mount Shasta, work and raise children here. The ways in which this will harm our community are countless. I also argue it will do no good for our community. Sebastapol, a locality near here, is engaged in a massive power down movement. They are helping their residents use less electricity and reducing their dependence on the Grid. I advise we follow suit here in Mount Shasta.

Mount Shasta as a community lacks the foresight and the unity to protect their residents and act in a progressive manner. Therefore, on behalf of the many inept people who live here, I write these strong words:

+We do not need more electrical power in Mount Shasta.

+We should not be providing power to the Crystal Geysers Bottling Plant which is a Japanese owned company who is not even paying their fair share for the buildout which will provide this potential power.

+The above ground power lines will be unsightly.

+EMF fields have been proven to be harmful to people and living organisms

+We demand transparency and integrity in the full evaluation of this and other projects related to the Crystal Geysers bottling plant.

+It is my opinion that the public has had "the wool pulled over their eyes" already on the specifics of this project, including the misleading name.

Mount Shasta does not need to be providing Corporate Welfare to some of the largest conglomerates on the globe. We need to be making better decisions that place the highest regard on our natural environment and secondarily on the needs of our local population.

I request the PacificCorp hold an opened house to answer all our questions in complete transparency with regard to this proposed project.

Very Sincerely,  
Shannon Noorzad

A concerned resident.

## Allen, Cathie

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**From:** Stephan Norswing <s.norswing@gmail.com>  
**Sent:** Wednesday, December 02, 2015 4:05 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** .jarmstrong@goodinmacbride.com; MichaelRosaver@cpuc.ca.gov; Allen, Cathie  
**Subject:** PacifiCorp notice of proposed Lassen Substation Construction and PEA A.15-11-005  
Crystal Geysers

To Whom it may concern

The inadequacy of the Public Notice in the Mt. Shasta Herald did not mention CGWC and extension of the time for comments. The potential rate increases associated with the upgrades is not justified. It will only HARM our community.

I have lived in Mount Shasta for 5 years, my name is Stephanie Norswing. I moved here for many obvious reasons. The pristine mountain, small peaceful spiritual and environmentally conscious community. Abundant resources which INCLUDES PRISTINE WATER.

Crystal Geysers is full of GREED. I was in Orland, CA yesterday and the people there threw them out for the same reasons which they are trying to do here. Their GREEDY agenda to open a water extraction and bottling facility is plain WRONG! How is their integrity in stealing water? How is their integrity in ruining our wells? Our Land? This beautiful community who most of us help the world. How is their integrity in ruining our tourism? The Horrendous environmental implications are beyond words.

A FULL EIR is demanded and the right thing to do! Why doesn't their pharmaceutical Company including Crystal Geysers stay in Japan and tap into their own mountains? What they are attempting to do, taking California's water and selling it TO US is just outright GREED and WRONG. Money and greed!

Crystal Geysers is not wanted here until WE THE PEOPLE learn ALL the facts and EVERYTHING is transparent to the COMMUNITY so we can make a collective decision.

We, as a community will make all legal efforts to keep exposing and stop these crimes.

Being The California Public Utilities Commission you are publicly nominated, tax financed agency by the PEOPLE for the PEOPLE. It is your JOB to represent and protect our collective interest and nothing else.

I am demanding that you take immediate action to stop this atrocity and demand CRYSTAL GEYSERS and their PHARMACEUTICAL Company to get a FULL EIR report at once. Infact, a FULL EIR report selected by the people to conduct it.

Sincerely,

Stephanie Norswing  
December 2, 2015

## **Allen, Cathie**

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**From:** Thomas Giunta <tj\_giunta@yahoo.com>  
**Sent:** Wednesday, December 02, 2015 4:52 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacificCorp Notice of Proposed Lassen Substation Construction and PEA A.15-11-005

Dear Sirs,

This is a letter requesting a Full EIR on Crystal Geyer's proposed bottling plant in Mt Shasta, CA. I am a local resident and I am quite concerned that we, the taxpayer, will be funding the Otsuka Pharmaceutical Holdings/Crystal Geyser to "improve our electrical" capabilities. An EIR based on the buildout plans for this plant will show the impact on our community as well as the amount of additional power needed to run this plant. This is the responsibility of the corporation not the tax payers of Siskiyou county.

I am also concerned about the environmental impact on our community as well as the water table in this area and how it may affect our personal wells.

Thank you for your consideration and reply,

Thomas Giunta  
Mt Shasta, CA



## Allen, Cathie

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**From:** Vicki Gold <victoria7@snowcrest.net>  
**Sent:** Wednesday, December 02, 2015 4:59 PM  
**To:** Public.advisor  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)  
**Attachments:** CPUC 122 LETTER.rtf.zip

December 2, 2015

Please accept my attached letter in response to the Public Notice in today's Mt Shasta Herald. I have just been advised that there is actually no deadline for submitting letters of protest or comment on this project. There was reference in the Mt. Shasta Herald to a 12/2/15 deadline. Multiple emails to the Public Advisor did not result in information related to many aspects of the procedures we questioned. Michael Rosauer kindly finally obtained this information for us regarding the lack of specific deadlines until a hearing date is established. I would like to be informed as soon as this date is set please.

Thank you,  
Vicki Gold

wff\_113x70.png -ejcw\_125x125.png -

December 2, 2015

Re: RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

To Whom It May Concern:

I represent over 600 local residents and visitors to Mt. Shasta who are very concerned about the clear and constant *evidence of piecemealing surrounding the Crystal Geysers Water Company project*. Projects supportive of water extraction in extreme drought in the Pacific Northwest must be addressed at every opportunity. This is that time.

**FORMAL PROTEST OF PROCEDURAL ISSUES RE: APPLICATION**

This letter is to formally protest the Application of PacifiCorp to dismantle the Mt. Shasta Substation and to rebuild a new Substation strangely called "Lassen". How was this decision made and does the CPUC have authority over actual naming of substations? There appears to be no logical reason to rename the substation; it has the appearance of an attempt to mislead the public about the location of the project. PacifiCorp responded to my letter advising them of the error in the street name in their Public Notices. They republished corrected notices, but apparently no change in deadline was allowed for comments, which we now protest.

I called and emailed Project Manager, Michael Rosauer who was helpful and advised me to contact the Public Advisor's office. They suggested contacting the Administrative Law Judge assigned to the case. As instructed, I attempted to contact the ALJ John Mikita by phone leaving voicemail and sent 3 emails requesting an extension of the time allowed for submitting letters of protest or comment. The letters are apparently due today 12/2 and the final posting of the official corrected Public Notice is in today's Mt. Shasta Herald. Since I received no reply, I assume this is the deadline with no adjustment, despite the irregularity of the original posting. ***It is only because we let the community know through alternative email lists that they understood this will affect Mt Shasta.*** We have heard this repeatedly from local residents. Some people residing near the new transmission poles were not notified of the project in their neighborhood. This is a tourist town with many homes owned as second homes or for seasonal rentals. We believe the owners may not have been notified if signs were posted.

***Note:*** It is 3:30pm and I have just been advised by Mike Rosauer that there is no actual deadline of 12/2 for submitting letters of comment or protest. The PacifiCorp Application Proposed Timeline stated 12/4/15 and this is also just their ideal schedule, not a true deadline. Because of the many problems with the PacifiCorp Public Notice, I will still submit this letter today by what was stated to be the final day for comments as referenced in the Mt. Shasta Herald article.

***We note that there is still no mention of Crystal Geyser Water Company's project in the Public Notice.*** Thus the full purpose

of the upgrade is opaque. This cannot be an accident. It is disingenuous to suggest that the upgrade is strictly for the public need when the corporation's stated demand for greatly increased power has been obvious and well documented for over 3 years. The public is forced to search for the deadline date on the CPUC website if they are unable to reach the Public Advisor's office during work hours. This seems to be a system design flaw which I'm certain must have been referenced in the past by many members of the public wishing to file a protest. It would be optimal to have that date posted as part of the Public Notice. This is both a suggestion and a protest of current policy.

### **COMMENTS ON PROPONENT'S ENVIRONMENTAL ASSESSMENT**

The PEA includes this statement:

"The CPUC requires utilities to employ "no-cost" or "low-cost" measures to reduce public exposure to magnetic fields. In order to reduce the potential exposure to electric and magnetic fields (EMFs), which could be generated by the proposed facilities, we have prepared an EMF Management Plan. As part of this plan, the company intends to:

- Extend the proposed Lassen Substation fence line on the west side to encompass the transmission span entering the substation.
- Increase the height of the replacement transmission poles."

***Why is there no discussion of the alternative of underground transmission lines which would accomplish the reduced public exposure to magnetic fields? Why no recommended planting of trees to shield the unsightly substation?***

The lengthy PEA mentions alternatives but not the most

desirable option of placing the power lines underground. This would not only improve the scenic vistas in our tourist town, but would virtually eliminate EMF exposure to those near the transmission lines. Although it may be more expensive in the short run, there would be fewer power outages due to ice storms and weather and accident related power interruptions. There is no explanation of why PacifiCorp wants to eliminate the current underground lines and to substitute taller bulkier poles across the I-5 freeway.

### **CPUC GENERAL ORDER 131-D**

SECTION X. POTENTIAL EXPOSURE TO ELECTRIC AND MAGNETIC FIELDS (EMF) information should be included in the PEA by Rules of Practice and Procedure 17.1. The CPUC has a responsibility to discuss the potential health and safety risks associated with EMFs. The precautionary principle should be followed and utilities buried underground where feasible. New studies are published daily which support use of the Precautionary Principle regarding electrical power projects' provision of maximal shielding from EMF radiation.

### **REQUEST FOR A NEW OPEN HOUSE BY PACIFICORP/CPUC**

*Before approval of such a major construction project for the community, it would seem prudent and more transparent to hold an Open House again.* The Open House in 2010 did not address the Crystal Geyser plant. I request that this application not be approved until such an opportunity is afforded for community input and PacifiCorp engineers and staff to share

information with the public.

**TRANSPARENCY ISSUES REGARDING NECESSITY OF  
UPGRADE  
AND COSTS ASSOCIATED WITH LASSEN  
SUBSTATION**

The issue of mingling a *presumed* necessary upgrade for safety and reliability reasons with provision of increased power to a corporate industrial consumer's wants creates an obvious quagmire for the CPUC. *Whom do they represent, the public, the corporation or the utility company?* Apparently standard operating procedure is for utility companies to submit their applications for construction with no opportunity for the public to engage in discussion of costs incurred or necessity. Then later they return to request rate increases. This seems illogical and backwards. *Does the public have no right to be informed about the capital costs related to maintenance, upkeep and necessary upgrades vs costs of new power to a large Japanese conglomerate? We know that costs are eventually transferred to the ratepayers.*

**NEED FOR A COMPREHENSIVE EIR INCLUDING  
CGWC**

In this case, you undoubtedly have read the press coverage for nearly 2 years in major Bay Area and So CA newspapers and on CBS affiliate KPIX in San Francisco. *This beverage bottling facility is highly controversial at best and particularly so in times of extreme drought. The fact that no local jurisdiction has been willing to step up to assume the role of lead agency in*

*requiring an EIR should cause one to pause before approving this application for them to not just power up, but to greatly increase their power usage for future expansion. This is an opportunity for the CPUC to approach the Office of Planning & Research to request that a lead agency manage a full EIR process.*

### **QUESTIONS RE: AUTHORITY AND RESPONSIBILITY OF CPUC**

There are questions about the purview of the CPUC in such projects. If CPUC's only job is to facilitate power to any industry on request of the utility company, at what point are profound questions asked about the nature of the industrial consumer? For example, if an industry were interested in producing pesticides or neo-nicotinoids with the environmental consequences always associated with these products for the soil, the air, water, bees and entire ecosystems, what role might the CPUC play if any? Assume that the CPUC discovered that the local jurisdictions were not addressing this obvious issue of pollution of the Sacramento River and our aquifers could they step in? *Responsibility lies in hands of those who perceive the problem.*

The community, the Winnemem Wintu who are indigenous to this area for many thousands of years, and our visitors, plus downstream water users feel that extraction of water in times of severe drought must be addressed at every level. Local business owners support an EIR. (See today's Mt. Shasta Herald Letters to the Editor). Residents who are neighbors of the plant with history of well problems associated with the prior Coca Cola

operation, and as consequence of the extreme drought, are concerned that proper independent hydrogeology studies have not been completed. If not now, when and by whom?

*At what point is the "just doing my job" argument challenged?*

### **INADEQUATE INFORMATION IN PEA JUSTIFYING NEED**

We understand that there will be an opportunity to comment later on the CPUC's consulting engineer team's report following their review of the PacifiCorp's PEA. *At this point my request is that the Application be denied until further studies and informational meetings are held in our community.* Approval of the Lassen Substation and overhead transmission lines would add to the already murky conditions surrounding CGWC. More light must be shed on this power project. There is discussion in the PEA of deteriorating equipment, possibly not lasting for many more years, but no precise data covering when they were last updated and in what manner. How is the life expectancy of the present Substation and equipment measured? We know for example that many so called 20 year roofs last for 60 years with no leaks. How is "necessity" determined? Assumptions are made with no documentation.

We have seen emails about the temporary transformers brought in from Oregon in order to accommodate the Crystal Geyser power wants. This is not discussed in the Application. We feel that the community may indeed not need the new Substation project. In fact with city installation of LED lights and consumer conversion to energy conserving light bulbs, plus the closure of



the Mt. Shasta Ski Park for two years, perhaps there is no longer a real need. There is an additional factor to consider. Mt. Shasta is in the process of a \$16 million plus upgrade at the WasteWater Treatment Plant which they expect will affect the power usage by reducing need to pump uphill to the leach field on Hwy 89. This is a large expense in money and power and is expected to diminish when the WWTP project is completed by 2019.

See additional documents now available on the City's website under the Planning Commission page (<http://ci.mt-shasta.ca.us/planning/index.php>).

