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MAIL DATE
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Decision 96-07-061 July 17, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Pipeline System, Inc., for authorization to issue 1,000 shares of $0.01 par value capital stock, to incur indebtedness and for approval of rates and conditions of service.	ORIGINAL Application 91-10-013 (Filed October 10, 1991)

ORDER DENYING REHEARING AND MODIFYING DECISION (D.) 96-04-056

On April 22, 1996 the City of Los Angeles (City) and Southern California Edison Company (Edison) filed applications for rehearing of Decision (D.) 96-04-056. D.96-04-056 approves the financing application of Pacific Pipeline Systems, Inc. (PPSI) for the purpose of constructing the Pacific Pipeline, an oil pipeline which would run from Texaco's Emidio Pump Station in Kern County to oil refinery destinations in the Los Angeles Basin. As part of the approval process, D.96-04-056 certifies the Final Environmental Impact Statement/ Subsequent Environmental Impact Report (Final EIS/SEIR) on the project.

We have carefully considered all the arguments presented by the City, and are of the opinion that good cause for rehearing has not been demonstrated. However, we will modify the decision to clarify a misunderstanding regarding the role of the Final EIS/SEIR in local agency decisions.

In addition, after having reviewed the status of Edison in the instant proceeding we have determined that Edison is not a party. We are therefore dismissing Edison's application for rehearing. Furthermore, its pleading does not qualify as a petition for modification. Despite this fact, we have considered Edison's arguments, since those arguments overlap the arguments presented by the City. Edison's arguments do not demonstrate legal error.

I. EDISON'S STANDING

On February 27, 1996, Edison's Motion to Intervene as an Interested Party was denied. Edison argues that it should be considered a party despite this denial because it was permitted to "participate to the same extent as the present parties... by filing comments on the proposed decision." We disagree.

Since Edison's motion was denied it was never granted party status. The ALJ Ruling denying Edison's Motion indicates that Edison may participate for the limited purpose of filing comments on the proposed decision, which it did.

Edison also relies on the ALJ Ruling's reference to Commission Rule 54. Edison argues that Rule 54 allows a person or entity to become a party after entering an appearance. That portion of Rule 54 is not applicable to the instant situation, however. Rule 54 provides that an entity may become a party after entering an appearance at a hearing without filing a pleading. Here Edison did not appear at a hearing. Therefore Rule 54 does not grant Edison party status.

Moreover, Edison's application does not fulfill the requirements for a petition to modify. Commission Rule 47 (a) explains, "[a] petition for modification asks the Commission to make changes to the text of an issued decision." In addition, a "petition for modification must ... propose specific wording to carry out all requested modifications to the decision." (Rule 47 (b).) No part of Edison's application suggests language changes to the decision. Edison is primarily requesting that the environmental process be reopened, which the beyond the scope of a petition to modify.

II. MASTER EIR

Both the City and Edison take issue with the statement in D.96-04-056 that, "the certified Final EIS/SEIR is required as the master document for conducting subsequent local environmental reviews." (D.96-04-056, at p. 54.) The City argues that the

Final EIS/SEIR cannot be a Master EIR, which has a technical meaning under the California Environmental Quality Act (CEQA). (Pub.Resources Code § 21000 et seq.) The City further maintains that the Final EIS/SEIR is not adequate for use by all responsible agencies as it is required to be pursuant to CEQA.

Our use of the word "master" in D.96-04-056 is an unfortunate word choice. The Final EIS/SEIR is not a Master EIR. Rather it is a normal project EIR and it is certified to be complete for use for all responsible agency decisions, as the City correctly claims it needs to be. The language is D.96-04-056 was simply attempting to communicate that further local permit reviews would be required after the Commission's approval. Therefore, we will order the language in the decision modified to clarify this intent, and eliminate confusion about whether this is a more limited type of EIR.

The City's argument that the Final EIS/SEIR is inadequate for use by responsible agencies lacks merit. Although the City identifies a number of items it would have wanted evaluated differently or in more detail in the Final EIS/SEIR, it does not provide support or authority for its contention that the analyses it requests are required by CEQA. The Final EIS/SEIR is a comprehensive and thorough document which encompasses over 2500 pages. As will be discussed, this is far more comprehensive than CEQA contemplates. Los Angeles fails to identify any manner in which it is inadequate for use by local agencies.

III. THE CAJON ALTERNATIVE

The City and Edison present two groups of arguments concerning the Cajon Pipeline Alternative, which was analyzed in the Final EIS/SEIR. First, they contend that the analysis of the revised Cajon Alternative is erroneous in a number of respects. Second, they argue that the Final EIS/SEIR should have been recirculated for additional public comment. Neither of these claims are convincing.

As a preliminary matter, both Edison and the City maintain the Commission's failure to address Edison's comments on the ALJ's proposed decision specifically in D.96-04-056 is legal error. Edison's comments outline numerous alleged errors in the Cajon analysis. D.96-04-056 responds generally to these allegations by stating that all the issues have been examined and there is no basis for disturbing the Final EIS/SEIR, which is accurate.

We disagree that with the contention that we are required by CEQA, or any other authority to respond specifically to comments on a proposed decision, or Final EIR. We note that the CEQA provisions cited by Edison are inapposite. However, since all of Edison's comments were reviewed and considered, we are attaching responses to Edison's criticisms as an appendix. (Appendix A.) There is no reason for us not to provide this information if any parties are interested in the comments.

Beyond references to Edison's earlier comments, the City's application does not specifically describe how the Cajon analysis is inaccurate. Nor do the applications provide legal support for their general contentions that the analysis does not satisfy CEQA. Therefore, with reference to Appendix A, we reiterate our conclusion that the Final EIS/SEIR is accurate and legally adequate with respect to the Cajon analysis.

Furthermore, recirculation of the Final EIS/SEIR for comment on the new Cajon alternative was not required. A Final EIR need only be recirculated when "significant new information is added to the EIR after" the Draft has been circulated but before certification. (CEQA Guidelines § 15088.5.) According to the Guidelines, one example of what constitutes "significant new information" is,

> A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, by the project's proponents decline to adopt it.

