City of Montebello

June 22, 2016

California Public Utilities Commission
RE: Mesa 500kV Substation Project
c/o Ecology and Environment, Inc.
c/o Lisa Orsaba, CPUC Project Manager
505 Sansome Street, Suite 300
San Francisco, CA 94111

**Re: Draft Environmental Impact Report (DEIR) Comments**

Dear Ms. Orsaba,

Please find attached the City of Montebello ("Montebello") comments on the Draft Environmental Impact Report ("DEIR") for the proposed Southern California Edison Mesa 500kV Substation Project (Application No. A.15-03-003). The City of Montebello finds that the subject DEIR is significantly inadequate and fails completely in meeting the California Environmental Quality Act (CEQA) guidelines. As such, Montebello respectfully requests that CPUC cease in proceeding with the Final EIR's certification until the inadequacy and deficiencies of the current DEIR are corrected. This of course, would require substantive changes to the existing DEIR and its recirculation.

Montebello further officially states its objection to the public hearing and participation process held for the said project. At the May 18, 2016 "public meeting" held in the City of Monterey Park, the CPUC refused to conduct substantive dialog with the public by stating that the meeting is "not a public hearing" but a "meeting" where CPUC was there to explain the project but would not accept any public comments. The CPUC's approach violates the spirit of the CEQA process and public participation to ensure transparent disclosure of the environmental review process. It is also noted that at the May 18, 2016 meeting, the CPUC indicated a willingness to hold a public meeting in Montebello. However, on June 13, 2016, Montebello received a communication from CPUC that states, "[T]he CPUC has already held a public meeting on the DEIR, as you know. We cannot hold another." It is Montebello's understanding that nothing in CEQA limits CPUC from holding more

than one public meeting on any project. It is Montebello's position that CPUC has violated the intent of the CEQA process in providing the public with transparency or the ability to provide appropriate comments. Given the nature and extent of the project's potential impacts on our City, it is very disingenuous in limiting a dialogue between the lead agency, the project proponent, and our City.

The City of Montebello requests that CPUC respond to the comments point-by-point and correct the deficiencies with the DEIR. Please contact Ben Kim, Director of Planning and Community Development should you have any questions.

Sincerely yours,

Art Barajas
Mayor

Vivian Romero
Mayor Pro Tem

Jack Haijian
Councilmember

William Molinari
Councilmember

Vanessa Delgado
Councilmember

City of Montebello

Comments to DEIR for the Mesa 500kV Substation Project
(SCH #2015061014)

**Comment #1 - General Comment**

The DEIR is deficient in providing the public, local governments, and other interested parties with a clear and meaningful description of what is being proposed and the attendant environmental impacts. The DEIR fails to provide a meaningful and understandable analysis that may be understood by the general public and local government representatives. The project description, for example, uses technical language that is extremely difficult to understand. California Environmental Quality Act (CEQA) Section 15140 of Article 10 states the following:

> "EIRs shall be written in plain language and may use appropriate graphics so that decision makers and the public can rapidly understand the documents."

The preparers of the DEIR relied on technical experts as principle authors of the individual sections of the document. We recognize the complex and technical nature of the proposed project though very little effort was made to ensure that the readers clearly understood the physical and operational characteristics. Section 15142 of Article 10 of the CEQA Guidelines, indicate the following:

> "An EIR shall be prepared [using] an interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the consideration of qualitative as well as quantitative factors. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be designated or required to undertake this evaluation."

As stated above, the technical information included in the DEIR is very difficult for a lay-person, who will most likely be affected by the project, to fully understand or comprehend the project's impact. Section 15147 of Article 10 of the CEQA guidelines states the following:

> "The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. *Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR.* Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review."

**Comment #2 – Section 1.2 Project Objectives (page 1-2)**

The project objectives outline the SCE's rationale for advancing the proposed project. These objectives include, but are not limited to, the following:

> "Address reliability concerns resulting from the recent retirement of the San Onofre Nuclear Generation Station (SONGS) and from Once-Through Cooling (OTC) shutdowns expected by December 31, 2020.
>
> Allow greater flexibility in the siting of future generation projects to meet local reliability needs in the Western Los Angeles Basin while reducing the total amount of new generation required by providing additional transmission import capability."

These aforementioned objectives indicate that new replacement generation facilities will be required. Where will these new power generation plants be located and what is the nature of their power generation (nuclear, oil and gas, solar, etc.)? It appears that the Mesa Substation is one element of a much larger project.

**Comment #3 – Section 1.2 Project Objectives (page 1-3)**

Section 1.2.2 outlines the objectives of the CPUC. This discussion includes two objectives that provide an example of the overly technical and complex narrative.

> "1. Address anticipated violations of the NERC Standard TPL-001-04 (NERC 2015), WECC 16 Regional Business Practice TPL-001-WECC-RBP-2 (WECC 2011), and CAISO Planning Standards that would occur upon retirement by December 31, 2020, of generators that use OTC.
>
> 2. Avoid introduction of new violations of NERC, WECC, and CAISO standards.
>
> 3. Maintain electrical service by minimizing service interruptions during project implementation."