### **GHG'S FROM CGWC/ LASSEN SUBSTATION UNDERESTIMATED**

GHG emissions have been underestimated in the PEA. These must be analyzed now. There is no other opportunity to review the implications of full buildout of Crystal Geysers, their increased power use, the truck trips and the plastics production. To only address the GHG emissions related to the construction period is missing the larger picture for our community and for the planet. By our calculations in evaluating the CG plant expansion at full buildout and long distance truck shipments as they increase the number of bottling lines, there may well be an additional 10,000 metric tons of CO<sub>2</sub>/ year.

### **FAILURE TO ADDRESS AESTHETICS & COMMUNITY VALUES**

*There are many omissions in the PEA regarding aesthetic and environmental issues:* e.g. the failure to identify the height and

diameters of the new poles, the failure to adequately shield those residents residing near the new lines and the new Substation from EMFs. The visual simulations and photographs are incomplete and fail to show the true impacts of the overhead transmission lines. ***This community values scenic beauty. The Cascades Volcanic Legacy Scenic Byway travelers deserve to have the view sheds protected by best environmental preservation practices.***

Clearly Mt. Shasta is a very special community, for many years now relying on tourism as its major industry. Every effort must be made to respect the pristine nature of the landscapes and vistas. ***We feel all projects located in Mount Shasta's sphere of influence deserve the most thorough environmental review and we request that a full EIR be completed.*** Because Crystal Geyser is involved, it seems unfair to ask that public funds be dedicated for this with no corporate participation. How is this equitable?

### **CORPORATE WELFARE AND CONFLICTS OF INTEREST**

PacifiCorp maintains that there is a necessity for the project, yet it is in their corporate interest to build build build. There may even be a significant conflict of interest in that Calpers is heavily invested in both the water bottling industry and in Berkshire Hathaway, parent company of PacifiCorp, per 2014 CalPers Annual report. Pensions of decision makers are invested in the very corporations that bring projects before these staff members, regulators, legislators and judges. **See link:** <https://www.calpers.ca.gov/docs/forms-publications/annual-inve>

stment-report-2014.pdf

Berkshire Hathaway \$275,165,825 + \$451,504,319= \$727

million + \$135,592,000 Corp Bonds

Nestle \$808,000,000

Coca Cola and Pepsi each over \$550,000,000

Otsuka (CrystalGeyser): \$53,000,000

Danone Waters: \$110,800.000

We have not witnessed behavior on the part of Crystal Geyser that indicates they would be good corporate citizens. Not a penny has been paid toward the over 2 years of review by the city and county while well over a quarter million dollars has been spent, all at the expense of the taxpayers. They have been billed and no payments have been received to date. The community has stood by watching the consistent failure of the local agencies to both demand an EIR and appropriate establishment of an impound account paid for by the corporation to cover all staff and consulting engineering costs associated with their CGWC project. The City and County are aware of this, the EDA is aware of this and now the CPUC must be equally cognizant of this conundrum. What is the public to do? Who is representing the community and broader public interests?

### **TPP TRANSPACIFIC PARTNERSHIP AND CEQA**

There is also the very important factor of the Trans Pacific Partnership, a freight train moving rapidly through Congress. The future ability of local, state, regional and federal environmental regulatory agencies to enforce or approve mitigations and to potentially intervene in emergent drought will

surely be adversely affected. This is not a trade agreement; it is all in favor of the corporations. We are dealing with an international pharmaceutical corporation coming to mine our water. Their profits will be affected if restrictions are placed on their unlimited pumping. This could end up in international courts of law as California dries up and burns. We must address all potential consequences of projects up front. The only way this can occur is with a full EIR process.

### **QUESTIONS**

At what point does one request to be a Party to the Proceeding? When is the formal Hearing scheduled? Must one attend in San Francisco or are email communications of protest and comments accepted? Are all of the letters received at this stage in response to the Public Notice a formal part of the permanent record?

These are questions we have and we look forward to having responses from the CPUC staff or Project Manager. We encourage and support you as you act in the best interests of the residents, visitors, our Mount Shasta bioregion and California.

Respectfully Submitted,

Vicki Gold

Water Flows Free

2102 Tanager Lane

Mt Shasta CA 96067

## Allen, Cathie

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**From:** Amara Eliane <joyouslight1212@gmail.com>  
**Sent:** Thursday, December 03, 2015 4:48 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** RE: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

To the CPUC:

I am writing to register my deep concern over the plans to allow Pacificorp to install taller and more bulky power poles along the Cascade Volcanic Scenic Byway in Mt. Shasta, and to have the installation paid for through increased rates for local residents. This community depends on our natural beauty and views that attract a global array of tourists from many countries who come here for spiritual purposes and to enjoy our glorious mountain scenes. Having larger and more visually disruptive power poles is detrimental to our community well-being, both economically from the impact on tourism and for our residents as well.

The PEA documents do not present the facts relating to the height and increased diameters possible for the new poles. They could be DOUBLED in height from 39 to 80 feet and be much thicker. This would contribute to a significantly more obstructive visual presence of the poles and greatly diminished natural views. This is not acceptable!

In addition, any expansion of power poles or the provision of power in any manner that is solely for the benefit of a large corporation and their power needs for pursuit of business for their own profit should be installed underground AND AT THEIR OWN EXPENSE! It is outrageous and totally inappropriate corporate welfare to ask local ratepayers to participate through higher rates in what is only necessary for the benefit of a private corporation. Crystal Geyser, a multibillion dollar Japanese conglomerate, must be required to pay their own way for any infrastructure they require to pursue their for-profit business.

The portion of the plans that will bring much greater power to the water and beverage bottling plant is not for the purpose of necessary repairs and maintenance that will benefit all residents of the area, but specifically to provide the power needed by Crystal Geyser's operations. Crystal Geyser should absorb all costs related to bringing their desired power to the plant, and we should be provided with complete buildout plans for their intentions so that they may be fully reviewed and kept separate from any confusion with power improvements that would benefit the community and therefore would warrant rate increases for community benefit.

This community's power needs are declining rather than increasing, despite current projections. Through conservation, uses of new light sources and diminished ski seasons for 2 years, we have been experiencing a reduction in power usage in this area. It is simply an untruth to claim that this community needs greater access to power. Crystal Geyser needs the power and only they should pay for it, period.

Thank you so much for hearing my views. I trust you will act in integrity to honor the needs of your local residents and not the distorted claims of highly paid professional publicists and attorneys of a vastly wealthy corporation who seeks to take advantage of our natural resources for their corporate benefit with no consideration of the deleterious effects on our community, our financial sustainability and our personal well-being.

Sincerely,

Deborah G. Johnsen  
108 E. Jessie St.  
Mt. Shasta, CA, 96067  
530-925-6266

## Allen, Cathie

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**From:** Raven <flyraven@sbcglobal.net>  
**Sent:** Thursday, December 03, 2015 2:22 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; Michael.Rosauer@cpuc.ca.gov; jarmstrong@goodinmacbride.com; caleenwintu@gmail.com; chcummings@gmail.com; dhouck@ndnlaw.com; gary@ranchriver.com; Mark Miyoshi  
**Subject:** Winnemem Wintu Tribe Comments Re: Lassen Substation  
**Attachments:** WWT Letter CPUC Re-Lassen Substation 12-2-15.pdf

To Public Advisor California Public Utilities Commission,

Please accept the attached letter regarding the PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005) from the Winnemem Wintu Tribe. The Tribe is forwarding this e-mail through another server from the computer of Raven Stevens as your server reports a 5.5.4 Syntax error in BODY parameter when we send mail to your address from our computers. We called Michael Rosauer this morning and left a message regarding our efforts to send the letter on the deadline date of December 2, 2015.

With Respect,  
Mark Miyoshi  
Luisa Navejas  
Mount Shasta District Representatives  
Winnemem Wintu Tribe



WINNEMEM WINTU TRIBE

14840 BEAR MOUNTAIN ROAD • REDDING, CA • 96003  
WWW.WINNEMEMWINTU.US  
ELECTRONIC LETTER

December 2, 2015

[public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

California Public Utilities Commission

*Submitted via email to California Public Utilities Commission*

Re: PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)

Dear Public Advisor,

Please consider this letter official government to government communication submitted to your agency from the Winnemem Wintu Tribe (Tribe, WWT). The Winnemem Wintu Tribe requests a full comprehensive environmental review and consultation with the Tribe under CEQA and AB52 for the proposed Lassen Substation.

The Winnemem Wintu Tribe is a Historic California Tribe with historic properties and interests in the study area, is well known to the City of Mount Shasta, and is listed with NAHC. The WWT has not received any inquiry from PacifiCorp regarding this project.

CEQA requires that CPUC conduct an AB52 consultation with the Tribe and an evaluation of historic properties. Since the WWT has historic properties in and near the proposed project area, the Tribe is expecting full and comprehensive consultation.

The WWT requests that the CPUC prepare a comprehensive Environmental Impact Report for the proposed project as required by CEQA. Construction of the proposed Lassen Substation and the installation of new and larger poles or underground lines will require significant ground disturbance that could impact WWT historic properties. In addition, any increase in pole height would greatly affect our historic views of Mount Shasta and our sacred places.

The report's projected needs for additional power needs to be revised. The actual growth rate of Mt Shasta is declining rather than the project increase in the General Plan. Power usage has also been reduced locally thru conservation efforts as part of popular worldwide trends to reduce greenhouse gases and energy usage.

The Tribe understands that there needs to be necessary repairs and maintenance for safety and reliability of power delivery. However, the Tribe does not want the public and taxpayers to subsidize Crystal Geyser by paying for the construction of the Lassen Substation. Crystal Geyser should pay all costs associated with bringing desired power to their water bottling plant as all other businesses and residences have the responsibility to do.



The Winnemem Wintu Tribe expects a comprehensive environmental review and that the CPUC will fully respect the rights and historic properties of the Tribe. Thank you for your consideration and review.

Under One Sky,

Caleen Sisk  
Chief and Spiritual Leader  
Winnemem Wintu Tribe

Contact information and correct protocol: Please address your official correspondence by post to: Ms. Caleen Sisk, Tribal Chief and Spiritual Leader, Winnemem Wintu Tribe, 14840 Bear Mountain Road, Redding, California 96003 and cc Chief Sisk and the following by email, as specified below.

Chief Caleen Sisk, by email to: [caleenwintu@gmail.com](mailto:caleenwintu@gmail.com)

Claire Hope Cummings, by email to: [chcummings@gmail.com](mailto:chcummings@gmail.com)  
Legal advisor to Winnemem Wintu Tribe

Darcie Houck, by email to: [dhouck@ndnlaw.com](mailto:dhouck@ndnlaw.com)  
Fredericks Peebles & Morgan LLP  
2020 L St., Suite 250  
Sacramento CA 95811

Mark Miyoshi, by email to: [markmwinnemem@gmail.com](mailto:markmwinnemem@gmail.com)  
Luisa Navejas, by email to: [lnavejas@finestplanet.com](mailto:lnavejas@finestplanet.com)  
Mount Shasta District Representatives and Water Advisors, Winnemem Wintu Tribe

"If the Sacred Fires are not lit, how will our children learn?"  
Honor Your Traditional Lifeways

**Allen, Cathie**

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**From:** Karen Rogers <karen@finestplanet.com>  
**Sent:** Thursday, December 10, 2015 12:55 PM  
**To:** public.advisor@cpuc.ca.gov  
**Cc:** Allen, Cathie; jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov  
**Subject:** PacifiCorp Notice of Proposed Lassen Substation Construction and PEA (A.15-11-005)  
**Attachments:** CPUC Dec 2015 CG.xps

Please see attached letter with my comments on the proposed Lassen Substation Construction and PEA A. 15-11-005.

Thank you,

Karen Rogers

Sent from Finest Planet WebMail.

December 2, 2015

Public Advisor's Office  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
[public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

To Whom It May Concern:

I am writing to request that you require a full CPUC/ PacifiCorp EIR in compliance with CEQA regulations. You are undoubtedly aware of the serious controversy surrounding the Otsuka Holdings (parent company of Crystal Geysers Water Company ~CGWC) project in Mt. Shasta. Without an upgraded and greatly expanded power system their project cannot go forward to the extent projected. No agency has addressed the environmental consequences of full build out of the operation as there is no clearly defined "project". The public only knows what we learn in the local newspaper.

The foreign corporation, possibly with encouragement from the City and County, have proceeded to tear down foundations, add boilers and air conditioning systems, generators and propane tanks, all without environmental review. The City and County maintain that all permits to date have been ministerial and do not merit discretionary CEQA review. This is an opportunity for the CPUC to step up and assist in correcting a seriously flawed regional review process.

We now see that the CPUC has posted a Public Notice in the 11/11/15 Mt Shasta Herald related to a new Lassen Substation clearly required for CGWC'S desire for more than 4 to 5 times the power used by the prior plant owner CocaCola. The public posting appears to be in violation of CEQA guidelines on many grounds. CGWC is never mentioned, the street is misnamed, even the name Lassen might lead people to believe that the project doesn't involve Mt Shasta, but Lassen or Shasta County. There is clearly a problem that seems to grow daily with all agencies refusing to reveal the corporate welfare associated with the whole Crystal Geysers project. This is relevant because the public will be left to pay the increases in sewer and power rates, and taxes to subsidize a resource extractive corporation, CGWC/ Otsuka.

I prefer to address the broader issue of proper environmental review and CEQA

compliant protocol. My background is extensive, working in the environmental protection field for 40 years. My degree is from UC Berkeley in Conservation of Natural Resources. I was a consultant to Siskiyou County for ten years working in solid waste management, hazardous waste, and recycling. I have resided in Siskiyou County for over 30 years, and follow closely all projects related to our air quality, water and wastewater in addition to other general environmental issues.

