

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 30, 2020

Dan Barcomb
Project Manager
Zayo Group, LLC
8516 Nash Dr.
Pasco, WA 99301

William Kissinger
Morgan, Lewis & Bockius, LLP
One Market, Spear Street Tower
San Francisco, CA 94105

**RE: Zayo Group, LLC's Prineville to Reno Fiber Optic Line Project
(Application A.20-10-008) – Application Completeness Review/Data Request No. 1**

Dear Mr. Barcomb:

The California Public Utilities Commission's (CPUC's) Energy Division has conducted its completeness review of Zayo Group, LLC's (Zayo's) Application for modification of a Certificate of Public Convenience and Necessity (CPCN) and Proponent's Environmental Assessment (PEA), filed on October 1, 2020.

The Energy Division uses the CPUC's Information and Criteria List and the Working Draft PEA Checklist as a basis for evaluating completeness and ensuring that sufficient information has been provided for the CPUC to conduct the environmental analysis required by the California Environmental Quality Act (CEQA). Based on review of the PEA, the Energy Division finds that more data will be needed to conduct the environmental analysis under CEQA. Please see Attachment A for a list of information the CPUC will need to complete its review of Zayo's application.

We would appreciate your response to the requested information in Attachment A in support of the analysis for the Prineville to Reno Fiber Optic Line Project be provided to Connie Chen (CPUC Energy Division) and Anne Surdzial (ECORP Consulting, Inc.), no later than November 13, 2020.

Within 30 days of receipt of the information requested in Attachment A, the CPUC will review and determine if it is adequate to accept the CPCN application and supporting documentation as complete. We will be available to meet with you at your convenience to discuss these items.

The Energy Division reserves the right to request additional information at any point in the application proceeding and during subsequent construction of the project should Zayo's CPCN be approved.

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Please direct questions related to this application to me at (415) 703-2124 or connie.chen@cpuc.ca.gov.

Sincerely,

Connie Chen

Connie Chen
Public Utilities Regulatory Analyst
Energy Division

CC:

Mary Jo Borak, Supervisor, Infrastructure Planning & CEQA, Energy Division, CPUC
Molly Sterkel, Program Manager, Infrastructure Planning & Permitting, Energy Division, CPUC
Jack Mulligan, Attorney, CPUC
Anne Surdzial, AICP, ECORP Consulting, Inc.

Attachment A: PEA Review

ATTACHMENT A

Section	Page	Paragraph	Comment
Cover			
			Cover should follow sample in PEA checklist, including map, filing date, and names and email addresses for applicant and preparer contacts
Section 1 Executive Summary			
General			The section follows the PEA outline requirements. Specific comments on the content that is summarized in this section are provided in the applicable sections of the PEA.
Section 2 Introduction			
2.2 Pre-Filing Consultation and Public Outreach	2.2		Summarize discussions with the federal agencies regarding NEPA compliance. Have the counties been contacted?
2.3.1 CEQA Review	2.6	2	Please identify other state agencies that have discretionary permitting authority in this section and all potential involvement by federal, state, and local agencies not expected to have discretionary permitting authority (e.g. ministerial actions).
2.3.1 CEQA Review	2.6	2	Zayo's CPCN was granted to another firm in the 1990s, which it appears was purchased in 2007. This CPCN was part of the batch process. Please clarify. Please add additional description why further CEQA documentation is required (extending beyond the utility ROW, etc.) from the actual application.
2.3.1 NEPA Review and Table 2.3-1 Federal Land Ownership and Level of NEPA Analysis	2.6		It was our understanding that the BLM is the federal Lead Agency and that the USFWS and Forest Service were cooperating agencies on the NEPA document. Please confirm. If there are really five separate documents being prepared, please describe how these documents will be coordinated among the federal lead agencies.
Section 3 Project Description			
Glossary	3.1		The glossary of terms is appreciated.
General			This section emphasizes federal, tribal, and CDFW and Caltrans lands, permits, and approvals. There is insufficient description of the counties/cities that are within the proposed project area, private lands, etc.
3.1 Project Overview	3.1	1.2.3	This section should outline and describe all of the affected jurisdictions traversed by the project. How much in each county/city?

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Section	Page	Paragraph	Comment
3.2 Existing and Proposed System	3.2, 3.5	1, maps	There is not much detail in this section and on the maps. The map set does not clearly show where the project leaves and rejoins the US 395 ROW. The description states "Standish to Buntingville", but Buntingville is not shown on the map. Recommend a different color or other differentiator for this portion of the alignment.
3.2.1 Existing System	3.2		The section states that the proposed project would provide a redundant system, but the existing system itself is not described. Information on the users of the existing system is not provided. See requirements on page 14 of PEA Guidelines.
3.2.2 Proposed Project System	3.5	1	Reference the cumulative impacts analysis in this section. States that the Oregon and Nevada technical studies "will be" incorporated by reference into the PEA, but these have not been incorporated by reference or provided to CPUC in order to conduct cumulative impact analysis.
3.3.1 Preliminary Design and Engineering	3.5		The information required on page 15 of the PEA Guidelines is not contained in this section, the referenced sections, or Appendix A. For example, approximate locations, dimensions, and limits of areas needed for construction are not described or (with the exception of approximate locations of ILAs and staging areas) shown on maps.
3.3.5 In Line Amplifiers	3.6		Provide site maps of the ILA locations either in this section or Appendix A
3.4.1 Land Ownership	3.12		According to the text, the majority of the alignment is within Caltrans-managed ROW, but nowhere in the text or Table 3-1 do you say how much of the project is in Caltrans ROW. Detail is only shown for the land ownership for the running line, reflecting operation of the project, but does not reflect the land ownership for project construction including the area of disturbance around the running line, ILAs, staging areas, and material storage yards. Please add a table fully describing the acreage of each element of the project (like in Table 3-3) and the different land owners for each component.
3.4.1 Land Ownership	3.12		Describe how any new temporary or permanent easements as described would be acquired (Pg 20 of PEA Guidance)

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Section	Page	Paragraph	Comment
Table 3-1	3.12		This table only shows land ownership underlying the running line, and not the entire project (area of disturbance around the running line, ILAs, staging areas, and material storage yards). CDFW and Hallelujah Junction Wildlife Area are shown as separate lines, but the Wildlife Area is also owned by CDFW. The table lumps all of the land not owned by federal or state resource agencies into one category. Please split out Caltrans, local government, and private lands.
Sections 3.5 and 3.6			These sections do not completely follow the required subsection numbering in the PEA Guidelines
3.5.1.2 Watercourse Crossings	3.13		Confirm that even the minor watercourses have existing bridges and no watercourse crossings are required, even for boring.
3.5.2.1 Staging Area Locations	3.14		Staging Area locations have been identified according to the text. Detailed information on the size and condition of each staging area should be included here or in an appendix, including site maps.
3.5.2.3 Material Storage Yards	3.15		Last sentence in section says Material Storage Yards have been identified, but no location or other information is provided in the PEA or in an appendix. Section references Figure 3-2, but this figure does not show Material Storage Yards. Although some of the communities identified for Material Storage Yard locations are shown on the maps, not all are.
3.5.3.1 Construction Work Areas	general		It is not described or shown in tables or maps approximately how much of the FO line would be constructed by trenching or plowing, how many bridges would be affected by bridge attachment (and where are they) and how many watercourses would be crossed with directional boring (and where are they).
3.5.3.1 Construction Work Areas	3.15		Lack of detail on what construction work site looks like for a directional bore and lack of detail on probable bore sites and location.
3.5.3.2 Work Area Disturbance			This required section from the PEA Guidance is not numbered. The information is partially in Section 3.5.3.1. In general, the description of the construction work areas is very brief.