**Comment #4 – Section 2 Project Description**

The DEIR states the following when discussing the retirement of the San Onofre Nuclear Generating Station (SONGS) and once through cooling (OTC) units and the attendant need for the proposed project:

> "The Mesa Substation Project is ultimately meant to address reliability concerns that would likely occur only after OTC unit retirement (December 31, 2020), although SCE's objectives from the [Preliminary Environmental Assessment (PEA)] state that the proposed project is meant to address reliability concerns from SONGS and OTC retirement. Although SONGS' retirement resulted in reliability concerns, SCE has since stated that the Mesa Substation Project would likely not be necessary to maintain reliability unless OTC units 25 are also retired by the end of 2020 (SCE 2015)."

The above statement clearly indicates the project need is dependent on the retirement of the existing San Onofre nuclear power plant (presently undergoing closure) and other power generating OTC facilities. The DEIR is correct in that The Clean Water Act (CWA) requires the U.S. Environmental Protection Agency to ensure that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impacts. The regulation affected 19 California power plants. Of those, 16 power plants totaling are in the California ISO balancing authority area, and three are in the Los Angeles Department of Water & Power (LADWP) balancing area. The Mesa Substation will serve as a transmission facility and will not be involved in the generation of power. Where will the replacement generation facilities be located? The proposed project description is incomplete without this information.

**Comment #5 – Section 2 Project Description (Figures 2-3C and 2-3D).**

Several exhibits indicate the new telecommunication and transmission lines that will be installed. Figures 2-3C and 2-3D indicate that a new aboveground telecommunication line will be installed in key areas of the City. The exhibits lack street names or other information to assist the reader in determining the location and extent of this improvement. Figure 2-3C appears to indicate a new transmission line will be installed along Lincoln Avenue between Wilcox Avenue (on the west) and Montebello Boulevard (on the east). Exhibit 2-3D indicates a new aboveground telecommunications line (Route 3) will be located along Avenida De La Merced. In any event, the City is opposed to the installation of any additional above-ground lines along this roadway and the existing above-ground lines should be placed underground.

**Comment #6 – Section 2 Project Description (Section 2.2.1.1 )**

This section is extremely important in that the proposed project's physical characteristics are described. Unfortunately this section, as written, is completely unintelligible to the public and local decision-makers (also please refer to Comment #1). For this reason alone, the DEIR should be revised and re-circulated.

**Comment #7 – Section 2 Project Description (Page 2-31)**

This section of the DEIR described the new foundation for a proposed microwave tower. The description does not provide any information concerning the new tower itself including the tower height, the purpose, etc. The City is very concerned with the potential health effects associated with the introduction of a new source of microwave and electromagnetic radiation into its urban area.

**Comment #8 – Section 2 Project Description (Figures 2-5 and 2-6, Pages 2-34 and 2-36)**

The above-referenced figures illustrate the proposed and existing transmission structures. While dimensions are provided, these illustrations should be provided at the same scale so a meaning comparison may be made.

**Comment #9 – Section 2 Project Description (Section 2.2.2)**

Comment #5 indicated the City's concern regarding the installation of new above-ground telecommunications lines along local streets. The discussion indicates that some existing wooden poles would be replaced. The City requests that these lines be placed underground.

**Comment #10 – Section 2 Project Description (Section 2.3.1, Pages 2-48 and 2-49)**

This section indicates the location and extent of the major construction staging areas. The great majority of the construction areas are located within the existing Mesa Substation. The City is concerned with the lengthy period (55 months or more) and the attendant visual, safety, and traffic impacts.

**Comment #11 – Section 2 Project Description (Section 2.3.2.2, Pages 2-55 and 2-56)**

Table 2-7 indicates the grading quantities and the number of truck trips for each of the three phases of grading. The total truck trips per day will result in a substantial impact on traffic levels of service, especially at the freeway ramps. More telling is the total number of truck trips during each phase. For example, during Phase III, 50,000 cubic yards (CY) of export (earth) will be trucked out. Assuming 20 CY per truck, a total of 2,500 trucks would be required with more than 5,000 truck trips (to and from the grading site). These trucks and others carrying building materials and construction equipment will obstruct roads and damage roadway surfaces. Section 3.3.1 is very general in its description of the potential haul routes:

> "Construction, operation, and maintenance of the proposed project would require the use of existing public roads and existing transmission access roads to the maximum extent possible."

The City is requesting the DEIR identify haul routes as well as provisions for repairing damaged struts, curbs, and medians.

**Comment #12 – Section 2 Project Description (Section 2.3.2.4, Pages 2-73 and 2-74)**

The City is concerned with the long-term use of helicopters during the construction phases and the attendant noise and safety impacts. The DEIR's discussion is limited to the following sentences:

> "Flight paths would be determined by the applicant's helicopter contractor immediately prior to construction. The applicant would coordinate with and obtain approvals from the FAA Flights Standards District Office to implement an operating plan for helicopter use for the proposed project, in compliance with Title 14 CFR Part 77."

The DEIR fails to identify flight paths and duration associated with the project's operations. The DEIR is clearing deferring analysis and any required mitigation with the following statement:

> "Flight paths would be determined by the applicant's helicopter contractor immediately prior to construction."