It is clear to me that the attempt of CGWC, the City of Mt Shasta, Siskiyou County and now PacifiCorp and the CPUC, to avoid CEQA is not good planning practice and can be identified as piecemealing. The intention of CEQA is to protect the environment and the public from unconstrained growth that impacts quality of life and endangers the health and welfare of the community. What is needed is for all agencies to cooperate in a full environmental review of what is clearly a growth-inducing power expansion to accommodate a foreign corporation. The nonprofit advocacy group W.A.T.E.R. (We Advocate Thorough Environmental Review) has filed a lawsuit in Siskiyou County regarding this project. Nothing about this project should be considered "ministerial" requiring no discretion or judgment.

Please check these links to see the extensive press coverage regarding piecemealing and failure of all agencies to address the community concerns:

<http://www.sfgate.com/science/article/Crystal-Geysersued-over-bottling-plant-that-6465184.php>

<http://www.nbcbayarea.com/news/california/Group-Sues-Over-Crystal-Geysers-Bottled-Water-Plant-California-Drought-322986141.html>

<http://capitalandmain.com/latest-news/issues/environment/mount-shasta-lawsuit-message-to-a-bottler-0826/>

<http://www.desertsun.com/story/news/environment/2015/08/26/suit-targets-companys-plans-calif-bottling-plant/32448909/>

<http://www.latimes.com/local/lanow/la-me-ln-mount-shasta-water-bottling-20150825-story.html>

W.A.T.E.R. Files Lawsuit Against Crystal Geysers and Siskiyou County

Crystal Geysers improperly segments environmental review for its electric

powerline enlargement

EDA Grant to Benefit Crystal Geysers

<http://www.mtshastanews.com/article/20150930/NEWS/150939946/-1/Top%20Stories>

Wednesday 9-23-15 - The latest developments on Crystal Geysers' EIR

Crystal Geysers' plastic pollution

Surely this should be sufficient indication that this PacifiCorp Application for a new Lassen Substation and new transmission lines, which will facilitate CGWC's operation, must be carefully considered in light of the extreme controversy surrounding water extraction in emergent drought in California. There is virtually no snowpack (5% of normal) and this is now described as a 1200 year drought by those scientists who read tree rings. The repeated evidence of attempts at corporate welfare by a huge pharmaceutical conglomerate should be cause for red flags to fly.

We value our scenic vistas and feel Mt. Shasta deserves every effort to maintain the beauty that attracts so many from around the world.

Please consider burying the power lines if they must be replaced. Any damage to wetlands is a reasonable tradeoff. Crystal Geysers must pay their own way. It is time to call a halt to the transfer of capital costs to the public.

Thank you for your efforts to protect the community, our air, water, our rivers and streams as well as to contribute to growth at a safe and reasonable pace in a small mountain tourist town.

Sincerely,

*Karen Rogers*

Karen Rogers  
PO Box 1352  
Mt. Shasta, CA 96067

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

**Application of PACIFICORP (U901E), an Oregon  
Company, for a Permit to Construct the Lassen  
Substation Project Pursuant to General Order 131-D.**

Application 15-11-005  
Filed by PacifiCorp November 2, 2015

**PROTEST OF VICTORIA GOLD TO APPLICATION OF  
PACIFICORP**

**\*U 901 E, an Oregon Company, for a Permit to Construct Lassen  
Substation Project Pursuant to General Order 131-D**

December 7, 2015  
Victoria Gold  
2102 Tanager Lane  
Mt. Shasta CA 96067  
Tel: 530.926.4206  
E-mail: victoria7@snowcrest.net

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

**Application of PACIFICORP (U901E), an Oregon Company, for a  
Permit to Construct the Lassen Substation Project Pursuant to  
General Order 131-D.**

**Application 15-11-005  
Filed November 2, 2015**

**PROTEST OF VICTORIA GOLD TO APPLICATION OF  
PACIFICORP FOR CONSTRUCTION OF LASSEN SUBSTATION**

**Introduction**

In accordance with Rule 2.6 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure (“Rules”), VICKI GOLD submits this protest to the Application of **PACIFICORP \*U 901 E, an Oregon Company, for a Permit to Construct Lassen Substation Project Pursuant to General Order 131-D**

**I. INTEREST IN THIS PROCEEDING**

VICTORIA GOLD states there are serious flaws in the Proponent's

Environmental Assessment that PacifiCorp submitted for review. The PEA fails to acknowledge, identify and mitigate some of this Project's significant environmental impacts regarding its aesthetic impacts within the Mt. Shasta community. PacifiCorp's PEA employs an unlawful tactic to accomplish power upgrades more cheaply and with less environmental regulation, something called "project segmentation" or "piecemealing" which is illegal under CEQA. The PEA pretends that the Project is in the public interest, but is fails to identify how Crystal Geysers Water Company is a major industrial customer that has pressed for these power supply upgrades. There is no direct mention within the PEA of Crystal Geysers's involvement other than this company's name on one aerial photograph. The consequence of such piecemealing is that the PEA ignores both direct and indirect environmental impacts that should be analyzed and mitigated by Crystal Geysers, and not evaded entirely while the cost of the upgrades are borne by the ratepayers in general. While Crystal Geysers issued a press release stating they would perform an EIR, there is no evidence that they are following through.



**VICTORIA GOLD** maintains that the consequences of the entire project (Crystal Geysers' bottling plant and its power line enlargement) must be evaluated now at the earliest opportunity. For example, if done later, the visual impacts of Crystal Geysers' power line expansion (a more accurate Project name than "Lassen Substation") cannot be reviewed and mitigated when Crystal Geysers prepares a separate environmental study in the future, IF they do so. It will be too late then once the power line and substation are installed, once the CPUC has accepted the proposed conditions, and the separate public review period under CEQA for the Lassen Substation has expired. It will be too late to mitigate the significant climate change impacts associated with operation of a larger power line supplying more power than before, and too late to mitigate the aesthetic impact of larger and more above ground power lines.

**VICTORIA GOLD** is concerned with potential damage to scenic vistas along the corridor known as the Volcanic Legacy Scenic Byway and All

American Highway and throughout the Mt. Shasta area, a renowned international tourist destination. Additional concerns are public health issues due to the electric and magnetic fields ("EMF") impact, public safety issues due to hazards of brush fire, collapse of transmission lines in ice and snow storms, particularly across the I-5 Freeway, environmental impact on the community's scenic vistas along the proposed route as well as in neighborhoods. Taller and bulkier power lines and poles will loom overhead and are a great concern.

**VICTORIA GOLD** is concerned that the Project's aesthetic impacts will be significant due to inconsistency with City of Mt. Shasta Zoning Ordinance, General Plan and Municipal Code. The Project is inconsistent with General Plan Implementation Measure OC-7.1(d) meant to underground new utilities to reduce visual impacts. The PEA acknowledges the existence of this measure where practical, but it goes no further to actually discuss this City regulation or measure. It doesn't discuss power line under grounding nor whether under grounding would be impractical. As such, the PEA fails to

comply with CEQA's requirement to evaluate whether this project may conflict with any applicable land use policy adopted to avoid visual impacts.

Implementation Measure )C-7.1 (d): Require undergrounding of all new utilities wherever practical. Encourage other agencies and entities to underground their facilities. Where undergrounding is impractical, aboveground lines shall be located to minimize impacts on sensitive scenic areas.

If anything, PacifiCorp will make existing scenic impacts of its power lines worse by removing an existing underground power line beneath I-5 just south of the central Mt. Shasta freeway exits and replacing it with a set of new overhead power lines just north of those freeway exits. There is no evidence in the PEA that PacifiCorp has attempted to comply with the City's policies to protect the world-class, outstanding scenic qualities of views of Mt. Shasta, Mount Eddy, Black Butte and Spring Hill in the vicinity of the Project. The conclusion that this Project's aesthetic impacts will be "less-than-significant" must be challenged. Additionally the larger taller poles

would add a visual eyesore and would diminish property values of those residing nearby. Some people may consider it an absurd failure of CEQA law when a power company with a vested interest in protecting its profits prepares an environmental assessment that ignores the most prominent visual feature (Mount Shasta) that this Project might visually harm. The visual simulations are inadequate and do not present the extent of the truly objectionable visual intrusions along the route of the transmission and distribution lines. It would compromise scenic views for tens of thousands of people who traverse this major interstate highway on an average every day.

**VICTORIA GOLD** is concerned that the Public Notice is misleadingly titled because it is labeled the "Lassen Substation" project. Yet the substation is intended to replace the existing Mt. Shasta Substation. It should have been renamed the Mt. Shasta Substation project. By PacifiCorp having given it the name "Lassen Substation", other members of the public might reasonably assume that the Public Notice is referring to some project in Shasta County or Lassen County. Adding a new distribution feeder circuit

to accommodate the projected increased power needs of the Crystal Geyser Water Co plant should be publicly noticed as a Crystal Geyser Project and all capital costs charged to the corporation, not to the ratepayers.

**VICTORIA GOLD** has learned that several owners of properties or businesses located within 300 feet of the the Lassen Substation site and impacted transmission and distribution rights of way were not notified as described in the PacifiCorp Application on page 10 XII. B Notice to Landowners under Section XI of GP 131-D, subsection 1.b.

## **II. COMMUNICATIONS**

All correspondence, pleadings, orders and notices to this proceeding should be directed to the following:

VICTORIA GOLD  
2102 TANAGER LANE  
MT. SHASTA CA 96067  
530.926.4206  
victoria7@snowcrest.net

## **III. PROTEST**

In support of this Protest, **VICTORIA GOLD** states the following:

PacifiCorp has not considered other feasible alternatives and

Mitigations for the Project such as under grounding of power lines. Mention

is made of wetlands issues, yet these have been previously addressed in our area and the trade off found to be worthwhile according to local experts.

PacifiCorp has not considered the significant impact that its Project will have on the aesthetic values of the community, property values, public health and safety, and the tourist industry in Mt. Shasta. PacifiCorp has not discussed the alternative of under grounding the line across the I-5 and the 36 poles along the route.

**VICTORIA GOLD** requests that any necessary upgrades be placed underground. Additionally she requests that there be shielding of the Substation, which she requests remain named the Mt. Shasta Substation, by planting of trees to protect the view shed from South Old Stage Road.

Many residents have chosen the Mount Shasta area as a safe haven to grow organic food and raise livestock. They have come for a cleaner safer environment for their families and are concerned about the increasing evidence of health consequences of EMF exposure. Proximity to overhead power lines affect property values and have potential health consequences.

PacifiCorp's bottom line should not be placed ahead of the health and safety of residents. Undergrounding is the safest alternative and the most aesthetically sound. This is an issue of community values supporting their quality of life, safety and tranquility. **VICTORIA GOLD** requests that PacifiCorp adopt the Precautionary Principle and bury the utility lines.

Not only has PacifiCorp failed to analyze the Project's impact on the environment, the quality of life in this tourist community. It has failed to address the whole project benefitting Crystal Geysers Water Co (parent company Otsuka Pharmaceutical Holdings). The cumulative impact of the increased power needed by the industrial consumer and the GHG impacts at full buildout of the bottling plant must also be addressed in the PEA, not just the GHG generated from the construction of the new Substation.

PacifiCorp has failed to address whether the Project is even necessary. No details of previous upgrades and maintenance are provided in the PEA. Conservation by users and the pending construction of the new City Waste Water Treatment Plant in compliance with state mandates may reduce power

usage by eliminating many days of pumping to the leach field on Highway 89, a 2.3 mile distance. Climate change has caused the local Mt. Shasta Ski Park to either close completely or greatly reduce it's days and hours of operation, also conserving energy when compared to the past baseline use. The stated growth projections of the greater Mt. Shasta area are inflated and there has actually been a loss of population. The projected need for more power may be grossly exaggerated.

PacifiCorp's photo simulations are misleading and fail to acknowledge the impact on the view shed that many of the transmission line poles will affect. These simulations should be redone to show the visual impact along the entire route, the general community and the public view shed.

Most importantly PacifiCorp's Public Notices failed to mention the primary beneficiary of the new power to the Crystal Geysers Water Co plant. It has been clear from review of Public Record Act and Freedom of Information Act documents received that the Crystal Geysers Water Company anticipated needing 4-5 times more power than the previous occupant of the



building, CocaCola. A letter from Senator Dianne Feinstein to the EDA in 2012 in support of a grant for an Interceptor Line to accommodate their effluent from the beverage bottling production, states that they will bring a new Substation to the community. Correspondence among the CPUC, GoBiz office, Siskiyou County Economic Development Council (SCEDC), Siskiyou County Planning Director and Crystal Geyser Executives document their questions about triggering CEQA by various options in approaching their need for the additional power. This has the appearance of passing the costs of doing business along to the ratepayers and taxpayers for expected corporate costs of doing business.

#### **IV. REQUEST FOR HEARING**

For these reasons, **VICTORIA GOLD** states that a hearing is necessary to address deficiencies within PacifiCorp's Application and PEA for this project and for the Commission to properly make its decision.

**VICTORIA GOLD** respectfully protests this application and requests that the Commission either reconsider the need for this project proposed by

PacifiCorp, or designate that the new lines all be underground.

**VICTORIA GOLD** also respectfully requests that PacifiCorp hold an Open House in the interest of transparency regarding the true beneficiaries of this Project and to hear from the community. The last Open House in 2010 presented a different project and excluded the Crystal Geysers Water Co. stated power needs.

An email from William Dietrich of the CPUC to PacifiCorp dated April 4, 2013 states: According to the ESSA questionnaire we received yesterday from Crystal Geysers, they will require 2.6mW'S this year. Load will increase to 6 megawatts in 2014 and 12 megawatts in 2017". It is clear that this corporate need is the principal reason for the power upgrade.

