

## A. Federal Agencies

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## Response to Comment Letter A1

**U.S. Department of the Interior, Fish, and Wildlife Service**

**Andrew Yuen, Project Leader**

**August 31, 2012**

- A1-1** The comment is noted and will be included in the administrative record and considered by the California Public Utilities Commission (CPUC) during project deliberation. The comment does not raise specific issues related to the adequacy of the environmental analysis in the Environmental Impact Report (EIR); therefore, no additional response is provided or required.
- A1-2** The comment is noted and will be included in the administrative record and considered by the CPUC during project deliberation. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR; therefore, no additional response is provided or required.
- A1-3** The comment is noted and will be included in the administrative record and considered by the CPUC during project deliberation. Please refer to common response ALT1 regarding the Environmentally Superior Alternative and the Bayfront Enhancement Fund Alternative. As discussed in the EIR, Section D.5, Biological Resources, Mitigation Measure BIO-3, permanent impacts to jurisdictional “waters of the United States,” including wetlands, are fully mitigated by the combination of habitat creation (i.e., establishment) and habitat restoration at a minimum of a 4:1 ratio with at least 1:1 creation of new jurisdictional areas, or as required by the permitting agencies.
- A1-4** The comment is noted and will be included in the administrative record and considered by the CPUC during project deliberation. Please refer to common response ALT1 regarding the Environmentally Superior Alternative and the Bayfront Enhancement Fund Alternative. As stated in the Draft EIR, Section E, Comparison of Alternatives, “although this EIR identifies an Environmentally Superior Alternative, it is possible that the CPUC could choose to balance the importance of each impact area differently and reach a different conclusion during the project approval process. Therefore, the Commission may approve a project that is not the Environmentally Superior Alternative.”
- A1-5** The comment is noted and will be included in the administrative record and considered by the CPUC during project deliberation. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR; therefore, no additional response is provided or required.

**A1-6** Comment is noted and will be included in the administrative record and considered by the CPUC during project deliberation. Please refer to common response ALT1 regarding the Environmentally Superior Alternative and the Bayfront Enhancement Fund Alternative.

**A1-7** Comment noted. Please refer to common response ALT1 regarding the Environmentally Superior Alternative and the Bayfront Enhancement Fund Alternative.