**Comment #13 – Section 2 Project Description (Section 2.4, Page 2-76)**

It appears that the DEIR preparers relied on the California Air Sources Board's CalEEMod computer model to estimate construction employment. The variables that are used in CalEEMod (land area, square footage of building construction and demolition, etc.) are for generalized land uses (residential, commercial, etc). A of list of employee and types of construction equipment based on the project's construction costs should be first developed. Using the CalEEMod to generate these lists will be inaccurate.

**Comment #14 – Section 2 Project Description (Section 2.6, Page 2-81)**

Section 2.6, Table 2-10 identified measures that are referred to as "Applicant's Control Measures." These should be more correctly identified as "Required Measures" since they are specific requirements of the various regulatory and trustee agencies. For example, the first proposed measure (APM-AIR-01) actually reflects South Coast Air Quality (SCAQMD) Rule 402 that is required to control fugitive dust during site preparation.

**Comment #15 – Section 3 Description of Alternatives (Sections 3 and 3.2, Page 3-2)**

This section indicates the process that was followed in the selection of project alternatives. Section 3.2 outlines the basic objectives of the project that were considered in the selection of alternatives. The following two of the three objectives identified are only indirectly to the Mesa Substation project:

"1. [To] Address anticipated violations of North American Electric Reliability Corporation (NERC) 25 Standard TPL-001-04, Western Electricity Coordinating Council (WECC) Regional Business 26 Practice TPL-001-WECC-RBP-2, and California Independent System Operator (CAISO) Planning Standards that would occur upon retirement by December 31, 2020, of generators that use Once-Through Cooling (OTC).

"2. [To] Avoid introduction of new violations of NERC, WECC, and CAISO standards."

These objectives are more related to the new power generation plants that will actually replace the OTC and San Onofre facilities. The Mesa Substation is just a component of the facilities these new plants may need to effectively serve as replacement power generating facilities for the existing OTC and San Onofre facilities. This is an example of the lack of information related to the larger project that includes the replacement power generation plants. In the absence of the complete and comprehensive project description, the users of the DEIR are unable to make any judgment as to the effectiveness of the project alternatives in meeting those objectives. The comment is directly related to a previous comment (Comment #4).

**Comment #16 – Section 3 Description of Alternatives (Section 3.2, Page 3-2)**

The methodology used in determining the feasibility of the particular alternative scenarios is focused on minor modifications to the Mesa Substation project.

> "A transmission system model created in the PowerWorld Simulator was used to identify potential alternatives. The model was also used to test potential alternatives to determine if they would meet Objectives 1 and 2 (i.e., address all potential violations of reliability standards and whether they would avoid introduction of new violations of reliability standards). The transmission system model was created in the PowerWorld Simulator modeling program using the WECC transmission 41 system database and data provided by Southern California Edison (SCE)."

It is clear that the alternatives analysis is predisposed to the project given the above-defined approach that was used in the alternatives screening analysis. The alternative should focus on alternatives that could eliminate the need for the Mesa Substation altogether. For example, would locally generated renewable energy facilities (wind, solar, etc.) eliminate or otherwise reduce the need for the Mesa Substation expansion. Without a comprehensive project description and realistic set of project alternatives related to the larger initiative to replace OTC and San Onofre, other agencies and the public have no way of knowing.

**Comment #17 – Section 3 Description of Alternatives (Section 3.2.2, Page 3-3)**

This section outlines how "feasibility" was determined in the selection of alternatives. Four criterion are identified though the following criteria are problematic:

> "Economic: Whether the alternative is exceedingly costly such that implementation could not occur or that it would be impractical to proceed with the proposed project."

The DEIR makes no indication as to the thresholds used in determining whether an alternative is financially infeasible. Without these thresholds, we have no way of knowing whether a particular alternative is too expensive.

**Comment #18 – Section 4.1 Aesthetics (Section 4.1.3.3, beginning on Page 4.31 – 4-34)**

The impact analysis illustrates before and after views of the project elements. The new towers are substantially larger than the existing (for example, refer to Figure 4.1-5b, 4-1-5c, 4.1-5d, 4.5e, and continuing). The greatest visual impact along the 60-Freeway adjacent to the City of Montebello is illustrated in 4.1-5g. These illustrations underscore the impossibility of mitigating the aesthetic impacts. It also raises the failure of the DEIR to include towers and other infrastructure that will be less obtrusive, thus lessening the visual impacts.

**Comment #19 – Section 4.1 Aesthetics (Section 4.1.4, Pages 4.1-51 and 4.1-52)**

The greatest visual and aesthetic impacts are related to the height and mass of the new transmission towers. The following mitigation included in the DEIR does little to mitigate these impacts:

- MM AES-1: Staging Area Screening;
- MM AES-2: Minimize Clearing and Ground Disturbance and Restore Disturbed Areas to Pre-Project Conditions;
- MM AES-3: Landscape and Aesthetic Treatment along Potrero Grande Drive;
- MM AES-4: Graffiti Deterrence;
- MM AES-5: Glare Reduction; and,
- MM AES-6: Night Lighting.

At the minimum, the alternatives analysis should have considered a concept where the mass and height of the transmission towers are reduced.

**Comment #20 – Section 4.2 Air Quality (Section 4.2.1.1, Page 4.2-1)**

The climate profile refers to the SCAQMD CEQA Handbook that was first published in 1993 and the handbook is obsolete. More recent information is available. This information is important in determining the impacts related to fugitive dust and toxic air contaminants.