(CEQA Guidelines § 15088.5 (a)(1).)

In Laurel Heights the California Supreme Court declined to adopt more expansive standards for when recirculation is required. The Court emphasized that "[r]ecirculation was intended to be the exception, rather than the general rule." (Laurel Heights Improvement Assn. v. Regents of University of California (Laurel Heights II) (1993) 6 Cal.4th 1112, 1132.)

The Commission was not required to recirculate the Final EIS/SEIR because the modified Cajon alternative would not "clearly lessen" the environmental impacts of the Pacific Pipeline. In fact, the Final EIS/SEIR concludes that the Pacific Pipeline is environmentally superior. As addressed in Appendix A, the analysis which leads to the conclusion that the Cajon alternative is not environmentally superior is accurate. Thus, the new Cajon alternative does not qualify as "significant new information" acceding to the guidelines and Laurel Heights II definition.

In addition, analytically the Final EIS/SEIR was not required to review the new Cajon alternative at all. CEQA requires that a reasonable range of alternatives be analyzed. (CEQA Guidelines § 15126.) The Cajon Pipeline was chosen as one concrete example of an alternative route. Simply because the proponents of the Cajon Pipeline changed their project does not mean that the old route is any less of an alternative to be analyzed for Pacific Pipeline. Similarly, Cajon's striking an agreement with Edison for use of the Edison Pipeline and Terminal Company (EPTC) pipeline does not make the new Cajon route a compelling alternative for PPSI. The new Cajon route was reviewed in the Final EIS/SEIR out of an abundance of caution,

and to satisfy public interest in the comparison of the two pipelines. These concerns do not warrant recirculation.

Furthermore, we note that the only information which changed in the instant case, is that a competitor changed its project at the end of the environmental review process. Delaying a competing development project in this manner is not an acceptable use of the CEQA process. As the courts have recognized, "rules regulating the protection of the environment must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement." (Laurel Heights II, at p. 1132.)

IV. OTHER ENVIRONMENTAL ANALYSIS

The City argues that the analysis in the Final EIS/SEIR is deficient in a number of respects. For a broad perspective on the Final EIS/SEIR it should be noted that the Guidelines suggest that an EIR "should normally be less than 150 pages and for proposals of unusual scope and complexity should normally be less than 300 pages." (Guidelines § 15141.) As mentioned the our Final EIS/SEIR exceeds 2500 pages, most of which is responsive to public concerns. Almost all of the City's arguments call for additional detail and additional analysis. Clearly the degree of analysis the City demands is not contemplated by CEQA.

A. Beneficial Impacts

The City maintains that the Final EIS/SEIR is mistaken in its conclusions about the environmental benefits of the project. The City argues that the assumption that the pipeline will be used as an alternative to existing modes of oil transportation, such as tankers and trains, is unsupported.

The City refers to the fact that some shippers appear to have plans to continue to use their current facilities and would not be legally required to use Pacific Pipeline. According to the City, this indicates that Pacific Pipeline might not

displace existing transportation, despite alleged shipper commitments to use the pipeline.

The Final EIS/SEIR assumes that shippers would be expected to use Pacific Pipeline because it is more economical. (Final EIS/SEIR § B.2.1.2.) It does not rely solely on the shipper's commitments, nor does it rely on any legal commitment. This is a reasonable assumption. An EIR needs to project impacts which are reasonably foreseeable. (CEQA Guidelines § 15144.) Absolute certainty is not required.

Furthermore, the City's complaint that the Commission failed to adopt mitigation which would forbid pipeline shippers from using tankers and trucks (Mitigation Measure SS-23) lacks merit. This mitigation measure was properly deleted from the Final EIS/SEIR, since the Commission does not have jurisdiction over shippers and their contracts with trucks, trains and tankers.

B. Population Density and Risk Exposure in the Alternatives Analysis

The City maintains that population density issues were not sufficiently considered in comparing project alternatives. The City also argues that a number of alternatives which transverse less densely populated areas were not considered.

Population density issues were considered in the analysis in the Final EIS/SEIR , and in response to comments on the Draft. (Final EIS/SEIR § C.16.) The City does not identify any legal inadequacy in this analysis. Furthermore, the alternatives mentioned by the City were screened out and the rationale for not considering them is fully discussed in the Final EIS/SEIR. (FEIS/SEIR at p. B.74-79.) The City does not counter this analysis.

C. Discovery and Clean-Up of Contamination

The City alleges that the Final EIS/SEIR fails to adequately consider the impacts from discovery and clean-up of contamination. These issues are adequately considered in section C.5 of the Final EIS/SEIR. That section concludes that these are Class II impacts- potentially significant but capable of being mitigated. Specific mitigation measures are suggested in that section and were adopted. (FEIS/SEIR at pp. C-5-15, 16.) This is an issue where although the City would want more detail in the document, it has failed to demonstrate that the Final EIS/SEIR discussion is legally inadequate.

D. Potential for Risk and System Safety

The City claims that the Risk and System Safety discussion is inadequate in three respects. These are: 1) the analysis fails to consider collocation risks in its analysis of alternatives; 2) the Final EIS/SEIR allows a less than state-of-the-art leak detection system; and 3) the discussion does not consider the impact of spills on the transportation infrastructure. None of these allegations are convincing.

First, colocation risks are adequately considered in the Final EIS/SEIR. (See FEIS/SEIR at p. I-12; §§ C-11, C-13.) The analysis states that the advantages of collocation more than offset the potential risks. Again, there is no inadequacy in the Final EIS/SEIR analysis. Rather, the City simply would have liked the collocation risk to be weighted differently.

Second, the City is mistaken in its assertion that the leak detection system is less than state-of-the-art. Its main contention is the response to comments that "most" (rather than all) advanced leak detection is contained in the Pacific system, demonstrates that more advanced leak detection is possible. Actually, the addition of more techniques would not necessarily make the system more advanced or effective. In fact, the one

technique not adopted is not that effective and still developing. (See Final EIS/SEIR, at p. 13-21.) Leak detection is adequately reviewed on pages C.13-20,21,23.