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Section	Page	Paragraph	Comment
3.5.5.1 Conduit Installation	general		There are several details missing from the descriptions of conduit installation techniques that are required in the PEA Guidelines, including location information. Please provide the information in 3.5.6.1 (page 26) and 3.5.6.2 (page 27) of the PEA Guidance. Will trenches and pits be restored beyond compaction?
3.5.6.1 Public Safety and Traffic Control			The PEA Guidelines require a preliminary Traffic Control Plan for the project.
3.5.10.4 Livestock			This section from the PEA Guidelines is missing.
3.5.9 Water Use and Dewatering	3.25		This section outlines the number of construction spreads as 3. See previous comment on confusion on number of construction teams
3.5.10.2 Hazardous Materials Management	3.26		Section 3.5.13.2 (page 30) of the PEA Guidelines require submittal of the referenced plans as appendices to the PEA.
3.5.11.1 Solid Waste	3.26		The PEA Guidelines require estimates of total volume of solid waste, recyclable materials, and the locations of appropriate disposal or recycling facilities.
3.5.11.2 Liquid Waste	3.27		identify disposal locations
Hazardous Waste			The Hazardous Waste section is missing (see 3.5.14.3 on page 30 of the PEA Guidelines)
3.15.2 Fire Prevention and Response	3.27		The construction fire prevention plan is required to be attached to the PEA.
3.6.2 Construction Equipment	3.28		A table equivalent to Table 5 in the PEA Guidelines is not provided (page 31 of the Guidelines).
3.6.4 Construction Schedule	3.29		Provide the proposed construction schedule (e.g., month and year) for each segment or project component and for each construction activity and phase. Identify seasonal considerations that may affect the construction schedule, such as weather or anticipated wildlife restrictions. The construction schedule should account for these factors.
Work Schedule			This section of the PEA is not provided (see section 3.6.5 of the PEA Guidelines page 32). A portion of the information is provided in Section 3.6.4, but item b) is not provided.
3.6.4 Construction Schedule	3.29		This section implies that no nighttime construction will occur. However, in several sections of the PEA (bio/energy) indicates there could be nighttime construction or lighting.

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Section	Page	Paragraph	Comment
3.11 Applicant Proposed Measures	3.36	BIO-10	Section 3.6.4 states that no nighttime construction will occur. If nighttime construction is a possibility, please describe in Section 3.6.4.
3.6.1 Construction Workforce and Table 3-4	3.28	1	Here the project says that there are 8 crews of six people. Table 3-4 shows 11 crews. Elsewhere in the project description (e.g., Section 3.5.9 water use) it says three construction spreads. Please explain and clarify the discrepancy between 8 and 11 crews, and how these crews would be distributed among the spreads.
3.6.3 Construction Traffic	3.28		Explain the reasoning behind the one-way trip length of 30 miles.
3.6.4 Construction Schedule	3.29	2	The construction schedule indicates that it will take 6 months to build the project based on 6 crews working concurrently. Please clarify with other statement of 8 crews, 11 crews, and 3 spreads.
3.7 Post Construction	3.30		Will any testing/configuration be required? If so describe. Will landscaping/screening be required at the ILA facilities by local jurisdictions?
3.8 Operation and Maintenance	3.30		This section is brief and does not include all the subsections required in the PEA Guidelines (page 33).
3.9 Decommissioning	3.31	1	The section provides no detail nor does it provide a reference to details available in another section or appendices.
3.10 Anticipated Permits and Approvals	3.31	Table 3-6	Table 3-6 is referred to as Table 3-7 in text. The list provided seems too short and does not include potential approvals required from all of the landowners. The list does not include the district/offic representative for each permit or status of each permit and date filed/planned to file. In general, details required in Section 3.10 of the PEA Guidelines (page 34 and example table 6 on page 36) are not provided. Specific comments below.
3.10 Anticipated Permits and Approvals	3.31	Table 3-6	U.S. Fish and Wildlife Service. There is a typo in the agency's name. The agency's land use approval is not included.
3.10 Anticipated Permits and Approvals	3.31	Table 3-6	Row after USFWS - meaning of this line is unclear.
3.10 Anticipated Permits and Approvals	3.31	Table 3-6	CPUC - add CPUC approvals
3.10 Anticipated Permits and Approvals	3.31	Table 3-6	California SHPO- is on the table twice. Combine the Section 106 & Impact concurrence lines

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Section	Page	Paragraph	Comment
3.10 Anticipated Permits and Approvals	3.32	Table 3-6	The table shows that encroachment and grading permits are needed from Modoc and Sierra counties, but elsewhere the Project Description states that the alignment is entirely in the Caltrans ROW except for in Lassen County. What are the facilities in Modoc and Sierra counties that require encroachment permits?
3.10 Anticipated Permits and Approvals	3.32	Table 3-6	table footnotes are missing
3.10 Rights of Way	3.32	1	The brief description of ROWs and easements lack detail or reference to another section or the appendices for more details. This section states that encroachment permits are required for agencies that are not listed in Table 3-6. This section states that encroachment permits are needed from Modoc and Sierra counties, but elsewhere the Project Description states that the alignment is entirely in the Caltrans ROW except for in Lassen County. What are the facilities in Modoc and Sierra counties that require encroachment permits?
3.11 Applicant Proposed Measures	general		Additional comments on mitigation are included in the comments for technical sections and should be mirrored here.
3.11 Applicant Proposed Measures	3.32	AES-1	Change "accepted" to "excepted". Define "normal wear and tear". Since the stinging areas have been identified, are they or are they not within public view? The second sentence makes it sound like the locations are yet to be identified.
3.11 Applicant Proposed Measures	3.4	PALEO-1	Change "should" to "shall"
3.11 Applicant Proposed Measures		PALEO-2	Change "should" to "shall"
3.11 Applicant Proposed Measures	general		The applicable portions of the Greenhouse Gas emissions measures on page 84 of the PEA Guidelines should be added to this section and the GHG technical section.
Section 4 Alternatives			
Section 4 Alternatives	general		This section does not follow the PEA Guidelines. The applicant states that several alternatives have been evaluated during the design process, but does not describe any of them in detail. Even if the alternative is eventually rejected, it must be described.

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Section	Page	Paragraph	Comment
4.1 Alternatives Considered	4.1	2,3	The applicant states here that all of the ILAs, staging areas, and material storage yards are in the roadway ROW or on previously disturbed lands. There is no evidence in this section, in the project description, or appendices as precise locations and site maps for these facilities are not provided.
4.1 Alternatives Considered	4.1	3	The Applicant outlines the miles of project alignment on each type of land ownership but provides no detailed maps showing this assessment graphically either in this section, the PD or the appendix.
4.3 Rejected Alternatives	4.2	1	The Applicant briefly outlines the screening process for determining if Alternatives either meet the project objectives, did not meet them, or was an environmentally superior project. The conclusions is that there are no feasible or better alternatives than the proposed project. The Applicant provided no descriptions or examples of the alternatives that were analyzed and rejected, instead describing the process of developing the Proposed Project.
5.1 Aesthetics			
5.1.1.2	5.1.2, 5.1.3, 5.1.4		<p>Need to identify viewpoints that correspond to the representative photographs provided in Section 5.1.1.2.</p> <p>Provide the following information for each viewpoint:</p> <ul style="list-style-type: none"> i. Number, title, and brief description of the location ii. Types of viewers iii. Viewing direction(s) and distance(s) to the nearest proposed project features iv. Description of the existing visual conditions and visibility of the project site as seen from the viewpoint and shown in the representative photographs <p>Provide a supporting map (or maps) showing project features and representative viewpoints with arrows indicating the viewing direction(s). Provide associated GIS data (may be combined with GIS data request below for representative photographs).</p>