**Comment #21 – Section 4.2 Air Quality (Section 4.2.3.1, Page 4.2-10)**

The DEIR indicates that the analysis of construction emissions relied on the CARB's and SCAQMD CalEEMod. Again, we would like to emphasize that this model in not well suited to estimating the emissions from such a large and unique project.

**Comment #22 – Section 4.2 Air Quality (Section 4.2.3.1, Page 4.2-11)**

The preparers of the DEIR used the SCAQMD's Localized Significance Threshold (LST) screening methodology. The use of this model is only used if the total land area that will be disturbed daily is five acres. The affected area that will be disturbed on any given day will be much greater than that. Therefore, any impacts and conclusions concerning construction air quality impacts are inaccurate.

**Comment #23 – Section 4.2 Air Quality (Section 4.2.3.3, Page 4.2-14-4.2-16)**

The analysis of construction emissions is not accurate when considering all of the equipment emissions from trucks hauling earth, heavy equipment operations, use of helicopters, and fugitive dust from

disturbed soils. We request the DEIR be revised to clearly and accurately reflect construction impacts. The City of Montebello oversaw the preparation of an EIR for the 1,200-unit Montebello Hills development that was much smaller in terms of land area and soil disturbance and the impacts could not be fully mitigated.

**Comment #24 – Section 4.3 Biological Resources (Page 4.3-39 and 4.3-40)**

This section of the DEIR indicates the proposed Mesa Substation improvement will impact local California gnatcatcher habitat. The DEIR states the following:

> "Direct impacts to this species or its nest could occur as a result of vehicular collision and nest failure or abandonment due to noise and human presence during construction; this would be a significant impact. APM-BIO-03 commits SCE to monitoring construction activities to the extent feasible. APM-BIO-04 commits SCE to conducting pre-construction surveys for the coastal California gnatcatcher if construction activities occur during the avian nesting season; establishing an exclusionary buffer, in coordination with USFWS, if a nest is observed; and full-time monitoring of construction activities in occupied habitat. Direct impacts would still be significant because APM-BIO-3 does not ensure proper monitoring protocols are followed and APM-BIO-04 would not require the established protocol to be used for gnatcatcher surveys. Indirect impacts to this species could result from habitat modifications through vegetation trimming, clearing of vegetation, and other ground-disturbing activities. The proposed project would include removal of approximately 14.23 acres of coastal California gnatcatcher habitat."

As indicated in the above paragraph, the project would result in a permanent loss of just over 14 acres of gnatcatcher habitat. The DEIR indicates that this habitat loss will not result in any significant adverse impacts because the mitigation measures will mitigate the impacts:

> "With the implementation of MM BR-2, MM BR-3, MM BR-5, MM BR-9, MM BR-11, and MM BR-12, in combination with the APMs identified above, [the] impacts to coastal California gnatcatcher and its habitat would be less than significant."

MM BR-3 calls for the preparation of a "restoration plan in the future."

> "SCE shall prepare the plan to ensure restoration of all temporary impact areas and to ensure mitigation for permanent impacts on sensitive natural communities and coastal California gnatcatcher habitat. The plan must be submitted 60 days prior to the planned start of construction."

The City of Montebello is concerned that MM BR-3 actually defers mitigation in that the restoration efforts are unknown at this time. The trustee agencies, without the plan, will be unable to identify the effectiveness if this mitigation. The DEIR must be revised to include this Plan so that the trustee agencies, the CDFW and the USFWS, have an opportunity to review and comment on the restoration plan.

**Comment #25 – Section 4.3 Biological Resources (Page 4.3-58)**

Similar to the previous comment, the MM BR-7 is another example of deferred mitigation. The DEIR also indicates that a "restoration plan" will be prepared for the impacts to the Southern California Black Walnut community.

> "SCE shall take measures to avoid and minimize impacts on Southern California black walnut resulting from project construction activities, and shall plant replacement trees for any impacted or removed specimens. Prior to construction (after completion of final engineering design of project features), black walnut tree evaluation surveys shall be completed by a qualified arborist (an arborist with extensive local or regional expertise in the planting, care, and maintenance of black walnut trees). The arborist must be approved by the CPUC. The arborist shall record a brief description (e.g., location, height, diameter at breast height, condition) of each black walnut tree with a dripline within 25 feet of construction activities."

The information regarding the location and extent of affected trees should be identified in the DEIR and not deferred to some future time with the preparation of the restoration plan. This information must be disclosed in the DEIR given that the specific parameters of the proposed improvements are known (and identified in the project description). The DEIR must be revised to include this Plan so that the trustee agencies, the CDFW and the USFWS, have an opportunity to review and comment on the restoration plan.

**Comment #26 – Section 4.3 Biological Resources (Page 4.3-62)**

The greatest potential impact on biological resources is related to the potential for avian species colliding with the tower structures and lines. The risk is increased by the Mesa Substation's proximity to the Whittier Narrows area that includes extensive foraging areas and sources of water. A single mitigation is supposed to address this impact:

> "MM BR-15: Avian Protection Plan. SCE shall adhere to recommendations published by APLIC (Reducing Avian Collisions with Power Lines: The State of the Art in 2012 (APLIC 2012)). In addition, SCE shall develop and implement an Avian Protection Plan according to Avian Protection Plan Guidelines (APLIC and USFWS 2005). The plan shall include provisions to reduce impacts on avian species during operation of the proposed project, and shall provide for the adaptive management of project-related issues. The plan shall be submitted for review to CDFW, USFWS, and the CPUC at least 60 days prior to construction. CPUC approval is required before the plan is implemented."