**V. REQUEST FOR FULL CEQA REVIEW**

If this project moves forward **VICTORIA GOLD** requests that the Commission order a full CEQA review (EIR) of the societal and environmental costs associated with this project. There should be an adequate comparison of alternatives presented including environmental,

economic, technical and societal evidence on the design dependent factors. The Proposed Schedule listed on page 12 of the PacifiCorp Application should be abandoned. New Public Notices should ideally be posted in the Mt. Shasta Herald including changing the name of the Substation to Mt. Shasta Substation and citing Crystal Geyser Water Company as a driving force for the upgrade. Procedural and substantive issues arise from this application and because of the failure to identify the project's primary beneficiary, informed participation in this process is made extremely difficult, particularly for non-expert members of the public. A full EIR would clearly move this project into 2017 or 2018 at the earliest. ***This is a highly controversial industrial project.*** See this link at Change.org with 54,290 supporters for a comprehensive EIR:

<https://www.change.org/p/save-our-water-crystal-geyser-must-do-an-environmental-impact-report>

## **VI. CONCLUSION**

**VICTORIA GOLD** registers as a Party to the Proceedings because:

- She has a house in the community

- Works in a business that relies upon tourism and scenic beauty
- Will suffer visual impacts as she enjoys the community's scenery
- Will suffer GHG impacts of climate change from Crystal Geysers Water Company's (CGWC's) emissions
- Will suffer any number of ills from the related CGWC project

Dated: December 7, 2015

Respectfully submitted,

/s/ Victoria Gold

Victoria Gold

2102 Tanager Lane

Mt Shasta CA 96067

Tel: 530.926.4206

Email: victoria7@snowcrest.net

Application 15-11-005  
Filed November 2, 2015

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of PACIFICORP (U 901 E),  
an Oregon Company, for a Permit to Construct the Lassen  
Substation Project Pursuant to General Order 131-D.

Application 15-11-005

(Filed December 7, 2015)

**PROTEST OF MT. SHASTA TOMORROW  
TO APPLICATION OF PACIFICORP (U 901 E),  
AN OREGON COMPANY, FOR A PERMIT TO  
CONSTRUCT LASSEN SUBSTATION PROJECT  
PURSUANT TO GENERAL ORDER 131-D**

December 7, 2015

Mt. Shasta Tomorrow  
101 E. Alma Street, Suite 100-A  
Mt. Shasta CA 96067  
Tel: 530.918.8625  
E-mail: mtshastatomorrow@excite.com

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of PACIFICORP (U 901 E),  
an Oregon Company, for a Permit to Construct the Lassen  
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Application 15-11-005

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**PROTEST OF MT. SHASTA TOMORROW  
TO APPLICATION OF PACIFICORP (U 901 E),  
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CONSTRUCT LASSEN SUBSTATION PROJECT  
PURSUANT TO GENERAL ORDER 131-D**

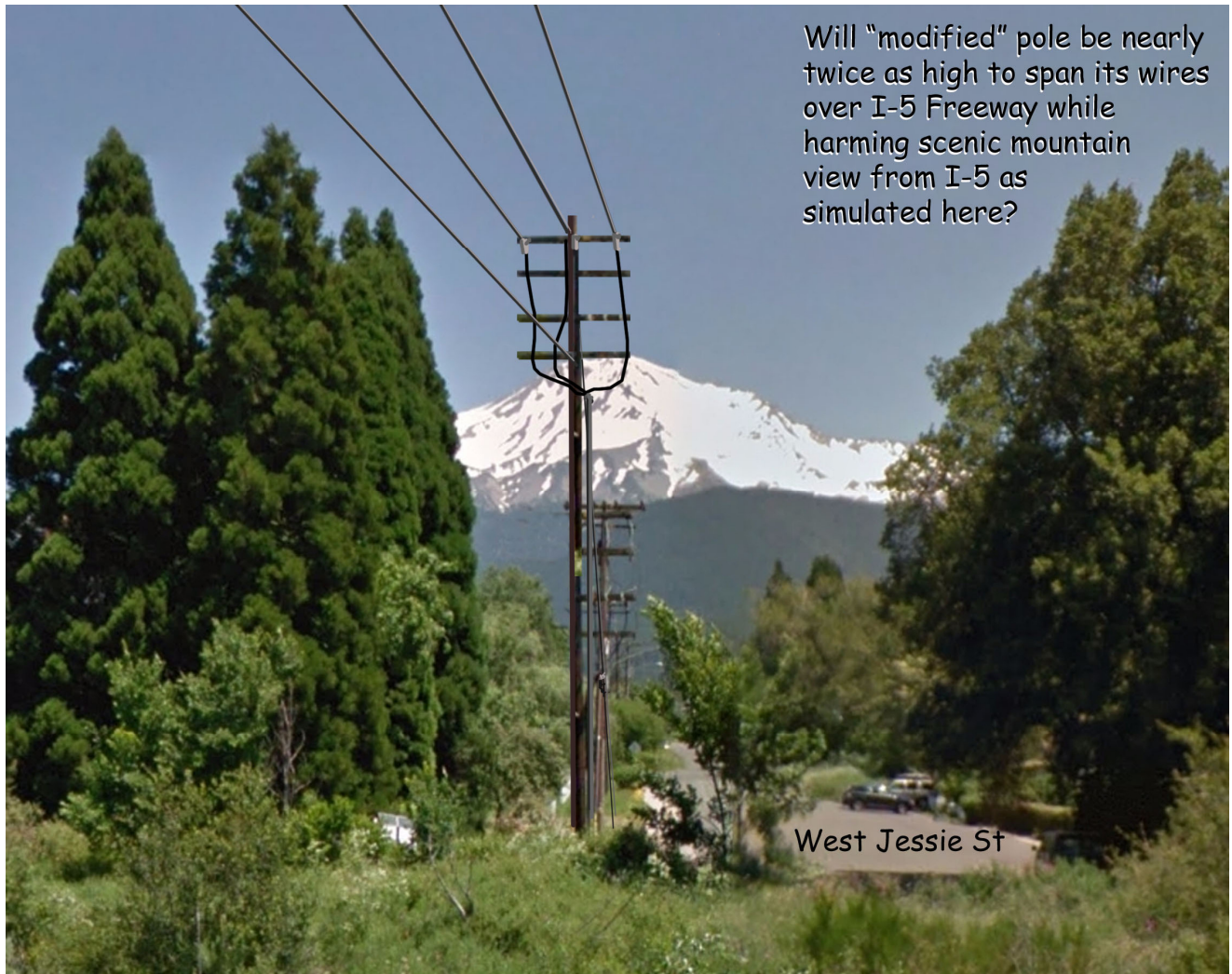
**Introduction**

In accordance with Rule 2.6 of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure (“Rules”), **MT. SHASTA TOMORROW** submits this protest to the Application of PACIFICORP (U 901 E), an Oregon Company, for a Permit to Construct Lassen Substation Project Pursuant to General Order 131-D (“Application”).

**I. INTEREST IN THIS PROCEEDING**

**MT. SHASTA TOMORROW**, a California non-profit public-benefit corporation whose members live in the Mt. Shasta area, states there are serious flaws in the Proponent's Environmental Assessment that PacifiCorp submitted for review. The PEA fails to acknowledge, identify and mitigate some of this Project's significant environmental impacts regarding its climate-change impacts, aesthetic impacts, and noise impacts within the Mt. Shasta community. As a result, members of Mt. Shasta Tomorrow will likely be harmed if this Project proceeds as proposed and without adequate environmental review and effective mitigations.

For example, this is just one of this Project's potentially harmful visual impacts it may cause to a scenic view from Interstate-5 highway, designated as a Volcanic Legacy Scenic Byway:



## II. COMMUNICATIONS

All correspondence, pleadings, orders and notices to this proceeding should be directed to the following:

MT. SHASTA TOMORROW  
101 E. Alma Street, Suite 100-A  
Mt. Shasta CA 96067  
Telephone: 530.918-8625  
mtshastatomorrow@excite.com

### III. PROTEST

In support of its Protest, **MT. SHASTA TOMORROW** states the following:

In the news recently, Volkswagen has suffered very bad press due to its company having rigged the emission controls of millions of cars it sold, resulting in excessive air pollution, causing adverse health risks and climate change impacts as well as defrauding its customers. Not entirely unsimilar, PacifiCorp also appears to be attempting with its so-called Lassen Substation Project to generate undisclosed and serious greenhouse gas emissions and to deceive the public about its environmental impacts also related to climate change. In both instances, regulators who oversee how such corporations do business need to carefully protect the public's interests. For this reason, we file this protest with the CPUC about serious deficiencies in the PEA.

PacifiCorp's *Proponent's Environmental Assessment* employs an unlawful tactic to accomplish these power upgrades more cheaply and with less environmental regulation, something called "project segmentation" or "piecemealing." But *piecemealing* is illegal under CEQA.

“CEQA forbids ‘piecemeal’ review of the significant environmental impacts of a project. (*Citation omitted*) Agencies cannot allow ‘environmental considerations [to] become submerged by chopping a large project into many little ones — each with a minimal potential impact on the environment — which cumulatively may have disastrous consequences.’”<sup>1</sup>

But this piecemealing is happening with PacifiCorp's PEA. The PEA pretends that the Project is in the public interest, but it essentially wears blinders to the bigger picture by failing to identify how Crystal Geysers Water Company is a major industrial customer that has pressed for these power supply upgrades. There is no direct mention within the PEA of Crystal Geysers's involvement other than this company's name on one aerial photograph at the end of a new enlarged power line. The consequence of such piecemealing is that the PEA ignores serious direct and indirect environmental impacts. Those should be analyzed and be mitigated by Crystal Geysers, and not be evaded entirely while the cost of the powerline upgrades are borne by the ratepayers in general.

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<sup>1</sup> See *Banning Ranch Conservancy v. Superior Court* (2015) 236 Cal.App.4th 1341 (Review granted by Calif. Supreme Court, but this same principle has been established in numerous court cases beforehand); <http://www.courts.ca.gov/opinions/documents/G049691.PDF>



Let the honorable Japanese people who own Crystal Geysers Water Company and who will most benefit from this powerline and substation enlargement pay for its cost.

The consequences of the entire project (Crystal Geysers's bottling plant and its powerline enlargement) must be evaluated now at the earliest opportunity. For example, if done later, the visual impacts of Crystal Geysers's powerline expansion (a more accurate Project name than "Lassen Substation") cannot be reviewed and mitigated when Crystal Geysers prepares a separate environmental study in the future. It will be too late then once the powerline and substation are installed, once the CPUC has accepted the proposed conditions, and the separate public review period under CEQA for the Lassen Substation has expired. It will be too late to mitigate the significant climate change impacts associated with operation of a larger powerline supplying more power than before, and too late to mitigate the aesthetic impact of larger and more above-ground power lines.

From this point forward in this protest letter, we refuse to participate in this piecemealed charade intended to deceive the public about this project's environmental consequences. Instead we will refer to the *whole of the project* as the "PacifiCorp/Crystal Geysers Project." (See additional comments about piecemealed project review in attached Appendix "B").

## **I. EIR IS REQUIRED TO EVALUATE PROJECT'S ENVIRONMENTAL IMPACTS**

CEQA requires that the CPUC prepare an EIR for such a project if any of its various environmental impacts have not been mitigated to a less-than-significant level. While PacifiCorp claims in its self-serving *Proponent's* Environmental Assessment that all such environmental impacts would be less-than-significant, the facts already disclosed prove otherwise. In some cases, the PEA jumps to conclusions of less-than-significance without ever providing the required evidentiary basis, facts or analysis to support such determinations. Neither the CPUC, the public, nor any reviewing court can review the adequacy of such determinations if the PEA and subsequent CPUC environmental review is lacking in that evidentiary and analytic support. This

protest letter will demonstrate why an EIR is required. PacifiCorp is incorrect to suggest that a short-cut called a *Mitigated Negative Declaration* will be sufficient.<sup>2</sup>

In summary, the PEA fails to comply with the California Environmental Quality Act in these ways:

**A. Project's Climate Change Impacts Will Be Significant Due To Greenhouse Gas Emissions From Crystal Geysers Operations That Will Be Directly and Indirectly Enabled By PacifiCorp's Electric Power Line Upgrade**

The entire Earth is facing a crisis of anthropogenic climate change and global warming. Such planetary damage is due, in part, to world-wide burning of excessive amounts of fossil fuels. California requires project applicants to evaluate the climate change impacts of their projects during CEQA review, but PacifiCorp has not entirely gotten the underlying message. What the PEA presents is only part of the picture. The PEA entirely fails to address the major emissions from this PacifiCorp/Crystal Geysers Project's enlarged substation and conductors that would supply vast amounts of greenhouse gas-associated electricity to Crystal Geysers, and would thence facilitate Crystal Geysers's long-distance trucking of such bottled beverages. Those significant, indirect CO<sub>2</sub>e<sup>3</sup> emissions and their off-site environmental impacts are not even mentioned or evaluated in the PEA.

This PEA should not be allowed to solely discuss some vehicle emissions occurring temporarily while PacifiCorp builds the substation and installs new wires and enlarged towers. PacifiCorp's PEA claims the greenhouse gases to be emitted from just the substation Project will be less than 10,000 metric tons per year of CO<sub>2</sub>e emissions and will therefore be less-than-significant. But the

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2 PacifiCorp attempts to avoid an EIR; see PEA, p. 2: "Because all Project impacts are less than significant or less than significant with implementation of the APMs listed in this PEA, it is anticipated that the CPUC would be able to prepare a Mitigated Negative Declaration (MND) for its review of the Project under CEQA."

3 CO<sub>2</sub>e, or carbon dioxide equivalent, is a standard unit for measuring carbon footprints. The idea is to express the impact of each different greenhouse gas in terms of the amount of CO<sub>2</sub> that would create the same amount of warming.

PEA does not also evaluate Crystal Geysers construction and operational emissions that these electric power system upgrades will facilitate.

Crystal Geysers has requested that Pacific Power upgrade its power lines because Crystal Geysers needs to use at least 10 megawatts more electric power than previous bottling companies used at that location.<sup>4</sup> Generating that additional electric power will require the use of countless tons of carbon-based fuels to be burnt somewhere else. But if those related, indirect emissions are not evaluated in this PEA, when will they be evaluated? Will those emissions be analyzed or mitigated at all if not now in the PEA and in CPUC's possible EIR? Instead, the PEA inexplicably asserts on pages 225-226 that "*the proposed Project's operation would not require the combustion of fossil fuels; therefore, the proposed Project's cumulative impact on GHG is less than significant.*" How will power be generated to operate this Project's infrastructure, as well as supply the Crystal Geysers plant, without some significant amounts of fossil fuel use?