Finally, the discussion of the impact of a spill on transportation is adequate. The City takes issue with the Final EIS/SEIR's emphasis on traffic impacts rather than transportation infrastructure. Impacts on transportation infrastructure are clearly addressed, however. The Final EIS/SEIR refers to transportation "facilities" and "systems". (FEIR/SEIR, at § 14.2.2.)

B. Socioeconomic Impacts and Environmental Justice

The City contends that the Final EIS/SEIR fails to adequately analyze the social and economic impacts of the Pacific Pipeline. In addition, the City argues that the project's impact on low-income populations and communities of color is not reviewed sufficiently. Actually, the Final EIS/SEIR went beyond what was required in both of these areas.

Pursuant to the CEQA Guidelines, a lead agency may include economic or social information in an EIR. However, "[e]conomic or social effects of a project shall not be treated as significant effects on the environment." (Guidelines § 15131 (a).) Although social and economic impacts may be tangentially considered, the "focus of the analysis shall be on the physical changes." (Ibid.)

Under the CEQA standard, there is no legal basis for complaint about the sufficiency of the analysis of social and economic impacts unless that analysis results in an error in a physical impact analysis. Although not required by CEQA, the Final EIS/SEIR presents an extended and lengthy analysis of social and economic impacts. (Final EIS/SEIR §§ C.12, C.16.) The City's allegations about inadequacy under CEQA lack merit.

Furthermore, there is no basis to the City's argument that the Final EIS/SEIR fails to sufficiently consider the

project's impact on low-income communities and people of color. There is no requirement in CEQA that these issues of environmental justice be specifically considered. However, there is a federal requirement that the issues be reviewed by federal agencies (Clinton's Executive Order 12898). Therefore, the City's arguments would be more appropriately directed to the federal authorities where certain requirements to consider social and economic impacts exist.

Since the Final EIS/SEIR is a joint document with the federal government, there is a section which discusses impacts on minorities and low-income communities. (FEIR/SEIR § C.16.) The Commission has made efforts to mitigate the effect of these impacts. (D.96-04-056, at p. 52.) In this way, the Commission and the Final EIS/SEIR go well beyond the mandates of CEQA.

F. Cumulative Impacts

The City also argues that the Final EIS/SEIR fails to address the cumulative impacts of hazardous infrastructure. These impacts are in fact addressed in section C.13.2.3 on System Safety and Risk Upset, and C.5.2.3, on Environmental Contamination. Mitigation measures have been developed. It appears that the City is asking for an analysis of unprecedented scope. CEQA requires only what is feasible. "The discussion should be guided by the standards of practicality and reasonableness." (CEQA Guidelines § 15130 (b).) For this reason, the City fails to demonstrate legal error.

No further discussion is required of the City's allegations of error. Accordingly, upon reviewing each and every allegation of error we conclude that sufficient grounds for rehearing of D.96-04-056 have not been shown.

Therefore, **IT IS ORDERED** that:

1. D.96-04-056 is modified to replace the sentence starting with "For" on line 11 of page 54, with the following sentence:

For this reason the certified FEIS/SEIR is required to be a comprehensive document for use in conducting subsequent local reviews.

2. Rehearing of D.96-04-056, as modified herein, is hereby denied.

3. The Application for Rehearing of D.96-04-056 filed by Southern California Edison Company is dismissed.

This order is effective today.

Dated July 17, 1996, at San Francisco, California.