There are numerous shortcomings with this mitigation as stated. First, this mitigation is an additional example of deferred mitigation. There are no specifics as to the content of this "plan" which at this point makes it impossible to identify the effectiveness of this measure. The last two sentences indicate that the Plan will be submitted to the CDFW, USFWS, and the CPUC at least 60 days prior to the commencement of construction though only CPUC approval is required. The DEIR must be revised to include this Plan so that the trustee agencies CDFW and USFWS have an opportunity to review and comment on the Plan.

**Comment #27 – Section 4.4 Cultural and Paleontological Resources (Page 4.4-27)**

The local tribal representatives from the Gabrieleño Tongva and the Gabrieleño Kizh indicated the Montebello area has a "high sensitivity" for cultural resources (refer to page 4.4-15). The mitigation measures do not require any on-site monitoring by tribal monitors during soil disturbance. Instead, the DEIR mitigation relies solely on construction workers to make the identification of significant resources. Tribal representatives are the most appropriate individuals to undertake the monitoring. The DEIR mitigations that indicate construction workers will undertake monitoring should indicate that appropriate tribal representatives will be responsible for monitoring.

**Comment #28 – Section 4.5 Geology, Soils, and Mineral Resources (Page 4.5-10)**

The identification of local faults is inadequate and incomplete. The inventory of faults, summarized in Table 4.5-3, only includes major known active faults that have been identified as Alquist-Priolo Special Studies Zones (APSSZ). The APSSZ refers to those faults where a fault trace is visible due to past surface displacement. In fact, the Mesa Substation overlies the Puente Hills Blind Thrust Fault, that has been identified as an active fault that could result in an earthquake with a Richter magnitude as great as 7.1 (John H. Shaw, Andreas Plesch, James F. Dolan, Thomas L. Pratt, and Patricia Fiore, *Puente Hills Blind-Thrust System, Los Angeles, California*. Bulletin of the Seismological Society of America, Vol. 92, No. 8, pp. 2946–2960, December 2002). The impacts of this fault must be identified in the DEIR.

**Comment #29 – Section 4.5 Geology, Soils, and Mineral Resources, Section 4.5.4 Mitigation Measures (Page 4.5-34)**

The following measure (in part) is included in the DEIR as a means to address geotechnical impacts:

> "MM GEO-1: Geotechnical Investigation. The applicant will conduct a geotechnical investigation for the proposed project and prepare a geotechnical report documenting the results of the investigation. The geotechnical investigation shall assess the potential for liquefaction, landslides, lateral spreading, seismic ground shaking, and expansive soil. The geotechnical report shall make recommendations of engineering and design measures to incorporate into the proposed project, determined appropriate by a California-licensed Geotechnical Engineer or Certified Engineering Geologist, to mitigate impacts associated with liquefaction, landslides, lateral spreading, seismic ground shaking, and expansive soils."

The above mitigation is a classic example of deferred mitigation. The measure implies that the potential impacts are not known though at some future date prior to construction; a study will be completed that will identify both the impact and specific mitigation. In the absence of a robust environmental analysis, the public and decision-makers will be unable to ascertain the effectiveness of the mitigation as stated. Section 15126.4 from the CEQA Guidelines, Subsection A.1.b.1 states the following (the italics emphasize that point):

"Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. *Formulation of mitigation measures should not be deferred until some future time.* However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way."

**Comment #30 – Section 4.6 Greenhouse Gases, Section 4.6.3. Impact Analysis (Page 4.6-11)**

The discussion of indirect greenhouse gas (GHG) impacts from construction activities discuss the leakage of sulfur hexafluoride ($SF_6$) used for insulation. Nationally, more than 10,000 tons of $SF_6$ are produced annually, most of which (over 8,000 tons) is used as a gaseous insulating medium in the electrical industry. According to the DEIR (Table 4.6-4 on Page 4.6-13) the proposed electrical equipment will potentially result in the leakage of 1,167 tons of $SF_6$ per year. This is very significant in that 10,000 tons of $SF_6$ is produced annually. According to the *Intergovernmental Panel on Climate Change*, $SF_6$ is the most potent greenhouse gas that it has evaluated, with a global warming potential of 23,900 times that of $CO_2$ when compared over a 100-year period. Given the projected $SF_6$ leakage, we *do not concur* with the DEIR's conclusions that the impacts are less than significant.

**Comment #31 – Section 4.6 Greenhouse Gases, Section 4.6.3. Impact Analysis (Page 4.6-13)**

This section analyzes the project's conformity with plans, policies, or regulations designed to reduce GHG emissions. The project description is incomplete in that new and/or expanded OTC or other power generating facilities are not identified. The fuel sources (gas, coal, hydroelectric, nuclear, solar, wind, etc.) were also not identified and there is no way to determine if the project will result or otherwise contribute to significant GHG emissions.