The PEA fails to provide the public with any estimation of the amount of such greenhouse gas emissions from off-site power generation that the large substation and enlarged power lines will transmit to Crystal Geysers plant. The PEA however sets a threshold of significance of 10,000 metric tons per year of CO<sub>2</sub>e emissions. Under this standard, the PEA assumes if this PacifiCorp/Crystal Geysers Project emits more CO<sub>2</sub>e emissions than that per year, its greenhouse gas impacts will be considered significant. But the PEA provides no estimates of such indirect greenhouse gas emissions.

In the absence of critical data for public review, we are forced to look elsewhere for similar information. Some information is available on greenhouse gas emissions from a Final EIR prepared in about 2008 for a once-proposed water bottling plant to be built by Nestle in nearby McCloud, California. Nestle's Final EIR claimed that its McCloud bottling operation would have emitted over 65,000 metric tons per year of CO<sub>2</sub>e. Nestle was planning on using much less electric power per volume of bottled water than Crystal Geysers is now seeking because Nestle did not need to boil water to brew teas or use electricity to subsequently cool down its huge building.

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<sup>4</sup> (See **Attachment 1** for some Crystal Geysers email correspondence seeking such electric power upgrades).

Nestle underestimated its long-range heavy trucking GHG emissions because it calculated CO<sub>2</sub>e emissions from its heavy trucks only as they traveled the 19 miles to the edge of Siskiyou County. In Crystal Geysers scenario, its trucks will haul loads hundreds of miles farther. Its actual greenhouse gas emissions will be considerably more than Nestle's prediction once Crystal Geysers average trucking distance of hundreds of miles to major population centers is evaluated, and once its CO<sub>2</sub>e emissions from brewing operations and increased air conditioning is added.

Crystal Geysers 146,000 square feet of area in its current bottling plant at Mt. Shasta will be about 1/7 the size of Nestle's 1,000,000 s.f. facility would have been. So it is reasonable to roughly estimate some of Crystal Geysers GHG emissions as: 1/7 x 65,000 metric tons per year, which is over 9,000 metric tons per year to be emitted just here in Siskiyou County. That CO<sub>2</sub>e number would rise much more when those other truck shipment miles are counted as delivery and supply trucks travel hundreds of miles to Crystal Geysers final distribution centers. Once the additional GHGs resulting from energy-hungry brewing operations and increased air conditioning use are added, the total annual GHG emissions would significantly exceed the PEA's threshold of significance of 10,000 metric tons per year of CO<sub>2</sub>e. This is a fair argument based on substantial evidence that the PacifiCorp/Crystal Geysers Project will create significant greenhouse gas emissions.

Accordingly, the PEA's analysis fails to comply with CEQA by not acknowledging that the PacifiCorp/Crystal Geysers Project's conveyance of power to Crystal Geysers plant will generate significant GHGs just from Crystal Geysers' ultimate operations, not counting the GHGs to be emitted when initially rebuilding and enlarging the substation and power lines.

**B. Project's Aesthetic Impacts Will Be Significant Due Inconsistency with City of Mt. Shasta Zoning Ordinance, General Plan and Municipal Code's Visual Resources Protection Regulations .**

CEQA Guidelines Appendix G, Impact X(b) for *land use planning*, as well as the PEA on page 173, requires the CPUC to evaluate whether this PacifiCorp/Crystal Geysers Project would:

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

The PEA responds inaccurately to this question on page 173 by asserting "no impact." As demonstrated below, the Project is inconsistent with some provisions in the City's Zoning Ordinance, its General Plan, and its Municipal Code in that it poses increased visual hard due to its proposing a new overhead powerline above the Volcanic Legacy Scenic Byway (I-5 Freeway) with taller power poles near this roadway in line-of-sight of Mt. Shasta's peak.

### **1. Project Conflicts with City's Zoning Ordinance and Municipal Code**

The land west of the I-5 Freeway within the City of Mt. Shasta where much of this Project's transmission lines would be enlarged is zoned "U" for the "Unclassified" zone. The PEA however misconstrues whether this Project is consistent with restrictions for that "U" zone when on page 182 it writes: "*The U zone is consistent with all land use classifications of the General Plan.*" That statement does not mean that this Project is consistent with the General Plan. It means the zoning category "U" is potentially consistent with General Plan land uses if the City has first approved a "conditional use permit" for such land uses. The City has not approved any conditional use permit for this Project though, and before this Project could be built, such a conditional use permit would be required.

The PEA is however inaccurate to claim that this Project would not require a conditional use permit where it states:

"The Unclassified Zoning District does not specifically address transmission or distribution lines. **The transmission and distribution line upgrade would not require a use permit or a conditional use permit** (personal communication with Keith McKinley, City of Mt. Shasta Planner, October 17, 2011)."

*(emphasis added.)*

That statement is inaccurate and without logical support. The City of Mt. Shasta Zoning Ordinance does not allow for such 115 kV high voltage transmission lines to be placed anywhere in the City in any designated zone without a conditional use permit. For example, the "U" zone

also does not specifically address tanneries, automobile race tracks or even nuclear power plants, but any one of those would certainly not be exempt from a conditional use permit.

Even on land zoned R-L for Resource Lands or on land zoned R1 for low density residential, a conditional use permit would be required for quasi-public facilities such as transmission lines considering the specific characteristics of this Project's high-voltage transmissions lines.

The Project's power lines are not an accessory use for a project to be located on that land with approval of a conditional use permit so they cannot be permitted as an accessory use.

Furthermore, Mr. McKinley is no longer the City's Planner and his statement quoted in 2011 is irrelevant to this new Project that largely serves Crystal Geysers. Crystal Geysers apparently first approached Pacific Power in 2013 for this PacifiCorp/Crystal Geysers Project power upgrade after Mr. McKinley had resigned as the City Planner, so his prior opinion two years earlier did not cover the new and unexpected set of circumstances this Project proposes.

The City does not permit structures to be 90 feet tall or somewhat higher as these power poles are proposed. If PacifiCorp wishes to install taller poles, it must at least first secure a conditional use permit, assuming that taller poles are even allowed by Municipal Code § 12.03.010 that allows exceptions to height requirements for specific structures. It is unclear that a long row of dozens of high voltage power poles is similar enough to any structures listed in the City's Zoning Ordinance to even potentially be eligible for such an exception however. In any case, there is nothing in the City's Municipal Code that allows pole heights to be either unlimited or as high as 90 feet or more as proposed.

The PEA fails to comply with CEQA by not revealing these conflicts with the City's Zoning Ordinance and Municipal Code.

## 2. Project Conflicts with City of Mt. Shasta's General Plan:

The PEA incorrectly concludes that this Project is consistent with the City of Mt. Shasta's General Plan.

But as demonstrated below, this Project would harm views of scenic resources in the Mt. Shasta area with taller high-voltage power poles visible from a major Volcanic Legacy Scenic Byway, with new power lines to be stretched overhead above this I-5 Freeway, and with new power pole modifications and power transformers in close view by tens of thousands of people who traverse this major interstate highway on average every day. The Project is inconsistent with General Plan policies and measures in several significant ways:

### a. Project is Inconsistent with General Plan Implementation Measure OC-7.1(a) Meant to Reduce Visual Impacts.

The City of Mt. Shasta's General Plan has **Goal OC-7** to protect the scenic resources of the Mt. Shasta area. One way it implements that goal is with Implementation Measure OC-7.1(a) to:

"Locate new development outside of **scenic vistas** and off of prominent slope exposures and ridge lines, except when land in such areas is specifically zoned and planned for development, in which case special design standards shall be required to reduce visual impacts."  
*(bold emphasis added.)*

A "**scenic vista**" has been defined by PacifiCorp as: "*A scenic vista is considered an open and expansive public view encompassing valued landscape features including ridgelines and mountains.*"<sup>5</sup>

However, the current PEA fails to even acknowledge the existence and applicability of the City of Mt. Shasta's Implementation Measure OC-7.1(a). Without explanation, PacifiCorp has withheld this applicable rule from its listing of local restrictions in the PEA on page 65.

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<sup>5</sup> Source: 2007 Draft Mitigated Negative Declaration, p. 2.2-11, for PacifiCorp's Morrison Creek Substation Project

This measure OC-7.1(a) is applicable to the Project because (1) taller power lines and poles are new development, (2) their location is not outside of scenic vistas, and (3) because the land they sit on is not zoned for such development.

- (1) The dozens of proposed new, taller, bulkier power poles up to 90 feet or more high with more visible powerline conductors than currently exist are one component of "new development." This is especially true because they would provide new levels of power to the new Crystal Geysers bottling plant.
- (2) The locations of many new power poles would be mostly within a **scenic vista** area with prominent exposure to the general public. This area meets PacifiCorp's definition of an *"open and expansive public view encompassing valued landscape features including ridgelines and mountains."* The Interstate-5 highway is designated the Volcanic Legacy Scenic Byway. That visual quality and designation is recognized within the City of Mt. Shasta's General Plan, p. 5-25, as well as by the Federal Highway Administration. The County's General Plan also contains policies to protect this scenic route. This Scenic Byway is a scenic vista from which tens of thousands of people per day pass through. This Scenic Byway is also within the City of Mt. Shasta where some of this Project's additional new overhead power lines are proposed to be constructed very visibly as they cross directly over Interstate-5.
- (3) The land under many of the new power poles is not zoned to allow by right such new development. The 29 acres of land west of the I-5 Freeway is currently owned by C.D.M.S., Inc. This land is not specifically zoned for any commercial or industrial development that these power lines would mainly service; rather this land is zoned "unclassified." This land cannot be developed with these power pole changes due to restrictions in the City's Municipal Code as discussed below. While the existing power poles and high voltage conductors predate the new restrictions and of course can continue there, PacifiCorp has no right to enlarge them in such a visible way as is being proposed without special approvals it has not officially sought.

Accordingly, this General Plan Implementation Measure OC-7.1(a) requires that PacifiCorp locate these new power lines and taller poles elsewhere outside of the Volcanic Legacy Scenic Byway.



The PEA fails to comply with CEQA for its failure to identify this inconsistency with a local regulation, and its failure to identify this inconsistency as a potentially significant visual impact.

Therefore PacifiCorp is required to find some other location for any overhead visible power lines which would affect the scenic vista within the Volcanic Legacy Scenic Byway. PacifiCorp's complete omission of this relevant City law suggests that PacifiCorp is attempting to deceive the public and to evade the more costly consequences of undergrounding the powerline imposed by this City of Mt. Shasta Implementation Measure as well as by Implementation Measure OC-7.1(d).

**b. Project is Inconsistent with General Plan Implementation Measure OC-7.1(d) Meant to Underground New Utilities to Reduce Visual Impacts.**

The PEA acknowledges the existence of Implementation Measure OC-7.1(d) that requires undergrounding of all new utilities where practical. But it goes no further to actually discuss this City regulation or measure. It doesn't discuss power line undergrounding nor whether undergrounding would be impractical. As such, the PEA fails to comply with CEQA's requirement to evaluate whether this Project may conflict with any applicable land use policy adopted to avoid visual impacts.

Implementation Measure OC-7.1(d):

Require undergrounding of all new utilities wherever practical. Encourage other agencies and entities to underground their facilities. Where undergrounding is impractical, aboveground lines shall be located to minimize impacts on sensitive scenic areas.

To repeat because this point is important, the PEA fails to show that undergrounding the power lines is impractical; in fact, some sections of the power line as proposed near I-5 at Kingston Road, near the new substation and near Crystal Geyser's plant will be undergrounded. The PEA also fails to show that the power lines are located to minimize their impacts on the Volcanic Legacy Scenic Byway.

If anything, PacifiCorp will make existing scenic impacts caused by its power lines worse by removing an existing underground power line beneath I-5 just south of the central Mt. Shasta freeway exits and replacing it with a set of new overhead power lines just north of those freeway

exits. There is no evidence in the PEA that PacifiCorp has attempted in any way to comply with the City's policies to protect the world-class, outstanding scenic qualities of views of Mt. Shasta and Mount Eddy in the vicinity of the Project.

The PEA also fails to analyze if relocating aboveground lines is impractical to minimize their impacts on sensitive scenic areas. That too is a provision within Measure OC-7.1(d).

Accordingly, PacifiCorp has made no attempt whatsoever to address this particular local law. It hasn't even argued that undergrounding is not practical. This failure violates CEQA because CEQA Guidelines § 15063(d) requires an Initial Study (including this Proponent's Environmental Assessment) to evaluate whether a project is consistent with local land use controls. All the PEA does in this respect is to selectively quote some applicable City of Mt. Shasta Implementation Measures, but then to drop the ball and fail to evaluate the Project's consistency with these regulations that are typically asked for in CEQA Guidelines Appendix G.

The only reasonable conclusion when City laws for viewshed protection are being ignored is that this Project's aesthetic impacts will not be "less-than-significant" as claimed by the PEA. There is no substantial evidence of a less-than-significant visual impact along this Volcanic Legacy Scenic Byway corridor. CEQA therefore requires that the CPUC prepare an EIR to better evaluate the aesthetic impacts of this PacifiCorp/Crystal Geysers Project.