DANIEL WM. FESSLER
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

President P. Gregory Conlon, being necessarily absent, did not participate.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
		1. Global Issues
EIS/SEIR assumed that every bbl moved through AAPL would result in new impacts from Pentland to 12-Gauge Lake and that every bbl going to Cajon would result in new electrical & heating requirements for AAPL	EIS/SEIR provides no information to support claim that AAPL will see increased usage as a result of Cajon Pipeline Alternative. AAPL currently moves 125,000 bpd from Pentland to 12-Gauge, including 75,000 bpd of OCS crude which would move into the Cajon pipeline. Therefore increased usage of AAPL is overstated.	The amount and type of crude oil used for analysis was not changed between the Draft and Final EIS/SEIR. Cajon Pipeline Company's comments on the Draft EIS/SEIR (see comment set OC.35) addressed similar issues in comments OC.35-2 and OC.35-7 (p. II-236 and II-237); responses begin on p. OC-42. Cajon Pipeline Company has no contracts to ship oil in its proposed pipeline. In order to compare alternatives on an equal basis, the EIS/SEIR assumes that the Cajon Pipeline would ship the same types of crude oil as the Pacific Pipeline (i.e., 67% SJV crude, including both heavy and light, and 33% OCS crude) to the same destination refineries.
EPTC pipeline is not properly addressed in the baseline	EPTC pipeline is currently full of oil and currently transports oil for electric and non-electric purposes. EPTC moved an average of 55,800 bpd between 8/94 and 8/95	[pg C.13-74 states assumptions regarding existing use of EPTC system] In the EIS/SEIR, the baseline period used was from January through July of 1995, because that time period represented shipments made after initiation of the SCAQMD and CPUC's approval of the system being used for common carrier crude shipment. Previous utilization of the EPTC system is not relevant to current operation. [Table C.13-19, pg. C.13-74] According to EPTC data, from January to July of 1995, the EPTC pipeline system was not operated at 55,800 bpd as claimed by Edison, but at between 45 and 8900 bpd, depending on the segment analyzed. There is a significant difference between the recent utilization of different segments of the EPTC system, ranging from 8900 bpd along the Dominguez Hills segment to 45 bpd along the Alnor-Etiwanda segment which represents over 70% of the system that Cajon would use. Note also that Cajon proposes to ship 150,000 bpd, a much greater volume than 55,800 bpd that Edison states they shipped in 1994-95.
		2. Air Quality
EIS/SEIR uses 115.7 MM Btu/hr heaters for Cajon (Table C.2-40)	52.2 MM BTU/hr heaters will be required (Cajon Pipeline Application)	See comment OC.35-6 (Cajon Pipeline Company) and response to comments OC-35.6 and OC-35.2. [Refer to Table C.2-40, pg. C.2-54 to -55] The 52.2 MM BTU/hr figure would provide heat for the crude oil from 12-Gauge Lake to refineries only. In order to compare all alternatives on an equal basis, the EIS/SEIR considers each alternative to begin at AAPL's Pentland Station. Therefore, the emissions created from heating and transporting 150,000 BPD of crude oil along 120 miles of the AAPL (Pentland to 12-Gauge Lake) were considered as part of the Cajon Pipeline Alternative.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations* * Except as noted, citations are to the Final EIS/SEIR (January 1996)
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	
No baseline fugitive air emissions for EPTC storage tanks (Section C.2.3.1.2)	The 1992/1993 fugitive VOC emissions from the EPTC storage tanks was 46 lbs/day (SCAQMD Mitigated Negative Declaration (MND), 1994)	The EIS/SEIR focused only on the incremental increase in emissions from the Dominguez Hills Storage Tanks as a result of the implementation of the Cajon/Edison Pipeline System. Emissions from storage tank "breathing" are not considered in the air quality analysis: only emissions from storage tank "working" are quantified and listed in Table C.2-40, Maximum Daily Operational Emissions. Further, page C.2-56 of the Pacific Pipeline EIS/SEIR describes the air quality impact analysis for the Cajon/Edison Pipeline Project within the SCAB as follows: " the total Cajon/Edison operational emissions within the SCAB would fall below the SCAQMD's thresholds of significance. Therefore, the daily operational emissions in the SCAB would result in adverse, but not significant (Class III) impact." The SCAQMD MND clearly did not anticipate the significant changes to the EPTC Pipeline System based on of 150,000 BPD of crude oil as proposed for the Cajon/Edison Pipeline System. It is conceivable for future throughput at the Dominguez Hills Storage Facility to be above what EPTC considered or planned for in their Edison Fuel Oil Pipeline and Storage System Expanded Utilization project. Therefore, the 46 lbs/day of fugitive VOC emissions from the EPTC storage tanks would not accurately characterize the emissions from the extensive and continuous high-volume transport of crude oil that would result from Cajon's use of the EPTC system.
EIS/SEIR did not discuss existing air quality mitigation for EPTC fugitive ROC tank emissions, asserting Class I impact as no mitigation was proposed (pg. ES-57)	SCAQMD required EPTC to offset fugitive tank emissions at maximum throughput; Edison offset tank emissions at a ratio of 1.2 to 1. Offsets provide net air quality benefit. Incremental EPTC tank emissions are insignificant adverse impacts (Class III).	The SCAQMD MND did not anticipate the significant changes to the EPTC Pipeline System based on the 150,000 BPD of crude oil that is proposed to be shipped through the Cajon/Edison Pipeline System. Therefore, the emission offsets were determined in the EIS/SEIR not to be fully adequate for the incremental emissions at the Dominguez Hills Facility. Note that the EIS/SEIR only considers the incremental emissions from the Dominguez Hills Storage tanks. Emissions from storage tank "breathing" are not considered in the air quality analysis: only emissions from storage tank "working" are quantified and listed in Table C.2-40, Maximum Daily Operational Emissions. Further, page C.2-56 of the Pacific Pipeline EIS/SEIR describes the air quality impact analysis for the Cajon/Edison Project within the SCAB as follows: "the total Cajon/Edison operational emissions within the SCAB would fall below the SCAQMD's thresholds of significance. Therefore, the daily operational emissions in the SCAB would result in adverse, but not significant (Class III) impact." Inclusion of the speculative offsets for the Cajon/Edison project would not change the outcome of the air quality impact analysis. Regarding identification of a Class I impact on page ES-57, the text in the Air Quality section (pg. C.2-56, para. 3) is correct in stating a Class III impact for operational emissions in the SCAB. However, the commenter is correct that in the Executive Summary, item 9 under Air Quality in the Impact Summary Tables should not have included the SCAB, the impact applied to the SCDAB only. However, the Executive Summary is not used for analysis purposes; the analysis in the Air Quality section (Section C.2.3) is correct.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
No NOx emission controls would be required on the heater for Cajon, resulting in Class I impact (pg. ES-57)	Mojave Air District rules require BACT on air fired heaters above 2 MM BTU/hr (MDAPCD Rules)	Based on the information in the Cajon EIS/EIR (1993), the Cajon/Edison EIR Addendum (1995), and the Cajon Draft Supplemental EIS (1995); no additional new heaters would be added to service the Cajon/Edison Pipeline Project; the existing AAPL heaters at 12-Gauge Lake would be used and these heaters do not incorporate BACT. Based on the this information, there would not be legally binding requirement to utilize BACT on the heaters at 12-Gauge Lake. According to Mr. Mike Madden of the All American Pipeline Company[1], the existing AAPL heaters at 12-Gauge Lake do not incorporate BACT at this time. Furthermore, AAPL is only considering the option of retrofitting the existing heaters with some type of control technology. There is no concrete plan to retrofit these heaters at this time, and therefore, no guarantee that AAPL will reduce emissions through use of BACT.
Final EIS/SEIR does not acknowledge the Cajon alternative benefits over the Pacific Pipeline for construction emissions (p. D-10)	Cajon Pipeline alternative construction results in 32% fewer ROC emissions and 30% fewer NOx emissions in total over Pacific and 87% fewer ROC emissions and 85% fewer NOx emissions within the SCAB.	The second bullet on p. D-10 states that construction impacts would be less for the Cajon Alternative. While there is no bullet specifically addressing construction emission, their short-term nature is considered much less important than the ongoing operational emissions that would occur over the life of the project (fourth bullet, p. D-10).
Pacific Pipeline has "Clear Advantage" over Cajon Alternative	Cajon Pipeline alternative should have a "Minor Advantage" over Pacific Pipeline.	Based on the differences in the operational emissions over 50 years of the assumed Project life, the FEIS/SEIR conclusion for this issue area is correct. The typographical error that occurred in the Executive Summary does not affect the conclusion.
	3. System Safety	
Cajon/EPTC pipeline alternative would result in a change in direction of flow for the EPTC pipeline (page C.13-77)	The EPTC pipeline was designed and operates as a bi-directional pipeline (Edison Application to SCAQMD, 1993)	The statement on page C.13-77 does not challenge the fact that the pipeline was designed to be bi-directional. It merely points out that historically the intended use of the pipeline has been to transport fuel oil from refineries to the power plants which is the opposite direction that the Cajon crude would flow. More importantly, during the baseline period (which for the EIS/SEIR analysis was considered to be January to July of 1995), the majority of the use of the Alnor to Etiwanda pipeline segment was to ship oil from the refineries to the Etiwanda Generating Station. Therefore, use of that segment of the pipeline by Cajon to transport 150,000 barrels of oil per day would result in a change in direction of baseline flow. Note also that the determination of significant impacts identified in the Pacific Pipeline EIS/SEIR was not based on the direction of flow. The EIS/SEIR simply states that the pipelines were designed primarily to deliver fuel oil to SCE's power plant, which is consistent with EPTC's statements in the Edison MND prepared for the SCAQMD. The use of this system at 150,000 BPD for regular delivery of crude oil in the opposite direction is a significant change in baseline operating conditions.