**Comment #32 – Section 4.7 Hazards and Hazardous Materials, Section 4.7.3. Impact Analysis (Page 4.7-33)**

The DEIR acknowledges that contaminated soils and hazardous materials will be removed as part of the proposed project's construction. The DEIR is silent as to the location of haul routes that will be used and where these materials will be disposed of. A major concern is the estimated 379,000 gallons of electrical insulating oil (petroleum-based mineral oil) that will be transported to the site and transferred into transformers at the proposed Mesa Substation. Other hazardous materials include the various waste materials such as existing infrastructure that would be disposed of, including old transformers from the existing substation and contaminated soil containing petroleum hydrocarbons. The location of the haul routes and the disposal sites must be identified.

**Comment #33 – Section 4.7 Hazards and Hazardous Materials, Section 4.7.1.5. Fire Hazards (Page 4.7-15)**

The DEIR fails to identify those high risk fire areas located in close proximity to the Mesa Substation. Last year there was a wildfire in the Whittier Narrows area near the SR-60 Freeway. In addition, there are areas of native vegetation within the boundaries of the Mesa Substation. This area should be identified in the DEIR.

**Comment #34 – Section 4.7 Hazards and Hazardous Materials, Section 4.7.3 Impact Analysis**

The DEIR is completely silent regarding the long-term health effects related to EMF exposure. The City is concerned that long term exposure to EMF from the new facilities may impact its residents. This risk must be disclosed in the DEIR.

**Comment #35 – Section 4.9 Land use and Planning. General Comment**

The Mesa Substation is an important location within the City in that it is a visual gateway for the City of Montebello and the adjacent areas. We are concerned that the DEIR fails to identify alternatives that would place the proposed improvements to another area. The proposed project is not compatible with the nearby uses that include a regional park, residential neighborhoods, and many schools.

**Comment #36 – Section 4.10 Noise, Section 4.10.3 Impact Analysis (Page 4.10-19)**

The DEIR outlines the project's construction-related noise impacts to the City of Montebello in the following paragraph:

> "Components constructed in the City of Montebello include 220-kV transmission lines; 500-kV 40 transmission lines; and Telecommunications Routes 1, 2, and 3 (Table 4.10-15). Staging Yards 2 and would also be located in Montebello. Helicopters may also be used in Montebello for line stringing and may also use Staging Yards 2 and 3 as a landing area. Montebello restricts non-emergency construction activities to between the hours of 7:00 a.m. and 8:00 p.m. on weekdays (Monday through Friday), and 9:00 a.m. to 6:00 p.m. on Saturdays, Sundays, and legal holidays. Construction activities would generally occur during these hours. However, some construction may be required outside of the allowed time, e.g., a planned line outage that must occur at night for safety reasons. Construction noise associated with the proposed project would conflict with the City of Montebello's noise ordinance if construction occurs outside of the allowed construction hours, and [the] impacts would be significant and unavoidable."

The above statements completely fail to disclose the nature and location of construction impacts. The City is especially concerned with the use of helicopters during the project's construction.

**Comment #37 – Section 4.10 Noise, Section 4.10.3 Impact Analysis (General Comment)**

The noise analysis completely fails to identify the specific mobile noise impacts from large trucks during the construction phases. There are few direct routes that may be utilized for the transport of construction equipment, building materials, and graded materials. The failure of the DEIR to identify the potential haul routes makes it impossible to identify the location and extent of these impacts.

**Comment #38 – Section 4.12 Public Services and Utilities, Section 4.12.3 Impact Analysis (Page 4.12-11)**

The DEIR clearly indicates that the will be a potential for roadway closures during the construction phases by stating the following:

> "Temporary lane closures or lane reductions would be required during construction. These closures would be coordinated with emergency services and appropriate traffic controls measures would be implemented, as discussed in Section 4.14, "Traffic and Transportation." Therefore, there would be no impact on response times."

We request that the DEIR be revised to indicate the construction haul routes so the Montebello Police Department and the Los Angeles County Fire Department can review this information to determine if "no impacts on response times" would occur.

**Comment #39 – Section 4.13 Recreation, Section 4.13.3 Impact Analysis (Page 4.13-5 and 4.13-6)**

The proposed project identifies construction-related impacts to regional recreational facilities located in or near the City of Montebello. The DEIR states the following:

> "Telecommunications Route 3 would be installed on existing distribution poles along the border of the Whittier Narrows Recreation Area and Bosque Del Rio Hondo (a recreational area), as well as on existing distribution poles and within new underground conduit within the Whittier Narrows Natural Area. Telecommunications Route 3 would also cross the Rio Hondo Bike Path, a county maintained bike path, on existing distribution poles where the bike path crosses existing SCE ROW at the intersection of San Gabriel Boulevard and Highway 19. In addition, Telecommunications Route 3 would cross the entrance to the Whittier Narrows Bikeway, a bikeway that circles Legg Lake, along Durfee Avenue (Los Angeles County Department of Public Works 2015). For stringing work immediately adjacent to and crossing the Rio Hondo Bike Path, temporary trail closures would be required as a safety precaution. For stringing work near the Whittier Narrows Bikeway along Durfee Avenue, a temporary trail closure would be required as a safety precaution. However, other access routes to this bike path are available and closures would be for less than a day. Near the Whittier Narrows Nature Center, Telecommunications Route 3 would cross a paved nature center trail. During construction activities for this component, portions of this trail would be closed for short

periods to ensure public safety. The applicant has committed to providing advance notice of trail closures to the affected facilities."