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Section	Page	Paragraph	Comment
5.1.1.2	5.1.2, 5.1.3, 5.1.4	Figures 5.1-1, 5.1-2, 5.1-3, and 5.1-4	Provide the following information for each photograph: i. Capture time and date ii. Camera body and lens model iii. Lens focal length and camera height when taken Provide GIS Data associated with each photograph location that includes coordinates (<1 meter resolution), elevations, and viewing directions, as well as the associated viewpoint.
5.2 Agriculture and Forestry Resources			
General			No GIS data provided for agricultural and forestry resources in the project area.
5.3 Air Quality			
5.5.1.1	5.3.1	3	<i>The Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-filing and PEAs</i> requires the identification and description of all applicable air quality plans. ECORP recommends that the analysis describe that there are no applicable air quality plans specific to the Northeast Plateau Air Basin or Mountain Counties Air Basin.
5.3.2.3	5.3.6	1	This paragraphs states that the Modoc County APCD, Lassen County APCD and Northern Sierra AQMD have not established emissions thresholds for pollutants generated from construction or operations of development projects. However, the Northern Sierra AQMD does have established emission thresholds for criteria air pollutants. ECORP recommends comparing Project emissions to these thresholds, at least those emissions generated in Sierra County. https://www.mynevadacounty.com/DocumentCenter/View/15131/NSAQMD-Attachment-Land-Use-Guidelines-PDF
5.3.2.2	5.3.6	1	This paragraph notes that project emissions are compared to thresholds established by the nearby Placer County Air
5.3.4 (Impact a)	5.3.7	2	This paragraph notes the reduction in NO _x emissions attributable to measure APM Air 2. ECORP recommends including/identifying reductions to PM ₁₀ as well.

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Section	Page	Paragraph	Comment
5.3.4 (Impact b)	5.3.8	N/A	Project emissions are compared to thresholds established by the PCAPCD. See previous comments concerning significance thresholds.
5.3.4 (Impact b)	5.3.7 - 5.3.8	N/A	<i>The Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-filing and PEAs</i> requires that air pollutant emissions be modeled for each air basin. Currently the analysis appears to identify daily emissions for project construction with no distinction of air basin. It is acknowledged that daily emissions would likely be the same in each of the two air basins. This should be clarified.
5.4 Biological Resources			
General			Please add a brief discussion about the risk of spread of RHDV2 virus and its potential effects on wild rabbit populations and ensure that APM BIO-6 addresses this risk as well (or consider adding a new APM).
5.4.1.2, Survey Area (Local Setting)	5.4.1		The total acreage of the survey area, length of survey area, and approximate range of widths of the survey area should be reported here, should match the area of potential effect reported in Section 3.3, Proposed Project Description, and should match the survey area reported in the BRTR, Delineation Report and Botanical Report. For example, the length of the study area in California is reported as 192 miles in the Delineation Report vs. approximately 200 miles in the Botanical Report vs. 193.9 miles in the main body of the BRTR and Section 5.4 of the PEA. In addition, the study area acreage is reported as 5,976 acres in the Delineation Report vs. 5,538 acres in the Botanical Report. The ROW widths are reported as 60 to 1,500 feet wide in Section 5.4 of the PEA vs. 20 to 250 feet in the Botanical Report. It currently appears that additional botanical surveys are required to survey the entire current study area, as well as potentially additional wetland delineations, or the discrepancy should be explained in all reports.

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Section	Page	Paragraph	Comment
5.4.1.3, Vegetation Communities and Land Cover	5.4.2	Subsection Natural Vegetation Communities (MCV), Paragraph 1	Should be <i>Artemisia tridentata</i> rather than <i>Artemisia tridentate</i> .
5.4.1.5, Habitat Assessment	5.4.4	1	Please add the following to the list of special status species: BLM Sensitive Species and California Department of Forestry and Fire Protection (CDF) Sensitive Species. These corrections should be made to the BRTR as well.
5.4.1.5, Habitat Assessment	5.4.4	2	The second sentence should be clarified to say "They identified the following special status species: 127 plants, 19 mammals,..." In addition, the Executive Summary of the Botanical Report states that "38 special status plant species" were documented in the BRSA. Please note in the PEA that 38 special status plant species were observed in the BRSA.
5.4.1.7, Native Wildlife Corridors and Nursery Sites	5.4.5	Subsection Native Wildlife Nursery Sites	Please correct last sentence to state "...pronghorn antelope (<i>Antilocarpa americana</i>) kidding areas occur outside of the BRSA...". Please discuss the potential for greater sage-grouse leks to occur in the BRSA and/or proximity to the BRSA.
5.4.1.8, Biological Resource Management Area	5.4.5	1	Please correct title to "Areas" rather than "Area." Please state explicitly which areas are directly crossed by the Project and which areas are only within 5 miles of the BRSA. Except for the 1st and last sentences, this paragraph should be in the impact analysis rather than the existing setting. An impact analysis on these biological management areas must be added to the Impact Analysis below.

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5.4.1.4, Aquatic Features			<p>The section states "Stantec identified 238.21 ac of potential waters of the U.S. and state within the BRSA." However, waters of the state, were not explicitly mapped or quantified. Appendix D, Delineation of Potential Waters of the U.S. Report, of the Biological Resources Technical Report, states that only potential waters of the U.S. were evaluated, quantified, and mapped. "Potential waters of the U.S." may overlap with potential waters of the State, however, there could be a much greater acreage of waters of the State in the Biological Resources Study Area than the "potential waters of the U.S." Therefore, waters of the Stated must be mapped and quantified in the Biological Resources Study Area (BRSA) in order for the application to be deemed complete. Finally, under the 2020 Section 401 Water Quality Certification Rule (Sept. 11 2020) and new rule on jurisdictional waters of the U.S., it is our understanding that the USACE will not issue a Preliminary Jurisdictional Determination (PJD) where waters of the State may be involved, but will require issuance of an Approved Jurisdictional Determination (AJD) instead.</p>
5.4.2, Regulatory Setting			<p>The regulatory setting does not have a section discussing whether the Project is within a Habitat Conservation Plan area as required in Section 5.4.2.2, Habitat Conservation Plan, of the PEA checklist. Please add.</p>
5.4.4, Impact Analysis	5.4.13	1	<p>The last two sentences should be removed from the paragraph. They represent preliminary comments by regulatory agencies, are already stated in Chapter 3, and are not relevant to the impact analysis introduction.</p>
5.4.4.1, Special Status Plants	5.4.14	1	<p>It appears that the paragraph starting with "While the project would avoid impacts...", as well as Table 5.4-2 should be placed at the very beginning of the analysis.</p>
Table 5.4.2			<p>"Temporary Impacts" would be more accurately labeled as "Direct Impacts," since some impacts may become permanent if restoration is not possible. Also, the text should explain exactly what these acreages reflect (i.e., special status plant population acreages in the proposed footprint of disturbance? acreages in the BRSA?).</p>

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Section	Page	Paragraph	Comment
5.4.4.1, Special Status Plants	5.4.14	1	Despite implementation of APMs, special status plants that are disturbed and that are on privately owned property and restricted from revegetation or restoration by the land owner would be considered a significant unavoidable impact on special status plant species. In addition, for special status plant populations that are disturbed where conservation measures (e.g., credits, restoration, etc.) are not available, feasible, or successful would be considered a significant unavoidable impact on special status plant populations. Impacts on special status plant populations should be considered significant and unavoidable rather than less than significant.
5.4.4.1, Special Status Plants	5.14.15	1st paragraph on the page	A discussion of impacts associated with herbicide use is included. The use of herbicides is not discussed as a proposed activity in Section 3.3 of the Proposed Project Description, including when, where, and why. These details should be discussed in Section 3.3 of the PEA as well as evaluated more fully in Section 5.4.4.1.
5.4.4.2, Special Status Wildlife	5.14.17	1st full paragraph on the page	Please see comments on APM BIO-16. This measure is in conflict with APM BIO-11, Nesting Birds. In addition, no tree removal or trimming is proposed in Section 3.5.4.3 of the PEA; please reconcile. Finally, APM BIO-16 does not address impacts associated with the potential for bats to roost on bridges in the BRSA and potential disturbance to these roosts by project activities (i.e., hanging lines on bridges). This paragraph should address potential impacts on bat roosts on bridges and consider proposing pre-construction surveys for roosting bats on bridges as well as establishment of buffers from disturbance during construction if found.
5.4.4.2, Special Status Wildlife	5.14.17	1st full paragraph on the page	This paragraph should be clarified that measure APM BIO-10 would require work during the daylight hours to the maximum extent possible (but that some night work is possible).
5.4.4.2, Special Status Wildlife	5.14.18	1st full paragraph on the page	The comments on herbicides in Section 5.4.4.1 also apply to this section.