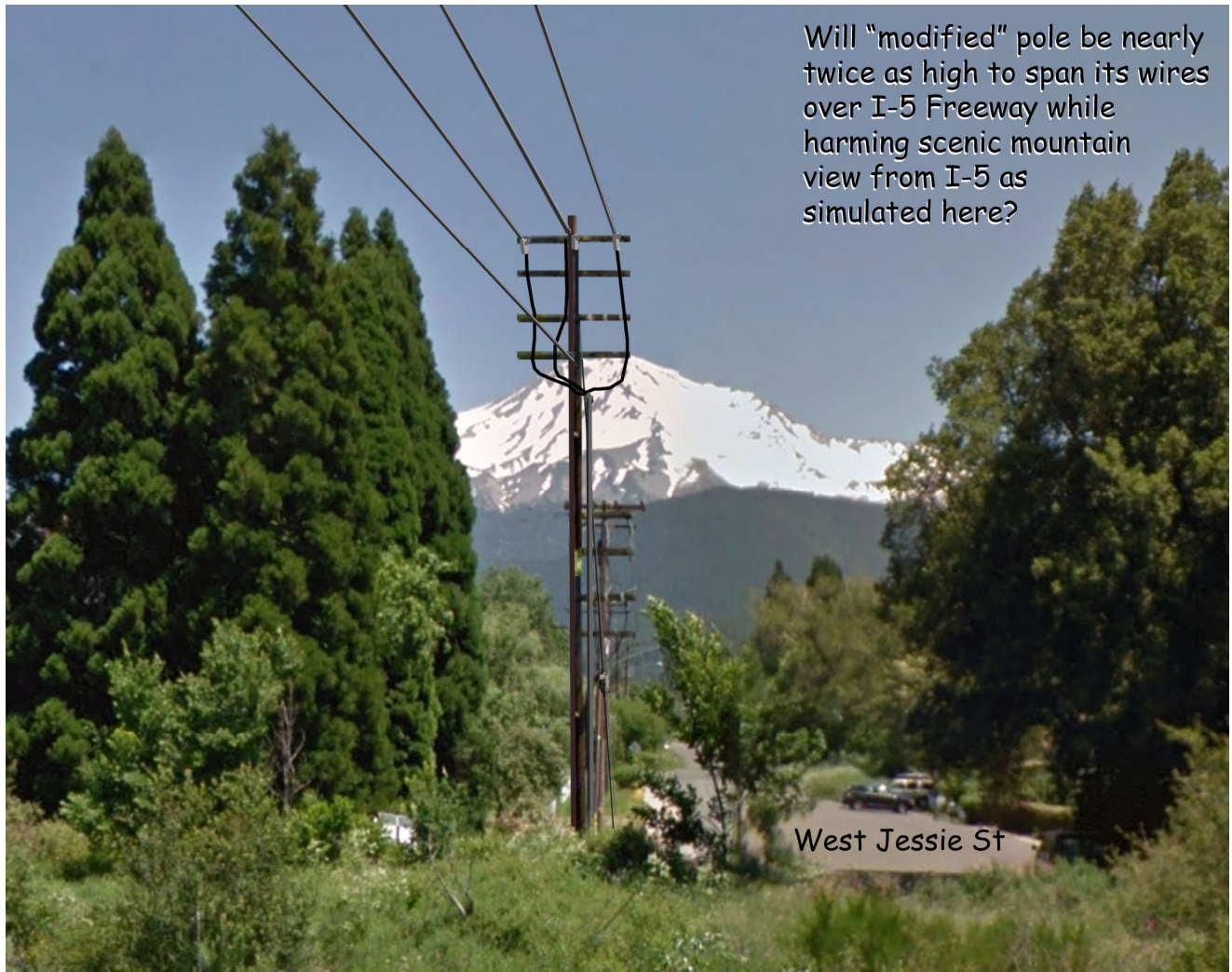
### **3. PacifiCorp's Visual Impact Analysis on Scenic Views of Mt. Shasta is Seriously Defective and Fails to Comply With CEQA**

The PEA's conclusion on page 76 that *"the Project would not compromise scenic views for freeway travelers"* is incorrect. Its statement that *"there are no scenic resources such as ... prominent topographic features that would be degraded due to the Project"* is also incorrect and without substantial evidence. Views of the peak of volcanic Mt. Shasta, an extremely prominent topographic feature that is the centerpiece for the community's tourist economy, would be degraded by the addition of the Project. The Project includes new overhead power lines above the I-5 Freeway, modified power poles near this Freeway, a new step down transformer atop one power pole directly in line-of-sight from the Freeway to the peak of Mt. Shasta, and dozens of

taller, bulkier power poles to the west. The PEA is disingenuous to claim that the Project's power lines would not be obvious from this highway.

**a. The PEA Fails to Disclose the Significant Visual Impact of Newly Proposed Overhead Power Lines and Taller Power Poles and Transformer.**

This picture below is a simulated view of this overhead power line part of this PacifiCorp/Crystal Geysers Project where it will connect to a modified power pole on the east side of the I-5 Freeway at the end of West Jessie Street:



But this view or something else that simulates what may be constructed here is not found in the PEA.

While the PEA provides a few visual simulations for views of Project infrastructure, the only two I-5 Freeway views it provides, Viewpoints 6 (to the west) and 10 (to the north), are simply not sufficient in number or extent to support PacifiCorp's conclusions on PEA page 76 of a less-than-significant visual impact. Curiously, there is no visual simulation view to the east. **The PEA provides no visual simulations whatsoever to show views from this I-5 Freeway towards the Mt. Shasta peak where new power lines and modified poles will be visible!**

The PEA on page 76 appears to even attempt to hide the existence or location of the proposed *modified* power pole (pole number 162400) at the west end of West Jessie Street by calling it a "modified distribution structure." The PEA makes no mention of the distance this power line will span as it passes overhead above the I-5 Freeway. Nowhere does the PEA even disclose in what way that particular pole that is so visible from the I-5 Freeway will be *modified*. Will its height be greatly increased due to the need to span the approximate 520 feet<sup>6</sup> distance across the Freeway to the power pole there on West Jessie Street without having the power lines sag too close to the ground when weighted down by winter ice? The PEA's map Figure 3-5C then misidentifies West Jessie Street by labeling it "Willow St." These problems are not evidence of good faith, full public disclosure and as such violate CEQA.

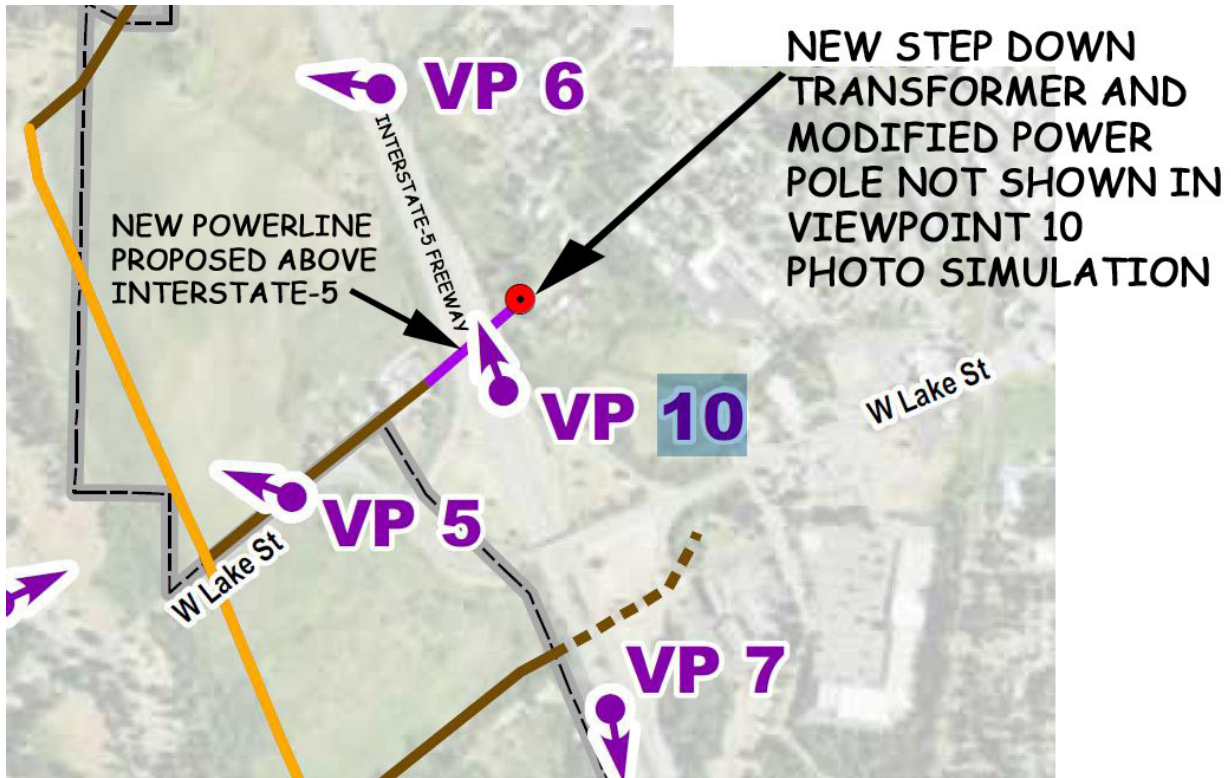
CEQA requires an Environmental Assessment to provide baseline data, such as in the case of power pole replacements, existing heights and diameters. The public is unable to independently evaluate whether the proposed Project's visual impacts will be significantly adverse without being given critical data upon which to assess the visual changes. One cannot tell if the visual simulations presented in the PEA are accurate or if the Project's visual impacts are being minimized with the use of erroneous photo simulations.

For example, in the PEA's simulated photo comparison for Viewpoint 10 (a view to the north from Northbound I-5), no new power poles are shown for the proposed New Overhead Circuit that will

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<sup>6</sup> Distance estimated using Google Earth's measurement tool.

pass above Interstate-5. (See PEA p. pdf-300) This map from the PEA shows where that new overhead power line would be located, so why isn't the power pole shown in Viewpoint 10?:



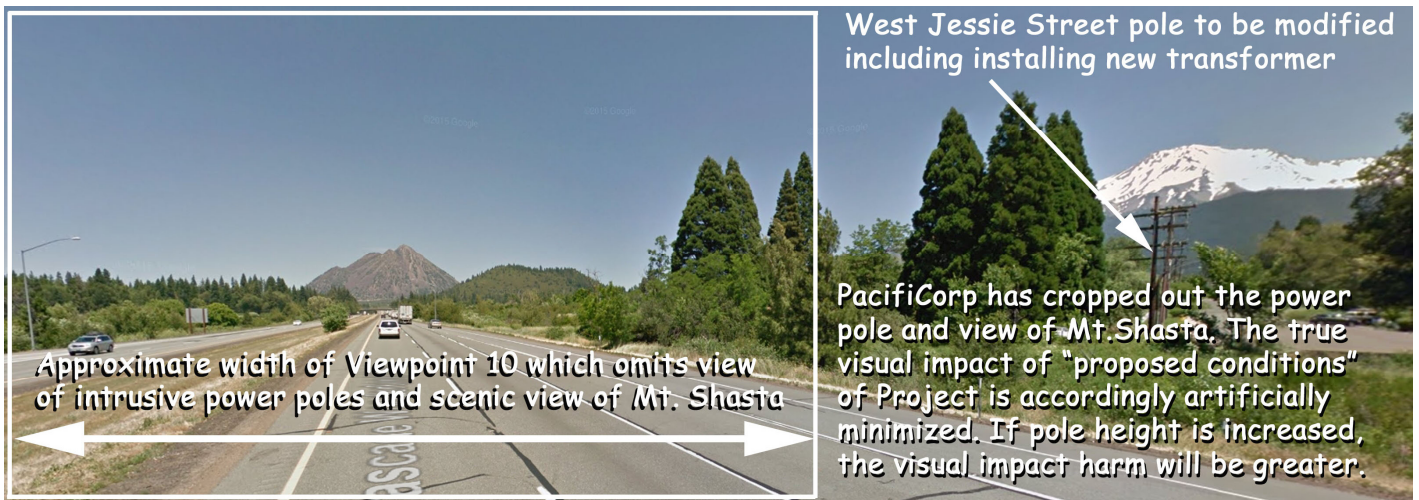
Many people may consider it to be an absurd failure when a power company with a vested interest in protecting its profits prepares an environmental assessment that ignores the most prominent visual feature (Mt. Shasta) that this PacifiCorp/Crystal Geyser Project might visually harm. Others might more suspiciously consider it an unethical cover-up to suppress damning evidence. In any case, the PEA's determination of less-than-significance regarding visual impacts is without substantial evidence absent this information.

To demonstrate that failure, consider this view from the PEA's Viewpoint 10 (*on the next page*) that does not include northeastern views toward the Mt. Shasta peak:



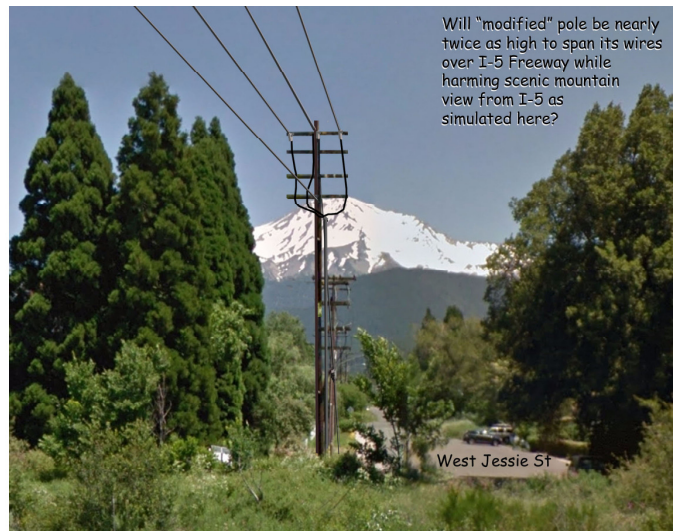


Here below on the easily visible right side of northbound I-5 Freeway motorists' views is what the PEA hides from the public:



The taller power pole would obstruct a distant view of the scenic Mt. Shasta peak. No landscaping will effectively screen this tall, modified power pole from the highway in the foreseeable future because it is positioned at the edge of the I-5 Freeway right-of-way. Views of scenic vistas from this section of the freeway near this power pole are relatively unspoiled because the foreground lands have historically remained undeveloped since they contain a large acreage of wetlands. Because this roadway is an eligible State scenic highway, the aesthetic effect associated with the proposed Project could be significant.