[1] Personal communication with Tom Murphy of Aspen, February 8, 1996.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
Operating temperature of the EPTC pipeline is 80 to 125°F (page C.13-78/79)	EPTC pipeline was designed for operating temperature of 180°F and moved over 1MM bbl at 180°F or higher during the 12 month period from August 1994 to August 1995	[Refer to Table C.13-19, p. C.13-74, Existing 1995 EPTC System Operating Conditions, text on pages C.13-78 to -79] The analysis in the EIS/SEIR does not question the design criteria the EPTC pipeline, but is based on baseline use of the system. The 1 million barrels of oil shipped at over 180°F between August 1994 and August 1995 were primarily shipped on segments of the EPTC system between Long Beach and Dominguez Hills. This short segment (about 8.5 miles) includes only about 4 miles that would be utilized by Cajon, out of the total 66 miles of the entire EPTC system that Cajon would utilize. Note that the least used portion of the EPTC pipeline system has been the Alnor to Etiwanda segment -- this segment is nearly 49 miles, or nearly 75% of the 66-mile EPTC system that EPTC states would be used by Cajon. This segment shipped an average of only 45 BPD of fuel oil at an average temperature of 80°F during the baseline period (first 7 months of 1995). It should be noted that the EIS/SEIR was developed to comply with both NEPA and CEQA: CEQA does not allow for consideration of maximum past historical usage or the highest permitted capacities. CEQA requires that the impacts associated with a proposed action be measured against the "physical conditions which exist within the area to be affected by a proposed project.." (California Public Resource Code §21060.5).
Maximum allowable operating pressure (MAOP) of the EPTC pipeline is 1,150 psig (page C.13-76/77)	MAOP of affected portions of EPTC pipeline is 1,360 psig (EIR Addendum, 1995)	[Refer to p. C.13-76, last paragraph] The Maximum Allowable Operating Pressure (MAOP) of 1150 psig was stated by EPTC in a meeting on August 25, 1995 with the Pacific Pipeline lead agencies and their consultants. Use of this figure in the Pacific Pipeline EIS/SEIR was specifically approved by EPTC[2] prior to publication of the Final EIS/SEIR.
New oil spill risk and impacts would occur along the EPTC pipeline as a result of this project (page C.13-76)	EPTC pipeline system is currently operating and moving oil. Pipeline is full of oil at all times, therefore an existing oil spill risk is present that would not increase due to the use of the pipeline for moving oil form the Cajon Pipeline	[Refer to Section C.13.3.2.2, p. C.13-72 to -76] The EIS/SEIR does not state that Cajon would pose a new oil spill risk along the EPTC pipeline; rather, throughout Section C.13.3.2.2, text explains that shipping hot Cajon oil through the EPTC system at the level of 150,000 bpd would increase oil spill risk above that existing in the baseline. Potential failure rates are calculated based on data provided by EPTC showing the baseline utilization of the EPTC system and using publicly-available data from the California State Fire Marshal demonstrating the effect of changed operational parameters (such as temperature) on oil spill frequency. The methodology is described in detail in Section C.13.3.2.2. The significant effects of increased temperature on pipeline spill frequency are acknowledged in the Edison MND prepared for the SCAQMD in 1994 (see page 3-31 of the Edison MND). It is clear that the use of the EPTC system by Cajon, which would increase existing operating conditions in the system from the existing (1995) baseline, would result in significantly increased oil spill risk. The failure calculations in the Final EIS/SEIR properly bases the future failure rates on the replacement of 20 miles of pipeline.

[2] Letter from John F. Dayton, III to Dr. Hamid Rastegar, November 21, 1995, responding to November 14, 1995 letter from Aspen which, in item 3 of Attachment 1, requested specific permission to use the 1150 psig figure as MAOP in Pacific Pipeline EIS/SEIR analysis; copies of both letters are in Attachment B).