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Section	Page	Paragraph	Comment
5.4.4.2, Special Status Wildlife	5.14-20	Subsection Habitat Loss or Modification	Despite implementation of APMs, areas of native habitat that are disturbed and that are on privately owned property and restricted from revegetation or restoration by the land owner would be considered a significant unavoidable impact on native habitat. In addition, areas that are not successfully revegetated and/or restored would be considered a significant unavoidable impact on native habitat. Impacts on native habitat should be considered significant and unavoidable rather than less than significant.
Impact Question b) Have a substantial adverse effect on any riparian habitat or other natural community..."	5.4.22	Second Paragraph	Despite implementation of APMs, areas of native habitat that are disturbed and that are on privately owned property and restricted from revegetation or restoration by the land owner would be considered a significant unavoidable impact on native habitat. In addition, areas that are not successfully revegetated and/or restored would be considered a significant unavoidable impact on native habitat. Impacts on native habitat should be considered significant and unavoidable rather than less than significant.
Table 5.4-4			"Temporary Impacts" would be more accurately labeled as "Direct Impacts," since some impacts may become permanent if restoration is not possible. Also, the text should explain exactly what these acreages reflect (i.e., acreages in the proposed footprint of disturbance? acreages in the BRSA?).

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Section	Page	Paragraph	Comment
Impact Question c) Have a substantial adverse effect on state or federally protected wetlands...			(see Section 5.4.4.4 of the PEA Checklist). In order to accurately evaluate impacts on jurisdictional waters of the U.S. and waters of the State, they must both be mapped and quantified in the BRSA, and temporary and permanent impacts on each must be evaluated. Therefore, the following are required prior to deeming the application complete: (1) the acreages of waters of the State in the BRSA must be mapped and quantified; (2) the acreages of waters of the U.S. in the BRSA must be verified through issuance of an AJD; (3) the exact proposed locations of directional drilling must be determined as well as alternative routes to avoid or minimize impacts; (4) as required in the PEA checklist, a table shall be provided identifying all wetlands, by milepost and length, crossed by the project and the total acreage of each wetland type that would be affected by construction (in terms of temporary and permanent impacts); (5) it must be determined whether the Project would qualify for Nationwide Permit(s) (NWP[s]) or whether an Individual Permit would be required; (6) if an Individual Permit is required, preparation and submittal of a 404(b)(1) Least Environmentally Damaging Practicable Alternative analysis is required; and (7) if jurisdictional waters of the U.S. or waters of the State would be permanently filled, describe the proposed measures to compensate for permanent wetland losses (the project description and APMs are unclear whether restoration is
Table 5.4-5			This table is labeled "Potential Waters of the U.S. and State Project Impacts" however, the Delineation Report for the Project only mentions that waters of the U.S. were mapped and quantified. Please clarify.
Impact Question d) Interfere substantially with the movement of resident migratory...or use of native wildlife nursery sites...			The impact analysis on greater sage-grouse leks should be included or referenced here.
Impact Question e) Conflict with local policies...			Potential impacts on biological resources discussed under impacts a) through d) would potentially result in conflicts with local policies protecting biological resources. However, implementation of APMs would reduce impacts to less than significant levels. Impacts should be "less than significant" rather than "no impact."

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Section	Page	Paragraph	Comment
5.4.5, Draft Environmental Measures	5.4.26-5.4.27		The introductory text should be in the impact analysis rather than presented in this subsection. In addition, the discussion of alternative routes directed by Caltrans should be in the alternatives dismissed section rather than here. The last sentence in the introductory text could remain but should be revised as "The following APMs would be implemented by the applicant to reduce potential impacts on biological resources." (or similarly stated).
5.4.5, Draft Environmental Measures			To be considered fully feasible and enforceable, it is recommended that each APM contain the following (or similar) language: " Plan Requirements: This measure shall be printed on construction drawings. Timing: This measure shall be implemented during construction as well as during repair and maintenance activities. Monitoring: This applicant, or applicant's designee, shall be responsible for implementation."
5.4.5, Draft Environmental Measures	5.4.27	APM BIO-1, Worker Environmental Awareness Training	There should be a provision for all new workers to be trained, and documentation of each worker who has been trained through a sign-in sheet.

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Section	Page	Paragraph	Comment
5.4.5, Draft Environmental Measures	5.4.28	APM BIO-5, Site Restoration	In order for the measure to fully mitigate loss of native habitat, the following edits are recommended: (1) this measure should include provisions to revegetate and restore native habitat after any repair or maintenance of the line as well; (2) any soils from commercially available sources should be from local areas and weed-free; (3) local native seed mixes and native container plants specific to the habitat disturbed should be used for site revegetation and restoration; (4) this measure should include provisions for regular maintenance and monitoring of the revegetated areas to ensure success of restoration as well as performance measures to determine success; (5) this measure should include direction on the proper use of herbicides to control invasive species in the revegetated/restored areas; and (6) this measure should include provisions for review and approval of the RRP by the governing landowner.
5.4.5, Draft Environmental Measures	5.4.28	APM BIO-6, Invasive Species	Because use of herbicides in work areas could adversely affect special status plant species and/or native plant communities, it is recommended to address use of herbicides under measure APM BIO-5, Site Restoration, rather than in this measure.
5.4.5, Draft Environmental Measures	5.4.29	APM BIO-8, Botanical Resources	Since this measure only protects special status plants rather than all botanical resources, it may be best to combine this measure with measure APM BIO-9.
5.4.5, Draft Environmental Measures	5.4.29	APM BIO-9, Special Status Plants	Please add the word "and" as follows: "If additional special status plants are identified during pre-construction surveys, and complete..."
5.4.5, Draft Environmental Measures	5.4.30	APM BIO-14, Minimum Bore Depths	Would implementation of this measure increase the size of disturbance of the entry and exit pits for the directional drilling? If so, the potential for this to occur should be discussed in the Section 3.3, Proposed Project Description.

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5.4.5, Draft Environmental Measures	5.4.30	APM BIO-15, Wetlands	This measure should also include a requirement to implement a Dewatering Plan in place of bullet no. 2. The Dewatering Plan should be prepared and submitted as part of the PEA submittal prior to deeming the application complete. The Dewatering Plan should include provisions for screening intake pipes/hoses for any pumps, excluding fish and aquatic herptiles from dewatering equipment, relocating any fish from areas proposed for dewatering, and measures to control and monitor water quality during dewatering activities.
5.4.5, Draft Environmental Measures	5.4.30	APM BIO-16, Vegetation Clearing for Birds and Bats	This measure is in conflict with APM BIO-11, Nesting Birds. In addition, Section 3.5.4.3 of the PEA states that no tree removal or trimming is proposed. Instead this measure should stipulate pre-construction surveys for bats in trees as well as under bridges in the BRSA and include requirements and performance measures to avoid or minimize impacts on bat species. As written, the measure does not fully mitigate impacts on special status bat populations.
5.5 Cultural Resources			
5.5.1.2	5.5.8	1	We understand from the PEA and the applicant that the cultural resources technical studies are not yet complete and, therefore, were not included with the PEA. Complete copies of all cultural resources technical studies and confidential attachments (including maps and GIS data) are required before additional comments on the PEA can be provided and the PEA can be determined to be complete.
5.5.1.2	5.5.8	1	The PEA states that the applicant's consultant carried out a records search with the California Historical Resources Information System Information Centers. Please clarify whether or not the records search also included the BLM and USFS files, which often are not duplicated at the Information Centers.
5.5.1.3	5.5.9	Table 5.5-2	More than half of the APE is described as being under "Undefined" ownership. Please clarify.
5.5.2.2	5.5.13		The PEA does not include a discussion of unique archaeological resources in the regulatory context.