This issue of protecting the aesthetic views from I-5 is very important because over 30,000 people per day travel along this "scenic highway" designated as the Volcanic Legacy Scenic Byway. One would think a power company would be careful when altering the scenic views in such a designated, high visual value corridor. But PacifiCorp's consultants have seemingly chosen instead to deceive the public rather than identify the problem, suggest mitigation or project alternatives, and have their client or Crystal Geysers ultimately pay the extra cost to protect this important view shed. What PacifiCorp is proposing is no more protective of the local view sheds than if this Project's setting was an ugly urban jungle with no visual protection whatsoever. Instead, the PEA includes a lot of boilerplate language about visual impact issues, but avoids the thorough research needed to analyze these impacts, and concludes that no significant problem will result.



COMPARISON OF EXISTING VIEW TO WHAT PACIFICORPS PROPOSES FOR PROJECT



The PEA also fails to reveal what the newly proposed step down transformer will look like when mounted on the adjacent power pole above the ground. As such, the PEA does not evaluate the scenic impact such a glaringly visible transformer will look like at this location in front of scenic Mt. Shasta. The transformer poles and wires would not be significant if buried underground:

"Especially in ... scenic areas, visual impact is important. Undergrounding removes a significant amount of visual clutter. Overhead circuits are ugly."<sup>7</sup>

"In addition to improving the visual landscape, underground construction improves reliability."<sup>8</sup>

Page 321

These units are much larger than padmounted transformers, so they must be sited more carefully to avoid complaints due to **aesthetics**. The biggest obstacles are cost and **aesthetics**. The main complaint is that padmounted capacitors are ...

No preview available for this page. [Buy this book.](#)



The PEA does not disclose what such step down transformers will look like, and therefore cannot legitimately claim their visual impacts will be less-than-significant.

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<sup>7</sup> Electric Power Distribution Handbook, Second Edition, May, 2014, by Thomas Allen Short, p. 142.

<sup>8</sup> (*Ibid.*) p. 140.



**b. The PEA Fails to Disclose if There Will There Be Additional Visual Impacts on Scenic Views of Mt. Shasta Due to Increased Sizes of Overhead Wires**

The PEA provides no visual simulation to reveal how this PacifiCorp/Crystal Geyser Project's enlargement of existing overhead power lines near the Lassen Lane freeway overpass will impact this scenic view of the peak of Mt. Shasta as seen in this photo:



PacifiCorp is proposing to reconductor the existing distribution lines above the freeway at this location. The PEA indicates this work will occur on both sides of pole # 160901 that exists on the west side of the I-5 freeway. (See PEA, Fig. 3-5B) This figure also includes the power lines extending to the east of the I-5 freeway seen in this photo above. The PEA however makes no mention of these overhead wires being altered, enlarged or the visual impacts that may result in its list on pages 32-33 of the PEA.

This issue is critical because this is a scenic corridor that the City wants to protect by removing overhead power lines, not enlarging existing ones. The PEA fails to describe how this PacifiCorp/Crystal Geyser Project's extra power will be transmitted to Crystal Geyser's plant where the overhead wires pass above the I-5 Freeway about 120 feet south of the Lassen Lane

overpass. There is no other way for that increased power to get from the west side of the freeway to the east side. Wires on both sides of the Freeway will be enlarged. But the PEA contains to description of what exactly will occur with this scenic location. It's as if the PEA describes there will be no changes to those four existing overhead wires even though Figure 3-5B shows a brown colored line representing a "reconducted existing distribution" line extending above the Freeway. The public, when faced with inconsistency like this in the PEA, is left to conclude that this visual impact will occur and that it will not be less-than-significant as the PEA concludes.

**4. The PEA's Visual Impact Analysis of Prominent Mountain and Meadow Views to the West as Seen From the I-5 Freeway is Inconsistent and Deceptive.**

The PEA provides an "existing" and a "proposed" view of the new power poles and conductors seen to the west of the I-5 freeway. But in spite of the PEA's claims on page 62 that such visual simulations are *accurate* because they were prepared using a variety of sophisticated software programs, ordinary people can look at the visual comparisons as presented and with some effort see that the proposed Project views are neither accurate nor consistent with the text in the PEA.

CEQA requires that a Project Description must be consistent and accurate throughout an Environmental Assessment so that the public is not confused.<sup>9</sup> A project description provides the analytic foundation of the environmental review. But in this Project's case, the PEA is not consistent in its description of the many new power poles and power lines to be installed west of the I-5 Freeway.

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<sup>9</sup> "An accurate, stable and finite project description is the *Sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 CA3d, 185, 193. The primary harm caused by shifts among different project descriptions is that the inconsistency confuses the public and commenting agencies, thus vitiating the usefulness of the process "as a vehicle for intelligent public participation." (*ibid*, at 197-198)



**a. New Power Poles Appear May Be Significantly Higher Than Existing Poles:**

PacifiCorp's P.E.A. claims the existing poles and proposed poles will both be 75 feet high, yet the visual simulation shows the proposed poles about **20% taller**. To make that comparison more clear, we have merged the photos in the PEA into a single image (above) and have dashed the existing power lines to show their relative height compared to the unbroken power lines as being proposed by PacifiCorp. We urge you to look carefully at the PEA's Viewpoint 6 comparisons on the otherwise unnumbered page PDF-299 of the PEA. If the newly proposed poles will be 20% taller than currently exist, that's a significant discrepancy between what the public has been repeatedly told in the PEA where the "maximum height of the new transmission poles would be 75 feet." <sup>10</sup>

Elsewhere in the PEA but only once on page 31, the power poles are claimed to average between 80-90 feet tall, meaning some may be even taller than 90 feet. That correlates well with the

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<sup>10</sup> This claim of that the new poles would have a maximum height of 75-feet is made repeatedly in the PEA on pages 161, 210, and 243. Yet on page 31, they are inconsistently described having "an average height range between 80 and 90 feet".

Viewpoint 6 simulation because a 90-foot pole is **20% taller** than a 75-foot pole. The visual simulation (illustrating approximately 90-foot high poles) is thus inconsistent with the PEA's text (75-foot high poles) where PacifiCorp misleads the public into thinking they will be the same height, and repeatedly makes that claim. That inconsistency between the text and what is shown in illustrations violates CEQA's requirement for a consistent project description.

**b. Additional wires as Proposed will not have same or "less than significant" visual impact:**

The existing power poles are illustrated with 4 wires and now carry 69 kV of power, but are designed as proposed to carry 115 kV of power with 6 wires. Yet the P.E.A.'s visual simulation shows the heavier power wires that will actually have a larger diameter conductors appearing smaller and less visually pronounced than the existing smaller wires. Either look at the merged illustration above or the PEA's Viewpoint 6 simulations to confirm this problem in the PEA with its accuracy of a project description. The dashed lines (existing) shown above are considerably more visually prominent than the new power lines (unbroken) that PacifiCorp is shown proposing. This possible error on the part of the PEA preparer may cause people to believe that the proposed Project will have a less-than-significant visual impact. But the evidence provided does not support that conclusion.

**c. Poles will be larger in diameter, not narrower as shown:**

The existing power poles are not described in the PEA as to their diameters. That failure to collect sufficient data to establish a "baseline" for visual impact comparison is a violation of CEQA. One cannot evaluate a project's aesthetic impact if such existing data is withheld like that. But from some measurements obtained near Hatchery Lane of these existing power poles, some of them are between 12" to 17" in diameter. The new proposed poles will be 19" in diameter and "bulkier" according to the P.E.A, p. 74. Yet the visual simulation shows the proposed poles appearing thinner than the existing poles, and not having an "increased bulk". That inconsistency in pole diameters in Viewpoint 6's simulation appears to be an error, or worse yet, an attempt to deceive the public about the true aesthetic impacts of these admittedly bulkier poles.

**d. PEA misrepresents true Visual Impact of power poles and power lines by claiming they will not be in line of sight of motorists.**

The PEA however underestimates the visual impact (p. 75) of the larger infrastructure by reaching a conclusion of a "less than significant" impact. But that conclusion that is not based upon factual evidence and analysis. The PEA states that such views of these poles and power lines would not be in the "line of sight of motorists." That possibly fraudulent claim by PacifiCorp may be intended to minimize the Project's visual impact. Of course the bulkier poles and more numerous, thicker wires will be in motorists' line of sight because motorists are anticipated to turn their heads in this Volcanic Legacy Scenic Byway to enjoy such views. Passengers also look around to the west.

**5. The PEA's Visual Impact Analysis of the Project's Power Poles and Power Lines is Defective Where the PEA Claims They Will not Affect Scenic Views of Spring Hill or Black Butte.**

The PEA underestimates this Project's visual impact to be caused by its overhead power lines and taller poles by inaccurately claiming that Spring Hill and Black Butte are not within or affect the Project's visual study area where it states:

"The City of Mt. Shasta General Plan's Open Space/Conservation Element (City of Mt. Shasta 2007) section identifies scenic landscape features and scenic viewshed areas within the city's planning area limits. It identifies scenic landscapes such as Mt. Shasta, Castle Crags, Mt. Eddy and Eddy Range, Rainbow Ridge, **Spring Hill**, Quail Hill and **Black Butte**. **None of these features are within or affect the Project's visual study area.** The General Plan also introduces a Proposed Viewshed Strategy to protect scenic resources in the city and maps notable viewshed areas. The Project study area does not fall within or affect the designated scenic viewshed areas."

*(emphasis added.)*

This statement that "none of these features are within or affect the Project's visual study area" is misleading and inaccurate. In the City's General Plan, beginning on page 5-25 (Scenic Areas)



the Figure 5-6 "Scenic View Shed Areas" maps both Spring Hill and Black Butte as a "Scenic View Shed Area". This General Plan map identifies notable viewshed areas, primarily perceived from the City of Mt. Shasta. The previous Mt. Shasta General Plan, Fig. 19, also mapped Spring Hill as a "Scenic Viewshed".

The PEA is inaccurate because it defines the "visual study area" as within about 3/4 of a mile:

"The visual study area was determined by considering the distance at which potentially significant or adverse impacts would occur. This was based on the scale of the Project and its visual influence on viewers and the landscape. **This threshold, determined to be approximately 0.75 mile from the Project, ...**"

(emphasis added.)

Yet Spring Hill is within about 3000 feet of where the Project's power lines will cross North Mt. Shasta Blvd., a distance of much less than 0.75 mile. The PEA contains no viewpoint simulation along North Mt. Shasta Blvd. aimed towards Spring Hill of the Project's power line crossing street. Neither is Spring Hill's location labeled in the PEA. From where the power line crosses North Mt. Shasta Blvd., it is less than 3/4 mile (3,960') to Spring Hill. (i.e. about 3,000 feet.)

The PEA, p. 207, fails to note that there is a recreational trail leading to a scenic vista point atop Spring Hill that would have a view toward that Project's new larger power lines.

#### **6. PEA fails to consider Project Alternatives of relocating newly proposed power lines underground.**

The PEA never evaluated the Project's conflict with the City's policy to underground new power lines. As such, the PEA failed to also evaluate a project alternative where the expanded-capacity power lines creating significant visual impacts near the Freeway could be instead relocated underground. The PEA gives no explanation why such undergrounding would be infeasible. As such, the PEA fails to support its determination via its alternative analysis that the project's impacts will be less-than-significant.

"New aerial installations should be avoided in scenic areas where a feasible and prudent alternative exists. They should be considered only where:

- Other locations pose unusual difficulty, are unreasonably costly, or are more undesirable from the standpoint of visual quality;
- Locating the utility underground is not technically feasible or is unreasonably costly; and
- The proposed installation can be made at a location and will employ suitable designs and materials that give adequate attention to the visual qualities of the area being traversed."

Source: "A Guide for Accommodating Utilities with Highway Right-of-Way", dated Oct. 2005, by the American Association of State Highway and Transportation Officials, page 4.

The PEA fails to comply with CEQA in this regards to considering project alternatives that may be capable of truly reducing these visual impacts to a less-than-significant status.

## **15.2.4 Route selection and line design in view of visual impact**

### **15.2.4.1 Introduction**

This clause reviews the subject of *visual impacts* of overhead lines, and how these impacts can be assessed and visualized. Some attention is given to evaluation principles and to the possibilities of minimizing visual impact in selecting the route for an overhead line and its design.

Apart from aspects of route selection, the size and shape of the overhead line supports and their components are considered as having the most significant influence on visual impacts of an overhead line. Therefore, efforts to reduce the visibility of these supports and their components or to increase their absorption by the landscape are considered most important in reducing the visual impact of a line.

Report [15.5] describes various methodologies for assessment for the visual impact of overhead lines in the landscape and has been used as a basis for preparing this clause. In recent years, a broad palette of assessment models has been produced ranging from detailed surveys supported by *photomontage graphics* to elaborate computer programmes which combine visual modelling techniques with rating methods. However, in the authors' opinion, there are doubts whether these models really contribute much to validate the placement of new overhead lines.

## Routing guidelines

A large number and variety of guidelines have been developed with regard to routing [15.5]. Some generally applicable ones should be mentioned here.

- Avoiding natural parks and areas of high scenic, architectural or historic value. In any case, the line should be hidden, so as to minimize the **visual impact**.
- It is desirable to avoid open expanses of water and marshland. The overhead line should not go too close to shores of a river or natural lake. Rivers should be crossed as close to the right angle as possible.
- The most direct line with no sharp change of direction should be chosen with few angle supports only, these being placed where they are not too visible.
- In moderately open valleys with woods, the apparent height should be as low as possible and views of the line to be broken by trees minimizing the exposure of numbers of towers.
- In forested land, a sinuous cut or angle near important view points is preferable to a straight one so that people cannot see too far down the line.
- The line should follow natural lines created by topographic change, geology and vegetation that will help to minimize the **visual impact**.
- It is preferable to avoid breaking the skyline (see Figure 15.1).
- The towers should be placed near to the most vertical elements in the landscape, such as tree groups or hill slopes.