Allegations from Table 1 In Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
Worst-case spill volume for EPTC would occur between Fletcher and Hawthorne valve boxes, maximum spill volume of 10,565 bbl, compared to maximum spill volume for proposed project of 3,300 bbl in LA County, 11,200 bbl in Kern County, 13,000 bbl for Cajon pipeline north of Etiwanda	Maximum spill volume for Pacific Pipeline in LA County would be 11,509 between 25th St & Wilmington valves; Pacific Pipeline has larger spill volume than EPTC in LA County. The 3,300 bbl volume on p. C.13-76 is for spills at sensitive receptors only.	The commenter is correct. However, the important factor in comparing the alternatives in terms of their potential safety impacts is the estimated relative frequencies of spills. This approach was used in the FEIS/SEIR and is reflected in Table D.5-1 (p. D-28 to -29) which was used in selecting the preferred options. As noted by Edison the maximum volume of spill for the Proposed Project and alternatives are very close. No change would occur in the outcome of comparison of alternatives (Part D).
EIS/SEIR fails to identify beneficial impact to pipeline failure of replacement of 3 EPTC segments	Replacement of 3 EPTC segments reduces spill risk from the baseline conditions, resulting in a beneficial impact (Class IV).	The purpose of the EIS/SEIR is to compare the proposed Cajon/EPTC system with the proposed Pacific Pipeline. The existence of spill risk from the existing EPTC system is included in baseline risk for both projects. This comparison would be relevant only when comparing the proposed Cajon-EPTC system to the No Project Alternative. However, in estimating the potential rate of EPTC system failure, the EIS/SEIR does consider the addition of EPTC's new pipelines and the existence of a SCADA system (see Section C.13.3.2.2).
EIS/SEIR fails to identify beneficial impact of installing a SCADA system on the EPTC pipeline.	EPTC will install a SCADA system to detect leaks, reducing potential maximum spill volume from 10,467 to 9,383 bbl, a beneficial impact.	
EIS/SEIR asserts emergency response capabilities for Cajon portion are less than that expected for Pacific	Assumes the presence of 3 other crude oil lines near Pacific Pipeline will increase spill response. No evidence is provided to support that assumption.	The Proposed Pacific Pipeline is parallel and in close proximity to three other crude oil pipeline for the first half of its length. These pipelines are very similar in terms of the shipped material, diameters, and agencies responsible for their safety and reliability. These pipelines have developed separate contingency plans and are required to have adequate response resources available to them; the Pacific Pipeline's oil spill response would be expected to be improved due to the increased frequency of visual inspection in the vicinity and because the pipeline operators tend to utilize the same oil spill response contractors. No such redundancy in emergency response capability exists along the proposed Cajon Pipeline route.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
EIS/SEIR improperly calculates failures for Cajon Pipeline Alternative as 3 for Cajon portion and 38 for EPTC portion	Correctly using Fire Marshal's report, Cajon Pipeline would have 1 failure, EPTC would have 17 failures assuming modification as proposed (baseline is incorrectly calculated; operating temperatures would not increase). Cajon Pipeline would reduce EPTC failures from 39 to 17, a beneficial impact.	[Refer to Section C.13.3.2.2, Environmental Impacts and Mitigation Measures: EPTC System (Etiwanda to Refineries) which describes development of failure rate figures in detail] The data used to calculate existing crude oil/product temperatures in the EPTC system (used as baseline for determination of changes resulting from addition of the Cajon Pipeline) was taken directly from EPTC data provided by Mr. John Dayton, EPTC's Chief Operating Officer [3]. Temperatures for future operation of Cajon were calculated from data included in the Cajon EIR/S. Edison does not explain the methods by which failures were calculated in this statement; the figures are not consistent with those presented in the public environmental documents on the Cajon Pipeline or the Cajon-Edison proposal.
EIS/SEIR claims that new EPTC pipeline segments will not be insulated (p. C.13-72)	Edison will use 16-inch insulated pipe to replace existing 8-inch uninsulated pipe.	As shown in Table B.4-6 (p. B-97), the EPTC system that would be used by Cajon includes over 30 miles of existing 16-inch pipe (between Santa Fe Springs and the Texaco Refinery, Texaco and El Segundo, and Long Beach and Dominguez Hills). It is this existing pipe that is referred to on p. C.13-72 as being uninsulated, not the new segments of replacement pipe.
EIS/SEIR fails to acknowledge that Pacific Pipeline will increase oil spill risk in Los Angeles basin while Cajon Pipeline will reduce oil spill risk (p. D-29)	If the Pacific Pipeline is built, EPTC will still operate. Oil spill risks in the LA Basin would include both EPTC and Pacific Pipelines (39 failures for EPTC + 6 failures for Pacific = 45 failures). If Cajon is built, pipeline failures would be 1 for Cajon + 17 for EPTC = 18 failures, a lower risk.	We disagree with EPTC's estimation of oil spill risk and stand behind the methodology used in the FEIS/SEIR. The EIS/SEIR (Section C.13.3.2.2) clearly shows that as a result of the changing operating conditions from the existing baseline condition, the Cajon /EPTC system would experience a higher incremental failure rate than the Proposed Pacific Pipeline.
EIS/SEIR states "Clear Advantage" over Cajon for System Safety	Error correction results in Cajon Pipeline Alternative having "Clear Advantage" over Pacific	EIS/SEIR conclusion is correct. The analysis of risk and oil spills allows use of a variety of approaches; EPTC uses a different approach and a different baseline from that used in the EIS/SEIR, thus reaching different conclusions.