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5.5.3	5.5.16	Table	The impact table indicates that the project would have a Less Than Significant impact on historical resources, archaeological resources, and human remains; however, this text in this section seems to support a finding of Less Than Significant with Mitigation Incorporated. Upon receipt of the cultural resources technical studies, including the recommendations for eligibility of the remaining un-evaluated sites, we will review the information to determine whether or not such a finding is appropriate. Until then, these findings and the draft environmental measures are considered to be for discussion purposes only.
5.5.5	5.5.19	4	Draft environmental measure CR-4 appears to defer the determination of significance for currently known resources to a point that is outside of the CEQA process, which may conflict with CEQA case law (<i>Madera Oversight Coalition v. Tesoro Viejo and County of Madera, 2012</i>). Please provide evaluations for all known cultural resources within the APE. CPUC acknowledges that such a measure would be appropriate for addressing unanticipated discoveries, but not for known resources.
5.5.5	5.5.20	7	The PEA includes APM CR-4 and CR-6, but does not include an APM CR-5. Please clarify if this was a numbering error, or if an APM was inadvertently omitted.
5.7 Geology, Soils, and Paleontological Resources			
5.7.1.2	5.7.3	Figure 5.7.1	The figure correctly includes a 10-mile buffer from the proposed alignment and includes active faults. Please include the five (5) named faults on page 5.7.2 on the figure. Also provide the GIS data.
5.7.1.6	5.7.8	2nd	The Geology and Paleosensitivity Maps are Appendix A, not Attachment A, of Paleontological Resources Constraints Analysis (Appendix I). Please revise the text.
5.7.1.7	5.7.8	1st	Appendix J includes the Soils Mapbook for the project alignment as requested in the PEA Checklist Guidelines. Be sure to provide associated GIS data.
			Please see the comments for the Paleontology appendix.

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5.8 Greenhouse Gas Emissions			
5.8.2.3	5.8.4	Last	Provide language to justify the use of the PCAPCD GHG threshold, which was established for Placer County (e.g., similarities in air basin geography, etc.).
5.8.4	5.8.6		Attachment 4 of the <i>Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-filing and PEAs</i> identifies several construction-specific environmental measures that are required to be implemented in order to reduce greenhouse gas emission-related impacts. These measures are not identified in the PEA.
5.9 Hazards, Hazardous Materials, & Public Safety			
General			Please provide the Safety Data Sheets for the proposed bore mud (bentonite clay mud as well as the diluent), drilling fluid (if separate from bore mud), and lubricant for conduit proofing.
General			Impacts associated with any proposed use of herbicides either during construction or during operation of the project should be discussed in this section.
5.9.1.1, Hazardous Materials Report	5.9.2	1	Last sentence should read "Table 5.9-1 below shows the potential hazardous waste sites within or adjacent to the project."
Table 5.9-1			In the field "Distance to the Project," the information provided does not give enough information to determine if the hazardous waste site is actually in the project site vs. adjacent to the project site.
Impact a) Create a significant hazard...through the routine transport, use, or disposal of hazardous materials?	5.9-17	1	Please elaborate on the procedures that will be used for conduit proofing and how the lubricant will be used and controlled from spilling to grade. Discuss whether lubricant will also be used when pulling line through the conduit and describe the process and methods for preventing spills or leaks to grade. Please also elaborate what methods would be employed to prevent material (e.g., concrete debris, paint chips etc.) from falling into waterways during installation of lines on bridges.

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Impact d) Be located on a site which is included on a list of hazardous materials sites compiled...	5.9-17	1	The impact analysis concludes that there are several potentially hazardous materials sites located within the construction work area and adjacent to project construction activities as shown in Table 5.9-1. In addition, there is the potential for Aerially Deposited Lead (ADL) within the ROW of US 395 as well as pesticides in soil due to agricultural uses in the project area. Under Caltrans' direction, and in accordance with Caltrans' procedures and requirements, the Applicant shall prepare an Initial Site Assessment (ISA) and if warranted as a result of the ISA, a Preliminary Site Investigation (PSI), prior to deeming the PEA application complete in order to properly analyze impacts associated with potential hazardous substances in the project area. Additional investigations may be required as part of completion of CEQA documentation, depending up the results of these investigations.
Impact g) Expose people or structures, either directly or indirectly, to a significant risk...involving wildland fire?	5.9.18		Please discuss that no "hot work" (i.e., welding or grinding) are proposed. Please reference the Wildland Fire section of the PEA for more discussion. Specifically discuss the potential for wildland fires to be started from hot vehicle and equipment tailpipes and measures that will be taken to minimize this risk.

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5.9.6 Draft Environmental Measures	5.9.20	APM HAZ-1	An SPCC Plan is a regulatory document required under the SPCC Rule (40 CFR 112) which is only applicable to certain types of projects involving drilling, producing, gathering, storing, processing, refining, transferring, distributing, using or consuming oil. Therefore, the SPCC Rule is not applicable to this project. A more appropriate title for APM HAZ-1 may be "Hazardous Materials Management Plan" to govern the use and handling of "hazardous materials" during construction, maintenance, and repairs of the lines (i.e., diesel fuel, gasoline, oil for vehicles, hydraulic fluid, bore mud, drilling fluid, lubricant for conduit proofing, and any herbicide use). The first and second bullets from the measure should be removed and put into another APM to establish procedures for dealing with "hazardous waste" that could be in the study area (which is distinct and different from "hazardous materials" from a regulatory standpoint).
5.9.6 Draft Environmental Measures	5.9.20	APM HAZ-1	The following language is recommended to be added to APM HAZ-1 to ensure proper disposal of drilling muds associated with directional drilling: "All drilling muds, slurries, oils, oil-contaminated water, and other waste materials removed from the bore hold or otherwise used during the Project shall be disposed of at a permitted landfill, other appropriately permitted site, or at an upland site approved in advance by the Regional Water Quality Control Board."
5.9.6 Draft Environmental Measures	5.9.20	APM HAZ-1	The following language is recommended to be added to APM HAZ-1 to ensure that proper secondary containment is used for all stationary diesel generators on the project site: "All stationary diesel generators associated with the project (e.g., for light plants, ILAs) shall have secondary containment."
5.9.6 Draft Environmental Measures	5.9.20	APM HAZ-1	Please correct the second to last sentence "These plans would be implemented in conjunction with the SWPPP..."
5.9.6 Draft Environmental Measures	5.9.21	APM HAZ-3	It may be more appropriate to retitle APM HAZ-3 to "Surface Spill and Hydrofracture Contingency Plan" so as not to be confused with APM HAZ-1.

