

## PUBLIC UTILITIES COMMISSION



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April 7, 2016

Mr. Nate Lishman  
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**RE: Application Completeness – Permit to Construct the Fulton-Fitch Mountain Reconductoring Project – Application No. A.15-12-005**

Dear Mr. Lishman:

The California Public Utilities Commission's (CPUC) Energy Division CEQA Unit has completed a second review of Pacific Gas and Electric Company's (PG&E) Application (A.15-12-005) and Proponent's Environmental Assessment (PEA) for a Permit to Construct (PTC) the Fulton-Fitch Mountain Reconductoring Project.

Section 15100 of the California Environmental Quality Act (CEQA) requires the agency responsible for the certification of a proposed project to assess the completeness of the project proponent's application. The Energy Division uses CPUC's Information and Criteria List and PEA Checklist as the guide for determining the adequacy of project applications.

Following completion of the CPUC's first review of the application and PEA, CPUC provided PG&E with Deficiency Report #1 on December 23, 2015, which identified deficiencies and information needed to prepare a CEQA document in a timely manner. PG&E submitted written responses and supplemental information identified in Deficiency Report #1 on January 22, January 25, January 29, and February 6, 2016. CPUC reviewed the information provided by PG&E in response to Deficiency Report #1 and identified issues that were not adequately addressed, as well as additional deficiencies with the provided materials. CPUC provided PG&E with Deficiency Report #2 on February 19, 2016. PG&E submitted a written response and provided supplemental information identified on March 18 and April 1, 2016. CPUC reviewed the information provided and identified one remaining deficiency that was not been adequately addressed.

The attached Deficiency Report #3 identifies the remaining issue that needs to be addressed in order for CPUC to deem the application complete.

Information provided by PG&E in response to the Energy Division's finding of deficiency should be submitted as supplements to Application A.15-12-005. One set of responses should be sent to the Energy Division and one to our consultant Panorama Environmental, in both hardcopy and electronic format. We request that PG&E respond to Deficiency Report #3 no later than May 6, 2016. Upon receipt of this information, we will review it within 30 days and

determine if it is adequate to accept the PEA and amended application 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 PG&E's PTC be approved.

Please direct questions related to this application to me at [REDACTED]  
or [REDACTED].

Sincerely,



Lisa Orsaba  
Project Manager  
Energy Division, CEQA Unit

cc: Mary Jo Borak, Supervisor  
Elizabeth Dorman, CPUC Attorney  
Jo Lynn Lambert, PG&E Attorney  
Tania Treis, Project Manager, Panorama Environmental  
Aaron Lui, Deputy Project Manager, Panorama Environmental

## DEFICIENCY REPORT #3 FOR THE PG&E FULTON-FITCH MOUNTAIN RECONDUCTORING PROJECT – APPLICATION NO. A.15-12-005

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### REPORT OVERVIEW

The California Public Utilities Commission (CPUC) identified deficiencies in Pacific Gas and Electric Company’s (PG&E) Application (A.15-12-005) and Proponent’s Environmental Assessment (PEA) for a Permit to Construct (PTC) the Fulton-Fitch Mountain Reconductoring Project (project). Deficiencies were identified using the CPUC PEA Checklist (November 2008) and the CPUC Information and Criteria List (July 2008).

CPUC provided PG&E with Deficiency Report (DR) #1 on December 23, 2015 and DR #2 on February 19, 2016. PG&E submitted written responses to deficiencies identified in DR #1 on January 22, 2016, and provided additional information to supplement the project Application and PEA on January 22, January 25, January 29, and February 6, 2016. CPUC reviewed the information provided by PG&E in response to DR #1 and identified issues that were not adequately addressed, as well as additional deficiencies with the provided materials.

CPUC provided PG&E with DR #2 on February 19, 2016. PG&E submitted written responses to deficiencies identified in DR #2 on March 18 and April 1, 2016. CPUC reviewed the information provided by PG&E in response to DR #2 and identified one remaining deficiency that was not been adequately addressed. Table 1 identifies the remaining application deficiency.

**Table 1 PG&E Fulton-Fitch Mountain Reconductoring Project Application Deficiencies**

ID	PEA Requirement References	Applicant References	Issue	Deficiencies
<b>Cultural/Paleontological Resources (C/PR)</b>				
C/PR-01	PEA Checklist: n/a <b>Information and Criteria List:</b> Section V(12)	PEA: 2.10 Applicant Proposed Measures 3.5 Cultural Resources <b>Other:</b>	<b>Evaluation of potentially eligible cultural resources</b> Applicant proposed measure (APM) CR-1 states that cultural resources P-49-001179 (CA-SON-1256) was never formally evaluated for listing on the California Register of Historic Resources (CRHR). After the court decision from <i>Madera Oversight Coalition v. County of Madera</i> (2011), the CPUC has required that all cultural resources	a. Confirm that cultural resource P-49-1179 (CA-SON-1256) can be completely avoided; or b. Provide an eligibility evaluation for cultural resource P-49-1179 (CA-SON-1256) to determine whether the resource is eligible for listing on the

**DEFICIENCY REPORT #3 – APRIL 7, 2016**

ID	PEA Requirement References	Applicant References	Issue	Deficiencies
		<p>Responses to DR #1 (C/PR-01) and DR #2 (C/PR-01)</p>	<p>that may be affected by a project be fully evaluated for CRHR eligibility.</p> <p>In DR #2 (C/PE-01), CPUC requested that PG&amp;E provide an eligibility evaluation for cultural resource P-49-1179 (CA-SON-1256) with the eligibility testing report, and to clarify the development of a protective zone that would achieve avoidance of the feature addressed in APM CR-1, and how the proposed guard structures would not conflict with the projective zone.</p> <p>At a minimum, PG&amp;E proposes to stage two boom truck guard structures on either side of the road and within the cultural resource boundary. PG&amp;E stated that no soil disturbance is planned; however, off-road staging of boom trucks has the potential to affect the cultural resource site. Furthermore, PG&amp;E's response indicated that if required, the use of boom truck guard structures may be substituted with the installation of guard structure poles, which would involve soil disturbance within the cultural resource site.</p> <p>The Madera case requires cultural resource sites that may be affected by a project to be fully evaluated for CRHR eligibility in order to adequately address potential impacts in the CEQA document for the project, and that eligibility determinations may not occur following certification the document. Additionally, subsequent evaluation and treatment of a site (as proposed in PG&amp;Es response to DR #2) would be deferred mitigation and not acceptable.</p> <p>CPUC requires PG&amp;E to either (a) confirm that cultural resource P-49-1179 (CA-SON-1256) can be completely avoided (no access altogether), or (b) provide an eligibility evaluation for the resource to determine whether the resource is eligible for listing on the CRHR.</p>	<p>CRHR, as well as the eligibility testing report that contains a conclusion regarding the resources' eligibility.</p>