The DEIR should be revised to clearly indicate the location of potential alternative routes that may be used during construction phases. The closure of the entry to the Whittier Narrows Nature Center and local bicycle trails will represent a significant impact to local residents that regularly use or visit these facilities.

**Comment #40 – Section 4.14 Traffic and Transportation, (Page 4.14-18)**

Previous comments have indicated that the failure of identifying construction haul routes will compromise the quality of the traffic analysis. For example, Table 4.14-12 indicates that during Phase 1 of the construction, a total of 804 heavy-duty one-way truck trips will be generated on a daily basis. This traffic would significantly impact three local intersections during the morning peak hour and five local intersections during the evening peak hour. The traffic study indicates that the following mitigation will reduce the impact to a level that is less than significant:

"Mitigation Measure (MM) TT-1 would require implementation of a Peak Period Traffic Management Plan to reduce the impacts to the intersections. Implementation of the Peak Period Traffic Management Plan would reduce V/C increase resulting from the proposed project to at or below the applicable threshold; therefore, impacts to the intersections would be less than significant."

The mitigation relies on the implementation of a Peak Period Traffic Management Plan, which is not identified or described in enough detail for the City of Montebello to ascertain the effectiveness of this mitigation. While the proposed project is regional in scope and involves multiple jurisdictions, all of the significantly impacted intersections are located within the corporate boundaries of Montebello. For this reason, a draft Peak Period Traffic Management Plan must be provided to the City prior to the completion of the Final EIR (FEIR).

**Comment #41 – Section 4.14 Traffic and Transportation, (Page 4.14-25)**

Construction Phase 2 would also significantly impact four intersections during the evening peak hour traffic period. Once again, all four of the impacted intersections are located within the corporate boundaries of the City of Montebello. The DEIR also indicates that the impacts will be mitigated through the preparation of a Peak Period Traffic Management Plan. Again, the City emphasizes the need for the preparation of a draft Peak Period Traffic Management Plan prior to the completion of the FEIR.

**Comment #42 – Section 4.14 Traffic and Transportation, (Page 4.14-26)**

Construction Phase 3 would also significantly impact four local intersections during the evening peak hour traffic period. Likewise, references are made to the preparation of a Peak Period Traffic Management Plan to mitigate these impacts. Again, the City emphasizes the need for the preparation of a draft Peak Period Traffic Management Plan prior to the completion of the FEIR.

**Comment #43 – Section 4.14 Traffic and Transportation, (page 4.14-37)**

The DEIR indicates that during construction a number of public transit routes and bicycle routes may be impacted. The mitigation that is supposed to address these impacts includes the following:

> "Implementation of MM TT-9 would require preparation of a Public Transit, Pedestrian and Bicyclist Plan that takes into account the location and duration of public transit stop closures, sidewalk closures, and bike lane closures once known. The Plan would reduce the impacts to less than significant through implementation of measures such as temporary transit stop relocation."

Again, the mitigation calls for the preparation of a Public Transit, Pedestrian, and Bicyclist Plan at some future point in time. As with the previous mitigation referred to herein, this plan should be drafted at this time rather than at some future date so that it may be reviewed by local jurisdictions and transit providers to ensure the plan's feasibility. The draft Plan must be prepared prior to the certification of the FEIR.

**Comment #44 – Section 4.14 Traffic and Transportation, General Comment**

Without the delineation of a haul route, the City of Montebello is unable to identify the project impacts during the construction phases. While the DEIR identified the local intersections that would be significantly impacted, this cannot be confirmed in the absence of a haul route delineation. In addition, a detailed time and location listing of potential street closures is being requested by the City of Montebello Police Department. The City would also recommend that the traffic analysis be forwarded to the California Department of Transportation (Caltrans) to ensure that freeway and freeway ramp impacts are carefully evaluated.

**Comment #45 – Section 4.14 Traffic and Transportation, Section 4.14.3.4 Mitigation Measures (page 4.14-39)**

At the end of the traffic section, there are a number of extremely important mitigation measures that are identified as a means to address traffic impacts. All of these mitigation measures call for the preparation of a "plan" to address a particular impact (Peak Period Traffic Management Plan, Road and Lane Closure Plan, Highway Closure Plan, Helicopter Lift Plan, and Public Transit, Pedestrian, and Bicyclist Plan). All of these plans are critical in understanding how the intended impacts will be mitigated. As indicated previously, the City of Montebello requests a copy of the draft plans so that their feasibility and any unforeseen impacts may be identified prior to the certification of the FEIR.

**Comment #46 – General Comment on the Impact Analysis**

The DEIR's analysis fails to analyze the impacts related to Environmental Justice and Urban Decay. These are extremely important issues to the City of Montebello in that the surrounding communities are bearing the brunt of a regional initiative related to power generation and stability. The closure of the OTC and the SONGS's power generation facilities and the attendant new transmission lines will have a greater impact to the City of Montebello and other communities in the San Gabriel Valley.