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5.9.6 Draft Environmental Measures	5.9.21	APM HAZ-3	The following language is recommended to be added to APM HAZ-3 to establish procedures to take to minimize the risk of frac-outs and establish procedures to manage a frac-out situation: "The Applicant shall monitor drill mud pressure and volume at all times during drilling to ensure that hydrofracture or other loss of drill muds has not occurred. In the event of sudden loss in pressure or volume, the Applicant shall take appropriate steps according to the Surface Spill and Hydrofracture Contingency Plan to ensure that drilling muds are not discharged to sensitive habitat."
5.10 Hydrology & Water Quality			
General			Please see comments on Section 5.9, Hazards, Hazardous Materials, and Public Safety
5.10 Hydrology and Water Quality	5.10.1	1	The last sentence should be in the impact analysis rather than the introduction.
5.10.1.1 Water Bodies and Table 5.10-1	5.10.1	2	The last sentence and Table 5.10-1 report that "right-of-way" crosses the water body. It would be more appropriate if "study area" were used, with a definition of the study area included as certain project features occur outside of road right of ways.
5.10.1.4 Groundwater Wells and Springs	5.10.3	1	In the second to last sentence, it is stated that "No springs were found within 150 feet of the project site." However, Table 3-3 on page 3.9 of the Biological Resources Technical Report reports 1.75 acres of "wetland seep springs" in the Biological Resources Survey Area. Please reconcile and analyze impacts.
5.10.2.2 State (Regulatory Setting)	5.10.4		State Water Resources Control Board and/or Regional Water Quality Control Board General Waste Discharge Requirement Orders should be mentioned if any discharges associated with dewatering during construction activities are planned.
5.10.4 Impact Analysis	5.10.8		Per the PEA checklist, the PEA should explicitly state that no hydrostatic testing will be performed.

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Impact a) Violate any water quality standards or waste discharge requirements...	5.10.6	1	Second sentence, strike "not" in "staging areas would not be cleared..." Please discuss how sidecast would be managed along the line and potential for water quality impacts associated with stormwater runoff off sidecast areas during construction. Please discuss seasonal restrictions on work during a rain event.
Impact a) Violate any water quality standards or waste discharge requirements...	5.10.6	2	Please see comments on APM HAZ-3, regarding the frac-out plan. Please explicitly discuss that entry and exit pits would be also be utilized for stockpiling of drill cuttings in addition to catching drill slurry and any groundwater ingress. Please discuss restrictions on directional drilling during rain events. Please discuss whether any discharges associated with the dewatering of entry or exit pits during directional drilling is anticipated(i.e., what will be done with the water stored in tanks if used).
Impact iv) Impede or redirect flood flows...	5.10.11		The statement that "The project does not cross a FEMA 100-year floodplain." appears to be incorrect. Please plot the Project study area on FEMA FIRM maps to determine (e.g., using FEMA's National Flood Hazard Layer Viewer) and discuss impacts.
Impact e) Conflict with...water quality control plan...	5.10.11		Please discuss whether any discharges associated with the dewatering of entry or exit pits during directional drilling is anticipated(i.e., what will be done with the water stored in tanks if used).
5.13 Noise			
5.13.1.2	5.13.5	1	The last sentence of this paragraph is confusing. "Based on the rural character of the area, it can be assumed that the outdoor ambient noise levels would be consistent with the California General Plan Guidelines and would range from approximately 50 dBA to 60 dBA." The paragraph is describing the existing noise environment so the use of the phrase, "would be consistent..." seems out of place.
5.13.1.2	5.13.5	1	The Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-filing and PEAs requires the identification of existing noise levels at the noise sensitive areas near the Project. Existing noise levels are not provided.

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5.13.2.3	5.13.9	N/A	Page 5.13.4 of the section notes that residential land uses in the City of Alturas would be located within 25 feet of the project. However, City of Alturas noise standards are not discussed. ECORP recommends that the analysis identify City of Alturas noise standards since land uses in the City will be affected by the project.
5.13.4.1	5.13.12	1	The analysis should distinguish between the noise standards and project effects in unincorporated Modoc County and the City of Alturas.
5.13.4.4	5.13.13	3	This paragraph is confusing and ECORP recommends it be revised. The paragraph begins with stating that the "EPA recommends maintaining environmental noises below 70 dBA over 8-hours (typical construction day) to prevent noise induced hearing loss (EPA 1974)." The next sentence discusses interior-to-exterior noise reductions before concluding, "Therefore, a daytime 95 dBA Leq exterior noise exposure significance threshold for construction noise at residential properties is used for the project." ECORP recommends further language to justify/explain the steps leading to the 95 dBA exterior noise threshold.
5.13.4.4	5.13.13	3	The Guidelines for Energy Project Applications Requiring CEQA Compliance: Pre-filing and PEAs requires the provision of a table that identifies each phase of construction, the equipment used in each construction phase, and the length of each phase at any single location. An example table is provided in the Guidelines. Table 5.13-7 largely fulfills this requirement and it is recognized that due to the length of the project, all specific receptors cannot feasibly be identified. However, ECORP recommends an additional table presenting this information specific to residences 25 feet distant from the project, which is the nearest distance of a receptor. This will allow for a clear identification of the limited amount of hours each construction phase would occur in proximity to an individual residence, and perhaps assist with explaining why the EPA threshold is 95 dBA.
5.14 Population and Housing			

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5.14 Population and Housing		Tables 5.14.3, 5.14.4 and 5.14.5	This is a table based on US Census Bureau American Fact Finder and contains 2017 estimates. American FactFinder has been decommissioned, and more up-to-date estimates are available on the census bureau webpage.
5.14.2 Regulatory Setting	5.14.3		At a minimum, the general plans for the relevant counties are relevant for answering Question A, and should be described here.
5.14.4 Impact Analysis	5.14.4	1,2	The impact on population and housing is based on 8 construction crews of 6 persons each or 48 total. This number is not consistent throughout the document and leads to some confusion as to how many workers/crews/spreads will be working at the same time during construction. See comments on the project description.
5.14.5	5.14.4	1	Instead of the Applicant statement, "There are no applicable environmental measures for population and housing" a more accurate statement would be "no significant impacts to area population and housing can be attributed to the proposed project. Therefore, no mitigation measures are required."
5.15 Public Services			
5.15.1.1	5.15.1 to 5.15.12		Service Providers are listed and mapped (Figure 5.15-1); Parks are not listed in this section
		Figure 5.15-1	The Parks symbol is missing from the legend on pages 2,3,4,5 of 5
	5.15.1 to 5.15.2		Police and Fire response performance standards are identified
			Lassen County average fire response times are identified as unavailable
	5.15.13		Regulatory Setting. Support is needed for statement 'no regulatory background info is relevant'
	5.15.14		Fire and Police Protection response time less than significant impact is supported
	5.15.15		Schools, Parks, and Other Public Facilities impact conclusions are adequately supported
5.16 Recreation			
5.16.1.1	5.16.1 to 5.16.3	Table 5.16-1	Parks, Rec Areas and Major Trails are listed with Jurisdiction, Facilities/Activities, Size, Annual Visitation

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		Figure 5.15-1	Maps depict only 1 of 4 BLM trails listed in Table 5.16-1; Figure 5.15-1 should depict all 4 trail locations
5.16.2	5.16.3		Statement that no federal, state or local regulations related to Recreation apply to the Project lacks support
5.16.4	5.16.4 to 5.16.5		Impact conclusions a), b), c), d), e) are adequately supported by the analyses and details provided
5.16.5	5.16.6	APM REC-1	This measure re: Coordination with BLM on trail closures and documenting preconstruction conditions is appropriate
5.17 Transportation			
5.17.1.1	5.17.1		The section reads like only US 395 and small portions of two county roads would be used for access. Is this correct for all elements of project construction, including staging areas, and materials storage areas?
5.17.1.2	5.17.2	Table 5.17-1	This table does not describe LOS along Standish Buntingville Road, Cummings Road, or any other access roads that do not contain running line. The PEA Guidelines require a map to accompany this table, especially since there is no corresponding technical study.
5.17.1.3	5.17.2		This section generally describes transit facilities in the affected counties. The presence or absence of transit facilities along Standish Buntingville Road, Cummings Road, or any other access roads to staging areas/materials storage areas is not included. The PEA Guidelines require a description and map of transit services within 0.5 mile of project features (not just the running line). If there are transit services, a description of the frequency of transit services is required.
5.17.1.4	5.17.2		This section generally describes bicycle facilities in the affected counties. The presence or absence of transit facilities along Standish Buntingville Road, Cummings Road, or any other access roads to staging areas/materials storage areas is not included. The PEA Guidelines require a description and map of bicycle facilities within 1,000 feet of project features (not just the running line).