## Structure allocation

Though technical and economic criteria are important in the selection of support heights and span lengths, evaluation of the **visual impact** may lead to the adoption of a different spotting of supports on the longitudinal profile of the line.

Support height has an important influence on **visual impact**, as the choice of taller structures will generate longer spans and reduced numbers of structures. However, taller supports have a greater presence in the landscape and are more conspicuous. Tall towers allow having the line suspended above the mature canopy height, thus avoiding the creation of corridors cutting through forests. Lower supports can be visually integrated with existing vegetation and topography as they are easier to visually absorb. However, the number of supports will increase, because span lengths need to be reduced.

Although, selection of structure sites depends on local conditions and constraints on available locations, some generally applicable guidelines can be given.

- When crossing over the top of a hill or mountain, the use of lower supports rather than higher ones should be considered (see Figure 15.2).
- When crossing a flat landscape characterized by a wide visual field and a clear organisation of land pattern, it is preferable to use taller towers with longer span lengths.
- In complex, picturesque landscapes, support heights should be adjusted to avoid intruding into the skyline and be absorbed into the background, thus the lowest tower is preferable.



**7. The PEA Fails to Evaluate Visual Impact of New Power Line Conductors' Reflectivity as Might Impact Scenic Views**

The PEA fails to describe how reflective the new conductors to be installed will be. New untreated conductors exhibit a highly reflective surface and don't achieve a matt finish until after a few years, depending on the climate and the degree of air pollution. Even new conductors can, however be treated to reflect less light or to exhibit a low contrast with the background. Without this information, the PEA has no substantial evidence to claim that the new conductors will have a less-than-significant visual impact in this community's scenic setting.

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**C. Project's Noise Impacts Will Be Significant Due Inconsistency with City of Mt. Shasta and Siskiyou County General Plans Noise Standards, as Well as Other State and Federal Noise Standards.**

PacifiCorp has, like Volkswagen's engineers who rigged their auto emission systems to fool regulatory agencies, misinformed the CPUC and the Mt. Shasta public by withholding accurate information about its PacifiCorp/Crystal Geysers Project construction noise impacts. For the moment, this comment section next focuses just on the substation piece of the overall Project and not Crystal Geysers's other noise impacts. PacifiCorp is attempting to wiggle out of effective construction noise impact mitigation as a means of keeping its costs lower while hiding the serious noise impacts it will expose nearby residents to.

By comparison to how this information should be handled, in Initial Study/Mitigated Negative Declaration for PacifiCorp's Morrison Creek Substation Project analyzed potential noise impacts occurring during construction and affecting nearby residents. That PacifiCorp IS/MND considered the construction noise impacts of the Morrison Creek project to be potentially significant unless mitigated and effectively limited to daytime hours. That IS/MND included a noise mitigation that the public could have enforced had construction noise levels been excessive. Similarly for PG&E's Lodi 60 kV substation project, its Project EIR evaluated construction noise, found it to be potentially significant, and imposed a 7am - 7pm time limit for daytime operations only.

**1. PEA Presents No Predicted Noise Level Data Representing Residential Noise Level Exposure**

But PacifiCorp's PEA for this PacifiCorp/Crystal Geyser Project takes a different, legally inadequate approach to review of such construction noise impacts. First, the PEA entirely fails to provide any accurate data or analysis of how loud the construction noise would be at affected sensitive receptors. The PEA's Table 4.12-2 with boilerplate information about "typical ranges of common sources" does not qualify as relevant data for use in this PEA. Neither is the PEA's page 194, Table 4.12-4 "typical construction equipment noise levels" information valid because it is too vague to represent the actual likely equipment noise that homes will be exposed to. Nowhere does the PEA describe what the maximum cumulative noise levels will be from the operation of multiple construction equipment at the same time.

**2. PEA Underestimate How Severe Project Noise Will Be.**

The PEA, p. 193, deceptively claims that "*This noise would be audible to residences located within 50 feet of the Project.*" That severely underestimates the impact of such construction noise. The truth is this construction noise would be audible and would exceed permissible noise limits at homes much farther from this Project's construction activities. To be audible, construction noise only need to be a few decibels louder than the existing ambient noise levels. Where some of the Project construction would occur, existing ambient noise levels are at times less than 40 dBA  $L_{eq}$ .<sup>11</sup> Considering just the maximum noise from a single tractor's operation of 96 dBA at a distance of 50 feet as listed in Table 4.12-4, such construction equipment noise levels could still be audible (i.e. greater than 45 dBA), or greater than permissible City of Mt. Shasta noise standards (65 dBA) at distances of over 1,000 feet assuming a 6 to 7.5 dBA attenuation rate per doubling of distance. When more equipment is operating simultaneously, the noise levels would be additive and would be even louder. Yet the PEA never considers that construction noise will be generated by more than a single piece of equipment at one time. As such, its conclusions of construction noise being less-than-significant are unsupported by substantial evidence.

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<sup>11</sup> For example, the Project proposes some construction on Mill Street within the City of Mt. Shasta where ambient noise levels are often below 40 dBA  $L_{eq}$  during early morning hours.

**3. PEA Does Not Evaluate or Mitigate Significant Sleep-disturbance Impacts Occurring Before 7:00 a.m.**

Furthermore, PacifiCorp's PEA adopts no noise mitigation to prevent sleep-disturbance impacts likely caused by early morning construction activities during Project construction. The PEA, p. 189, admits that "Noise levels that exceed 45 dBA at night could deprive local residents of sleep or interfere with their normal patterns of sleep." The PEA, p. 194, claims that "construction occurring in proximity to residential areas would occur between 7:00 a.m. and 7:00 p.m." But that statement does not mean that construction will also not begin before 7:00 a.m. Elsewhere, the PEA, p. 191, states: "No construction activities would occur in proximity to existing residential uses except between the hours of 7 a.m. and 7 p.m., Monday through Friday, or 8 a.m. to 5 p.m. on Saturdays." But that claim provides no definition or limitation on the term "proximity." Since the Project's construction noise could be significant and in excess of applicable standards for hundreds of feet, if not a thousand feet or more, the PEA's reassurance is essentially meaningless. It would not reduce construction noise impacts to a less-than-significant level for some residences.

By comparison, the EIR for the Lodi 60 kV project evaluated construction noise and imposed a 7 am -7 pm time limit. In the absence of any effective noise mitigation, the PEA's determination is not supported by substantial evidence.

**4. Locations of the Most Severely Noise Impacted Homes Are Not Adequately Identified In P.E.A.**

The PEA is inadequate for failing to even identify which homes will be exposed to this Project's loud construction noise levels or estimating how loud such noise will be at individual homes to be exposed to excessive construction noise. That information is typically provided on maps in similar project applications using noise level contours or other means. Neither does the PEA describe any of the ambient noise level conditions at the homes at risk of excessive noise exposure so that the public can assess whether there will be significant temporary noise level increases above ambient conditions existing without these Project activities. Evaluation of such temporary noise impacts is required by CEQA. Instead, all the PEA states is:

*"Most of the residences in the Project area are located in the City of Mt. Shasta; however, residences are scattered throughout the Project area. The nearest existing noise-sensitive receptors potentially impacted by the construction and operation of the proposed Project are the occupied residences. Residential dwellings potentially impacted by installation of new poles and replacement of existing poles along the transmission line are located at various distances from the pole locations. The majority of the residential uses are located south of the existing and proposed substation sites; however, there are a few scattered residences north of the substation sites. These residences range in distance from the pole locations between approximately 70 feet and 580 feet. Sensitive noise receptors near the distribution line upgrade consist of residential uses including a senior community."*

The public is left asking "which homes will be adversely affected?" This information is not unknowable or unpredictable. It must be disclosed. The PEA accordingly provides inadequate information to the CPUC and the public to evaluate whether such construction noise levels will be excessive or sleep-disturbing.

##### **5. Project-related Time of Day Construction Activities Are Not Adequately Regulated or Mitigated.**

Moreover, the Project Description does not contain any time limits for construction activities. During hot summer weather, construction companies often begin outdoor work before 7:00 a.m. to avoid the heat. These early morning hours are times when significant sleep-disturbance impacts may occur. The PEA however never discusses sleep-disturbance impacts. Nor does PacifiCorp propose any noise-related time limits that can be ensured by enforceable mitigations. The PEA's mere mention with the above-criticized, vague language about time of day operations to suggest at best that construction noise impacts won't be significant is not sufficient. Going without noise mitigation wasn't sufficient for the Lodi, CA EIR or the Morrison Creek Substation's IS/MND. People in the City of Mt. Shasta at least deserve equal noise protection, and deserve compliance with CEQA which PacifiCorp, an Oregon company, may not be familiar with. The PEA accordingly fails to comply with CEQA by failing to demonstrate that short-term construction noise impacts will be less-than-significant.

**6. Project's Daytime Construction Noise Exposure at Existing Homes Will Also Exceed Acceptable Noise Standards**

The PEA also fails to evaluate which homes will be exposed to noise levels that exceed City or County noise standards even during the daytime hours. The PEA instead seems to take the position that as long as construction noise occurs after 7:00 a.m. in the morning, that everyone has left their homes and any noise level exposures at those homes is acceptable. But based on that apparent assumption, the PEA incorrectly concludes (p.194) that

"While impacts associated with demolition and construction activities will be *less than significant*, PacifiCorp will employ the following noise-reducing practices in an effort to further reduce noise produced by these activities: "

The "noise-reducing practices" the PEA lists on page 194 are not sufficiently enforceable or meaningful to cure the serious deficiencies in its Project's noise impacts. They are excessively vague as worded. They are not enforceable as would be CEQA mitigations. They contain no specific performance standards by which the public can be assured any meaningful noise attenuation will occur even if utilized. CEQA does not allow PacifiCorp to get away with using such smoke and mirror posturing instead of implementing required scientific analysis and effective mitigations. As shown next, some homes could be exposed to significant and excessive construction noise levels of over 100 dBA  $L_{eq}$  even during daylight hours.

**7. Distances to the nearest affected residences are overstated, resulting in underestimated noise level prediction.**

There is no evidence whatsoever that noise levels at affected homes will be less-than-significant. The PEA, p. 189, admits that *"These residences range in distance from the pole locations between approximately 70 feet and 580 feet. Sensitive noise receptors near the distribution line upgrade consist of residential uses including a senior community."*

The fact is that some homes are even closer than that to some Project pole locations and other Project activities. Two homes at the corner of Mill Street and Forest Street are only about 40 feet

from a proposed power pole (#167241) that will be modified with increased voltage wires.<sup>12</sup> Along South Old Stage Road are homes closer to proposed pole positions than the PEA estimates too. Along West Jessie Street are five homes within 40 to 50 feet of Project undergrounding activities. But the PEA totally ignores that those homes so close to Project activities will be exposed to excessive construction noise levels.

For example, if the Project installs a reconducted 12.47 kV distribution power line along Mill Street between Forest Street and Water Street, the Project contractors will have to use heavy equipment like noisy trucks and tractors to pull and tension it:

"Tensioners, line trucks, wire trailers, and tractors needed for stringing and anchoring the ground wire or conductor would be located at the tensioning sites. A puller, line trucks, and tractors needed for pulling and temporarily anchoring the counterpoise/ground wire and conductor would be located at the pulling sites." (See PEA, p.39)

If a tractor under load generates noise levels of 97 dBA at a distance of 50 feet, any home only 40 feet away could be exposed to construction noise levels of over 100 dBA  $L_{eq}$  even during daylight hours. If other equipment simultaneously operates there, the noise exposures will increase even more. Such noise levels would be seriously excessive and significant. The PEA fails to comply with CEQA for having withheld such accurate information about distances and noise levels from the public and the CPUC.

## **8. Temporary Construction Noise Will Not Be Insignificant**

As one egregious example of PacifiCorp's deceptive arguments, the PEA makes this totally unsupported and inaccurate claim:

"When compared to existing noise sources within the Project vicinity (e.g., vehicles on adjacent roads and I-5, farming equipment), these intermittent noises would not represent a significant change or impact over the existing noises within the area."

The PEA cannot justify that statement because (1) there is no data in the PEA about existing noise levels, and (2) there is no information on how loud at maximum the intermittent construction noise levels will be at existing houses. The PEA also provides no threshold of significance by

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<sup>12</sup> See PEA, Fig. 3-5G for pole location. Distance estimated using Google Earth distance tool.

which to judge how significant such intermittent noise level increases will be. PacifiCorp violates CEQA by fabricating baseless claims like that and concluding its Project will not generate significant construction noise impacts.

#### **IV. REQUEST FOR HEARING**

For these reasons, MT. SHASTA TOMORROW states that a hearing is necessary to address the deficiencies within PacifiCorp's Application and PEA for this project and for the Commission to properly make its decision. MT. SHASTA TOMORROW respectfully protests this application and requests that the Commission either reconsider the need for this project proposed by PacifiCorp. If this Project moves forward, Mt. Shasta Tomorrow asks that the new power lines all be underground, and requests the Commission prepare a full EIR for this Project. .

#### **V. CONCLUSION**

Thank you for considering these concerns and Mt. Shasta Tomorrow's protest of this PacifiCorp/Crystal Geysers Project application.

Dated: December 7, 2015

Respectfully submitted,

s/ Dale La Forest

Dale La Forest

Secretary and Director,

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**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of  
PACIFICORP (U 901 E), an Oregon Company,  
for a Permit to Construct the Lassen Substation  
Project Pursuant to General Order 131-D.

Application 15-11-005  
(Filed December 7, 2015)

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this date caused the attached “**PROTEST OF MT. SHASTA TOMORROW**” to be served pursuant to the Commission’s Rules of Practice and Procedure upon the official service list for A. 15-11-005, obtained from the Commission’s website and attached hereto, by electronic mail (email) to all persons with a valid email address on the official service list and by United States mail to all parties without a valid email address on the official service list. I have also sent a hard copy by U.S. Mail to the Assigned Administrative Law Judge and Assigned Commissioner in this proceeding.

Dated: December 7, 2015 at Mt. Shasta, California.

/s/ Dale La Forest

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