**Comment #47 – Section 5.0 Comparison and Analysis of Alternatives, General Comment (page 5-1)**

The alternatives analysis that has been indicated previously was skewed to alternatives that are related to the Mesa Substation. The City of Montebello is requesting an expanded list of alternatives that would truly represent a No Project scenario that would consider other options whereby the proposed improvements would not be required. For example, there is no identification of those replacement generating facilities that would come online with the closure of SONGS and the other OTC facilities. Without the identification of these other facilities, a meaningful identification of No Project candidates can be identified. The following concluding statement may be inaccurate if a broader range of alternatives were considered:

> "The No Project Alternative includes transmission system options as well as Remedial Action Schemes (RAS) that are likely to be pursued in the absence of the proposed project. The No Project Alternative would likely have more severe environmental impacts than the proposed project and alternatives considered, as described in Section 5.5, "No Project Alternative Comparison.""

The City of Montebello questions why the alternative analysis focused only on transmissions system options when new power generating facilities or scenarios could affect the need for the Mesa Substation facility. For example, increased initiatives and support for residential solar equipment installation might eliminate the need for these expanded facilities. This type of initiative is certainly feasible given the State and regional governments' emphasis on sustainable development.

**Comment #48 – Section 5.0 Comparison and Analysis of Alternatives, Section 5.2 Comparison Methodology (page 5-2)**

This section underscores the very narrow selection of project alternatives that fail to consider a broader range of alternatives that would potentially reduce or eliminate the need for the Mesa Substation and the attendant facilities. Without an understanding of the other replacement power generating facilities, those reviewing the DEIR have no way of evaluating the adequacy of the alternatives analysis.

**Comment #49 – Section 5.0 Comparison and Analysis of Alternatives, Section 5.4 Environmentally Superior Alternative (page 5-22)**

This section states that all three alternatives are environmentally superior to the proposed project. The DEIR states the following:

> "The One-Transformer-Bank Substation is environmentally superior to all alternatives and to the proposed project in most resource areas. In areas where it is not environmentally superior, the Gas-Insulated Substation is superior. The Gas-Insulated Substation Alternative's long-term greenhouse gas impacts make it environmentally inferior to the One-Transformer-Bank Substation despite its benefits related to noise and aesthetics. The One-Transformer Bank Substation Alternative is

therefore considered environmentally superior to the Gas-Insulated Substation Alternative. The One-Transformer Bank Substation Alternative is therefore the Environmentally Superior Alternative."

The above paragraph is confusing and does not identify why these environmentally superior alternatives were not selected over the proposed project. The City of Montebello requests that the DEIR include specific justification as to why the environmentally superior alternatives were discounted.

**Comment #50 – Section 5.0 Comparison and Analysis of Alternatives, Section 5.5 No Project Alternatives Comparison (page 5-23)**

The analysis of No Project alternatives is flawed. For example, the following paragraph states the following:

"For most resource sections, it would be speculative to determine the No Project Alternative's impacts. An explanation is provided as to why determining the impacts would be speculative. For air quality, greenhouse gases, and public services and utilities, an analysis of probable impacts of the proposed project are provided."

The paragraph implies that the impact from the No Project alternative would be "speculative" for a number of issue areas. The purpose of the DEIR is to identify those alternatives, including the No Project, that are feasible. The identification of a feasible No Project alternative would permit an analysis of impacts that would not be speculative. This underscores the need for the Lead Agency to develop a comprehensive and realistic range of alternatives.

**Comment #51 – Cumulative Impacts**

The project area is located near the gateway to the City of Montebello. As a result, the City does not agree with the conclusions that the only impacts that are unmitigable relate to aesthetics. While we agree that the visual impacts will be significant and cannot be mitigated, there are other potentially significant impacts. These include, but are not limited to, land use compatibility, short-term traffic impacts, human health impacts, potential biological impacts, and other impacts related to environmental justice and urban decay.

The DEIR lacks sufficient detail or candor with respect to the identification of the need for the project. We understand that power demand will likely increase in the coming years and in the absence of not doing anything, may lead to power shortages in the Southern California area. However, we would question the CPUC's efforts to increase capacity, while at the same time, promoting sustainable development and power conservation. For example, the new infrastructure that will be installed in the Southern California area will also require new power generation facilities located elsewhere. The project's need and the discussion of cumulative effects must indicate the source of this additional power demand.

## Conclusion

As we have indicated in the comments outlined in this letter, there are significant deficiencies in the DEIR that warrant its revision and recirculation. In other words, the flaws to the DEIR are so significant that the only remedy would be its revision to address our concerns that include the lack of a comprehensive project description, the deferral of mitigation, a realistic set of project alternatives, and a robust analysis of the more significant environmental impacts. As part of the preparation and recirculation of the DEIR, the City would also request that the CPUC make a concerted effort to include the City of Montebello in any outreach. This is especially important to our City in that the environmental impacts of the project will affect our City more significantly than other communities in the area. The current DEIR acknowledges, for example, that all of the significantly impacted intersections are located in the City of Montebello.

We are grateful that the California Environmental Quality Act (CEQA) has provided our City with an opportunity to review and to comment on this project. We respectively request that all future notices regarding additional meetings, outreach, and public hearings be provided to the City of Montebello in the upcoming months. We also anticipate receiving point-by-point responses to the comments included in this letter. These responses are required under CEQA as part of the preparation of the Final EIR.