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5.17.1.5	5.17.3		This section has some cut/paste text regarding bicycle facilities. It generally describes pedestrian facilities in the affected counties. The presence or absence of pedestrian facilities along Standish Buntingville Road, Cummings Road, or any other access roads to staging areas/materials storage areas is not included.
5.17.1.6	5.17.3		Provide VMT for the non-highway portions of the project (Standish Buntingville Road, Cummings Road, and any other access roads to staging areas/materials storage areas)
5.17.2.3	5.17.6		Provide encroachment permit information for the counties, as applicable, similar to the information provided for the Caltrans process.
5.17.2.4	5.17.7		Provide updated VMT guidance information. Does Lassen County have VMT Guidance regarding the County roads within the alignment?
5.17.4	5.17.10		It is difficult to tell if all of the segments of road containing the project, and all of the access roads to be used for construction, are included in this table. Please supply a map. See comments on Affected Environment.
5.17.4	5.17.11		Question b: the VMT analysis is not to the standard required by the PEA Guidelines. Please provide the information required in Section 5.17.4.2 of the PEA Guidelines (Page 69). Also provide VMT analysis in compliance with Caltrans and Lassen County.
5.17.4	5.17.11		Question c: Be more specific on the lane closures and guidelines for traffic control. Does Lassen County have guidelines for traffic control along the County roads affected by the project?
5.18 Tribal Cultural Resources			
5.18.1.1	5.18.1	1	The PEA correctly acknowledged that the responsibility to consult with tribes under AB 52 will be the responsibility of CPUC. The text and table in Attachment E indicate that the applicant carried out some informal consultation, but did not provide any documentation other than the results of the NAHC Sacred Lands File Search. While that informal consultation would not replace AB 52, it would be helpful to see the associated documentation, as it may assist CPUC in carrying out a more effective consultation process.

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5.18.3, .4, .5	5.18.19 - 21	1	The PEA correctly noted that the impact questions cannot be answered until AB 52 consultation is complete. The draft environmental measures may or may not be appropriate, depending on the outcome of tribal consultation. CPUC considers these to be suggestions for discussion purposes only at this time.
5.18.5	5.18.21	3	APM TCR-2 prescribes an ethnographic study on TCRs; however, the PEA Guidelines require an ethnographic study upon application (not as mitigation). The ethnographic background and context is briefly summarized in Section 5.18.1.3 of the PEA; however, this does not constitute a full ethnographic study. Please clarify whether or not an ethnographer will be providing a full ethnography as part of the technical documentation being prepared.
5.19 Utilities and Service Systems			
5.19.1	5.19.1 to 5.19.4		This section provides no mapping of existing Utilities spanning, crossing or adjacent the proposed project; reference is made to existing and planned utility projects located within the US 395 ROW in Table 7.7-1 (Cumulative Projects), but projects listed in this table are all identified as in the Plannin Phase. Existing major utility lines and utility infrastructure in the vicinity of the Project should be mapped in Section 5.19.1
5.19.3	5.19.7	b)	The source estimate for 18,000 gpd daily water use for dust control, clean-up, soil compaction, and fire response is not identified in this section; a table is needed to indicate how this estimate was derived. Apart from the statement that the Project would purchase water from water suppliers with adequate capacity, there is no data or assurance showing that such supplies will be available to the Project during normal, dry, and multiple dry years (particularly with the expanding threat of prolonged wildfires in northern California). Consideration should be given to an APM for Water Supplies, providing assurance of such supplies in advance of construction.

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		c)	Re: Liquid waste disposal from bentonite drilling fluid discharges. An estimate of number of locations (or estimated number per mile), volume of discharges and permit requirements is needed. References should be made to Section 5.10 Hydrology and Water Quality, APM Hydro-1 SWPPP Requirement, and measures to control any unanticipated discharges.
5.19.5	5.19.20	APM UTL-1	Utility Company Coordination. Consideration should be given to extending the advance notification to utility companies for locating and marking existing underground utilities beyond the indicated 14 days (e.g., 30 days).
5.20 Wildfire			
5.20.1.2	5.20.7		The PEA Guidelines request detailed information for large fires within the project vicinity over the last 10 years. This section summarizes county-wide information over the last 8 years.
5.20.1.3	5.20.7		The discussion on why the Project doesn't require detailed fire modeling is too brief and does not provide substantial evidence. There is the potential for fire risk during construction and surrounding the above-ground facilities. According to the biological resources section of the PEA, there are vegetation communities present that would be within the construction footprint and potentially within the footprint of ILAs and storage yards. Maps and tables should be used to show the vegetation communities and potential fire risk in those locations.
5.20.1.4	5.20.8		Please provide maps of these Values at Risk
5.20.1.5	5.20.8		The section says the wildfire potential varies. What are the areas with the highest potential for fire? What are the vegetation types surrounding the ILAs?
5.20.4	5.20.13		The discussion does not describe the fire risk for the above-ground elements of the system (ILAs).
5.21 Mandatory Findings of Significance			
Question B	5.21.2		The analysis states that the project would have an incremental contribution to cumulative impacts in the project area. Recommend indicating "less than significant impact" on the checklist instead of "no impact"

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Question C	5.21.3		The analysis states that the project would have impacts i. Recommend indicating "less than significant impact" on the checklist instead of "no impact"
6 Comparison of Alternatives			
6.1, Alternatives Comparison	6.1		Analysis of a reasonable range of alternatives is required in a CEQA document. As proposed, the PEA does not include an analysis of a reasonable range of alternatives. At least one other alternative must be carried forward for full analysis in the CEQA document to be considered adequate. The current proposed alignment could represent Alternative 1, whereas a more refined alignment that (1) further avoids waters of the State, waters of the US, native habitat, special status plant populations, (2) further avoids hazardous waste sites, and (3) that factors in proposed future widening of US 395 could be developed, including proposed directional drilling locations, as the revised Proposed Project alignment.
6.1 Alternatives Comparison	6.1		This section implies that the original project was compared to the "Best Fit Line" and that the Proposed Project was chosen over the original project. However, there is no description of the original project or a comparison table showing the ranking process at work or how the "best fit" was arrived at.
6.2 Alternatives Ranking	6.2	1	This section repeats that the Best Fit Line is the Project analyzed in this PEA, which is also the environmentally superior alternative. This section states that numerous alternatives were analyzed and ranked and the best fit line emerged as the superior alternative. However, there is no description of any of these alternatives nor a discussion or table showing the ranking proces for each alternative.
7 Cumulative Impacts and other CEQA Considerations			

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General			Please provide more details on how the timing and proposed design for widening of US 395 as well as bike lane improvements affect the Proposed Project alignment and construction timing. Please quantify cumulative impacts on biological resources (i.e., native habitats, wetlands, special status plant populations) associated with the combined projects where possible. Does the widening of US 395 affect the Alternatives Analysis?
General			Please update the analysis to reflect changes to Section 5
7.1.1	7.1		There is no indication on the list and in the table that Native American jurisdictions were contacted and included in the cumulative analysis.
7.1.1	Table 7-1		The table indicates the Project Status for all projects in the table is 'Planning Phase' without differentiation between past, present and reasonably foreseeable future projects; additional detail as to projects that are approved, under construction, built, etc. is needed as are anticipated construction schedules where known, date last checked for each individual project and website for each agency or jurisdiction identified.
7.1.3	General		The analysis emphasizes the running line and does not always discuss the ILA facilities, construction footprint, staging areas, and materials storage yards.
7.1.3	General		Population and Housing, Land Use and Planning, Public Services, and Minerals are not included in this section
7.1.3.3, Biological Resources	7.8		Please revise this section in conjunction with edits and findings in Section 5.4.
7.1.3.3, Biological Resources	7.8	1	Recommend deleting this paragraph and starting the section with the second paragraph as the first paragraph is repetitive with the second and the second is more accurate.