[3] Letter dated September 20, 1995 from John Dayton to Hamid Rastegar, Aspen.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
		4. Environmental Contamination
Construction impacts to contaminated sites near Grande Vista Landfill, agricultural areas, and abandoned oil wells (page C.5-24)	No construction activities are proposed in these areas.	[Refer to Section C.5.3.1.2 (p. C.5-22 and -23), which describes the types of environmental contamination that are likely to be encountered along the construction segments. The Grande Vista Landfill is not included as potentially impacting the EPTC System.] As stated in Section C.5.3.2.2, "there is potential for site contamination from leaked fuel oil from the existing EPTC pipeline [in all replacement segments], agricultural pesticides [in the Edison Avenue replacement segment which is within the Dairy Preserve and adjacent to agricultural lands], and the possibility of encountering abandoned oil and gas wells [in the Tonner Canyon and Lambert to Santa Fe Springs replacement segments which are adjacent to the Brea-Olinda and Santa Fe oil fields]." The same exact methodology has been used in the document for the Proposed Project and other alternatives.
		5. Biological Resources
Significant (Class I) construction impacts to riparian habitat in Tonner Canyon	Pipeline replacement in Tonner Canyon will follow an existing roadway along Tonner Creek, impacting less than 125 sq. ft. of riparian habitat.	The determination of a Class I impact due to disturbance of riparian habitat is explained in the first bullet under Section C.3.3.2.2 of the Pacific Pipeline EIS/SEIR. The Cajon/Edison EIR Addendum, Table 3.2.1 (Stream Crossings Along Route of Edison Pipeline) shows that the pipeline in Tonner Canyon would cross Tonner Canyon Creek nine times within 7.7 miles. Each of these crossings occurs in densely vegetated areas where the construction of the crossing itself would have to occur outside of the actual roadbed. The Cajon/Edison EIR Addendum acknowledges the extensive riparian habitat affected by the new EPTC route: "The new pipeline will cross riparian corridors in fifteen places" (page 3-33). Also, the Cajon/Edison EIR Addendum's determination that the crossings would disturb a total of only 150 square feet of riparian vegetation (page 3-34) or less than 125 square feet (page 3-50) appears to significantly underestimate potential impacts at each crossing (and their total impacts). Tonner Canyon Road is a single-lane dirt road; the width of the construction corridor for the proposed EPTC pipeline replacement segment would likely exceed the width of the road.
Oil spill impacts to biological resources are significant (Class I) along EPTC Pipeline due to lack of comprehensive mitigation	EPTC pipeline is baseline and oil spill impacts would not change. Entire EPTC system has an approved Oil Spill Contingency Plan to mitigate oil spill impacts. No new impact would occur.	[Refer to significance criteria on p. C.3-45] The existence of Edison's Oil Spill Contingency Plan does not eliminate the possibility of damage to biological resources from an oil spill. The EIS/SEIR determines that oil spill frequency would increase over current baseline with the implementation of the Cajon/EPTC pipeline. As with the Pacific Pipeline and Mojave Route Alternative, the increase in potential damage to sensitive species or habitats is considered to be a significant impact.
EIS/SEIR does not address the beneficial impact from relocating the pipeline out of Tonner Creek into an existing roadway	Pipeline replacement will eliminate the use of existing pipeline within Tonner Creek. Placing the new pipeline in an existing roadway will reduce oil spill impacts in the creek.	While the realignment of the pipeline from the creek bed to the road could reduce the risk of pipeline rupture and resulting oil spill caused by stream scour, realignment does not eliminate the significant remaining oil spill risk (the Class I impact identified for oil spills on biological resources) caused by the increased frequency of spills over the existing baseline. In addition, due to the narrowness of Tonner Canyon, an oil spill occurring anywhere in the Canyon would still be very likely to contaminate the creek itself.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
Potential for substantial damage/removal of native trees in Tonner Canyon	Pipeline alignment in Tonner Canyon avoids removal/damage of large oak trees. No evidence supports EIS/SEIR claim.	As explained in the third bullet under Section C.3.3.2.2, loss of specimen trees is one of four reasons given for the Class I impact on native plant communities. The primary reasoning for the stated Class I impact is the questionable effectiveness of the mitigation measures proposed in the Cajon/Edison EIR Addendum, as assessed in comparison to criteria developed for the Pacific Pipeline EIS/SEIR.
		6. Cultural Resources
Significant Class I construction impact to unknown cultural resources in Tonner Canyon due to lack of mitigation requiring archaeologist on-site during construction	Mitigation measures 3.8-1(b) and 3.8-2(a) require an archaeologist and, after initial clearing, re-examination of ground surface prior to further construction activities, thus Class II impact (mitigated to a level that is not significant)	[Refer to text on p. C.4-32 and -33] The referenced mitigation measures are not considered adequate to protect unknown cultural resources. Cajon/Edison EIR Addendum mitigation measure 3.8-1(b) requires that an archaeologist with historic expertise be called "in the event that historic materials are discovered during excavation." This measure relies on construction personnel to identify "historic materials." Cajon/Edison mitigation measure 3.8-2(a) covers only the vicinity of Tres Hermanos Ranch, and not the remainder of the pipeline construction area in Tonner Canyon.
Significant Class I oil spill impact to cultural resources as no mitigation measures were proposed to require an archaeologist during cleanup	Mitigation measure 5.12.1-1(d)(l). requires cultural sites to be protected during oil spill cleanup, thus a Class II impact.	The commenter is correct that the Cajon EIR/EIS mitigation measure referenced in the comment [5.12.1-1(d)(l)] requires that areas of archaeological or paleontological significance be noted in the Oil Spill Contingency Plan. The measure states that special clean-up techniques, such as not operating bulldozers, in these areas may be required to reduce impacts on these resources and must be described in the Oil Spill Contingency Plan. However, the provisions of the Pacific Pipeline EIS/SEIR mitigation measures go beyond those in the Cajon EIR/EIS. The root of the difference is that the Cajon EIR/S stresses intent, while the Pacific Pipeline EIS/SEIR emphasizes enforceability, with the assumption that if a requirement is not specifically stated it may not be implemented. Mitigation Measure C-10 requires archaeological and Native American involvement in developing the Oil Spill Contingency Plan (similar to the Cajon measure above). In addition, Mitigation Measure SS-13 (pages C.13-58 to -59 of the EIS/SEIR) requires the presence of an archaeologist and Native American observer during cleanup efforts and provide for emergency site excavation if necessary. Furthermore, the mitigation measure for the Cajon (northern) portion of the Cajon/Edison system would not apply to the EPTC portion from Etiwanda to Dominguez Hills because the Draft Supplemental EIS does not cover the EPTC portion of the project (a continuous consistency problem as a result of having several different documents cover different segments of the same proposed project). Therefore the potential oil spill impact for this portion of the Cajon/EPTC pipeline is not mitigated and remains Class I.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
CA-SBR-7090H is a site not listed in the Cajon EIR/EIS	CA-SBR-7090H has been determined to be ineligible as a historic site (SHPO letter to BLM, August 1993)	Reference to the site CA-SBR-7090H is taken directly from the Cajon/Edison EIR Addendum (page 3-106) which focused on the EPTC segment of the proposed Cajon pipeline. The EIR Addendum makes no reference to the commenter's stated determination of ineligibility. However, the Supplemental Cajon EIS makes a reference to ineligibility. Note that impacts of pipeline realignment (the section within which this reference is made) are determined in the Pacific Pipeline EIS/SEIR to be not significant (Class III).
Significant (Class I) impacts to Native American values, as Cajon Pipeline proposed no mitigation	BLM consulted with Native Americans for Cajon pipeline construction. Final EIS/SEIR did not consider a BLM Draft Construction, Operation, and Maintenance Plan which fully mitigates impacts to Native American values, thus Class II impact.	[Refer to Sections C.4.3.2.1 and C.4.3.2.2] The Construction, Operation, and Maintenance Plan referenced by Edison was not included or referenced in the public environmental documents evaluating the Cajon/Edison project, and therefore were not reviewed for the EIS/SEIR. The first paragraph of "Environmental Impacts and Mitigation Measures" (Section C.4.3.2), describe the reasons that impact classification in the Pacific Pipeline EIS/SEIR differs from that concluded in the Cajon or Edison EIR/EIS documents. In particular, the approach taken in the Cajon EIR/S to mitigation indicates that the project would result in insignificant impacts to Native American values through consultation, while the approach in the Pacific Pipeline EIS/SEIR is that significant loss of resources could still occur through careless construction practices even after consultation. Impacts to Native American Values for the Pacific Pipeline are determined to be potentially significant (Class II) but mitigated by the inclusion of Mitigation Measures C-11, C-12, C-13, and C-14. Because comparable specific measures were not required in the Cajon or Cajon/EPTC documents, the potentially significant impacts are assumed to remain unmitigated (i.e., Class I).
Mojave Alternative is "Preferred" over Cajon Pipeline Alternative	After errors are corrected, Cajon Pipeline is "Preferred" over Pacific and Mojave	EIS/SEIR conclusions are still considered to be accurate.
		7. Noise
New pumps at each pump station on EPTC system. Significant (Class I) impact due to operation of Euclid pump station, causing noise levels of 50-55 dBA at sensitive receptors within 500 feet (p. C.9-31)	No new pumps proposed at El Real station. Existing pumps operated over 5,000 hours during past year. This baseline noise was not considered. New pumps at Euclid Station have expected noise levels of 91 dBA at 3 feet; noise would be 35 dBA at 500 feet (not 50-55 dBA). Noise increase of less than 10 dBA is insignificant adverse impact (Class III).	[Refer to p. C.9-31 for discussion of Operational Noise impacts] No significant noise impact was identified at the El Real pump station. Baseline noise impacts along the EPTC system were determined using data provided to Pacific Pipeline EIS/SEIR Lead Agencies by EPTC that described the 1995 utilization of the EPTC system (particularly between Alnor and Etiwanda) as very minor[4]. Based on the small number and volume of shipments in that pipeline segment, it was clear that pump usage and other operational noise during that baseline period was minimal and that night operations were unnecessary. The Edison conclusion that noise would be 35 dBA and not the 50-55 dBA as stated in the EIS/SEIR is not explained or supported by data. The 50-55 dBA conclusion was reached based on a noise model that was also used for evaluation of the Pacific Pipeline and Mojave Alternative.