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7.1.3	7.7	1	This paragraph dismisses Public Services and Utilities as either having no impact or impacts so minor they would have no contribution to cumulative impacts; no supporting analysis for this conclusion is provided for Public Services in this section, though supporting analysis for the Utilities and Service Systems conclusion is provided in 7.3.13. A separate section for Public Service should be added..
		7.1.3.13	Re: Water Supplies. This section should discuss whether the project's incremental contribution of 18,000 gpd (2.7 million gallons total) is cumulatively considerable.
		7.1.3.10	Recreation. The Shaffer Mountain Trail, Belfast Petroglyphs OHV Trail, Buckhour Backcountry Byway, and California Historic Trail are mentioned in this section but not included in Table 7-1 or identified on any mapping. These trails should be mapped either in Section 5.15, 5.16, or 7.1.
Appendix A - Project Components			
			See comments on the Mapbook and GIS after the comments on the appendices
Appendix B - Air GHG Energy			
			no comments
Appendix C BRTR			
			See comments on Section 5.4
Appendix A, Figures, of the BRTR			
Figures A-2.19, A-2.22, A-2.77			The BRSA does not appear to match the BRSA in Figures 1-x, 2, or 3-x of Appendix B, Delineation of Potential Waters of the U.S. Report, or the figures in Appendix D, Botanical Resources Report. The study areas should match between all three reports, or an explanation why they do not match should be provided.
Appendix B, Delineation of Potential Waters of the U.S. Report, of the BRTR (date unknown)			
General			Please add a date to the report.

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Section	Page	Paragraph	Comment
General			See comments on Section 5.4, Biological Resources, of the PEA.
General			Per USACE Sacramento District Minimum Standards, the report should include directions to the survey area.
Executive Summary	i	1	The study area is stated as the Caltrans ROW and County road ROWs, however, the Biological Resources Study area is stated as including the ROWs as well as additional areas such as "ancillary facilities, staging areas, and material laydown areas" (in the BRTR and project description). Please clarify in the text.
Figure 3			The legend should more accurately state "Biological Resources Study Area" rather than "Study Area and ROW" since certain project features are located outside of the right-of-way.
Appendix C, Delineated Potential Waters of the U.S.			The USACE Aquatic Resources Excel Spreadsheet was not included with the submittal. Submittal of the spreadsheet and further evaluation and cross reference with data sheets will be required prior to deeming the application complete.
Appendix D, Botanical Resources Report, of the BRTR (dated September 16, 2020)			
Executive Summary		i	The length of the line within California, study area, and description of the study area should match that in the PEA, Appendix D, Delineation of Potential Waters of the U.S. and BRTR. For example, the study area is reported to be 5,538 acres in this report vs. 5,976 acres reported in the Delineation report.
Figure 3			The legend should more accurately state "Biological Resources Study Area" rather than "Right-of-Way" since certain project features are located outside of the right-of-way.
Figure 3			In the legend or notes, please explain what the numbers represent in the polygons.
4.1 Vegetation Communities	11	2	Please correct - 22 vegetation communities vs. 21.
Table 3 Vegetation Communities in the Study Area			Table 3 does not match Table 3-1 in the BRTR/Table 5.4-1 in the PEA. Please update the Botanical Report or reconcile in all reports.
Figure 4			Scientific names should be italicized.

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Section	Page	Paragraph	Comment
Appendix D Cultural Resources			
			This study is missing from the PEA
Appendix I Paleontology			
1.2	5	3rd	We see that the excavations for vaults will be 15' x 3' with an unspecified depth. Please provide depth information to determine what geologic features will be affected.
1.2	5	3rd	With vaults spaced 3,500 feet apart, that would be approximately 291 vaults. Please confirm.
3.4	14	3rd paragraph	Mention SVP 2010 guidelines under professional guidelines
4.1	14	1st	Specify that no records search was done, and no pedestrian survey was done
5.2.2	18	1st	SVP guidelines misquoted. They state Significant Paleontological Resources (p. 11): "Significant paleontological resources are fossils and fossiliferous deposits, here defined as consisting of identifiable vertebrate fossils . . . Paleontological resources are considered to be older than recorded human history and/or older than middle Holocene (i.e., older than about 5,000 radiocarbon years)." This contradicts what the constraints study says that the guidelines say.
5.2.3	18	1st	SVP guidelines misquoted
5.2.4	18	1st	replace "ray-finned fish' with"catostomid fish"
5.2.5	19	1st	replace "ray-finned fish' with"catostomid fish"
5.2.5	19	1st	replace "ray-finned fish' with"catostomid fish"
5.2.6	20	1st	replace "ray-finned fish' with"catostomid fish"
table 3	20	1st column	"Not Reported" is odd. Not sure what this category actually signifies. On page 20, it includes taxa from databases . On following pages, it can contain only taxa without locality numbers. Please clarify what this means.
table 3	21	1st line	replace "ray-finned fish' with"catostomid fish"
table 3	21	Lassen County	replace "ray-finned fish' with"catostomid fish"
table 3	22	PBDB 2020	replace "ray-finned fish' with"catostomid fish"
Comments on PEA Guidelines Mapbook and GIS Requirements			
Map or GIS Requirement Section	Notes		
3.12.2 Mapbook			

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Section	Page	Paragraph	Comment
a			vaults are missing
b			per project description non removed or modified
c			ROW provided, per project description only existing ROW used for project
d			no work areas on map
e			no access roads on map
f			staging and laydown area identified, but no other work areas.
g			boring locations not identified
h			No vegetation removal identified on map or GIS. Per description non-extensive veg removal except at ILA sites
i			No grading identified, per project description only grading at ILA sites
3.12.3 GIS Data			There is a 10-foot alignment buffer called the ADI, not clear if that is intended to encompass all impacts or work areas. Land ownership and postmiles missing from GIS
3.12.4 GIS Requirements			
a			NA - no poles
b			NA - no poles
comment			project description refers to vaults along the alignment. These are not in maps or GIS.
Attachment 1 GIS Data Requirements			
Section 1 a-d			No metadata provided in GIS files
Section 2			See 3.12.2 for missing data.
Section 3			
3a			missing work areas, vault locations, mile posts
3b			ADI identified, but no permanent or temporary impacts other than staging areas and ILA sites; boring locations not identified
3C			see chapter 5 notes below
Additional Sections with GIS Requirements			
5.17.1.2			missing GIS data
5.5.1.3			missing GIS data
5.7.1.2			missing GIS data
5.7.1.3			missing GIS data
5.7.1.4			missing GIS data
5.7.1.5			missing GIS data
5.13.1.1			missing GIS data
5.16.1.1			missing GIS data

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Section	Page	Paragraph	Comment
5.17.1.2			missing GIS data
5.17.1.3			missing GIS data
5.17.1.4			missing GIS data
5.17.1.5			missing GIS data
5.19.1.2			missing GIS data
5.20.1.1			missing GIS data unless not applicable
5.20.1.2			missing GIS data unless not applicable
5.20.1.3			vegetation GIS provided, but not fuels
7.1.1			missing GIS data
BTR Minimum Requirements			
Mapping and GIS Data			
a) Biological survey area for each survey that was conducted			missing GIS
b) Vegetation communities and land cover types			Yes, GIS data provided
c) Aquatic resource delineation			Yes, GIS data provided
d) Special-status plant locations			Yes, GIS data provided
e) Special-status wildlife locations			only raptor nests
f) Avian point count locations			missing GIS
g) Critical habitat			Not applicable; critical habitat not present within the study area.
h) California Coastal			Not applicable; project not in the coastal zone.