[4] Confidential data attached to letter from John F. Dayton, III to Martha Sullivan, CPUC, September 20, 1995, Table entitled "EPTC System - Current Usage (12-Month History), Alnor to Etiwanda Pipeline.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
Reduction in noise impacts from the significantly shorter construction period for the Cajon Pipeline alternative was not discussed	Pacific Pipeline requires 1,191 construction days; Cajon Pipeline would require 393 days.	[Refer to Table D.5-1, page D-25] The commenter's statement that the Pacific Pipeline Project would require more construction days than the Cajon/EPTC Project is correct; however, a comparison of affected sensitive receptors shows more potentially affected sensitive receptors along the Cajon/EPTC route. The number of construction days is not the most important factor in evaluating noise impact; rather, it is the noise volume and length at an identified sensitive receptor. The Pacific Pipeline EIS/SEIR considers construction noise associated with the Pacific Pipeline to be potentially significant (Class II) but mitigated due to the imposition of specific mitigation measures (N-1 through N-4) that would reduce noise impacts on sensitive receptors. As explained in Section C.9.3.2.2, the construction of the EPTC replacement segments would result in noise level increases in excess of 15 dBA at several sensitive receptors (see third significance criterion on page C.9-14), and mitigation measures would not substantially reduce that noise impact.
Construction noise impacts are a significant (Class I) impact because no effective mitigation was proposed	Cajon EIR/EIS and Addendum provide similar mitigation measures to those suggested for Pacific Pipeline. Mitigation measures restrict construction hours and require pre-construction notice; thus impact should be Class II.	[Refer to p. C.9-29, under *Construction Impacts*] The construction noise impacts for the Cajon/EPTC system remained significant (Class I) because of the limited mitigation measures proposed in Edison's EIR Addendum: the posting of signs along the ROW [measures 5.5.1-2(b) or 3-5-2] is in no way comparable to the Pacific Pipeline EIS/SEIR measures N-1 through N-4, which include personalized advanced noticing, avoidance of schedule conflicts, a toll-free hotline, and tips on reducing impacts. The difference lies not in a different treatment within the Pacific Pipeline EIS/SEIR, but in the difference between the approach and level of specificity in the EIS/SEIR and the Cajon/EPTC documents: for the latter there is no significant impact determined if ordinances are adhered to (the analysis is entirely non-site-specific), while the EIS/SEIR analysis is entirely site-specific. The key factor is that this rigorous, site specific, detailed approach is equally applied to all alternatives analyzed in the EIS/SEIR.
Pacific Pipeline is "Preferred" over Mojave and Cajon	When errors are corrected, Cajon is "Preferred" over Pacific and Mojave	Conclusion of the EIS/SEIR is still considered to be accurate
8. Public Utilities and Energy		
Overestimates gas consumption for AAPL heaters. Assumed a heat requirement of 115.7 MM BTU/hr	52.2 MM BTU/hr will be required; gas consumption is overstated by a factor of 2.2	The criteria used to estimate energy utilization for the Cajon/EPTC pipeline are the same as those used for the Pacific Pipeline, and are explained in footnotes to Table C.11-3 on page C.11-9. As stated in Section C.11.3.2.2, the Cajon/EPTC would require approximately 2.7 times more energy for combustion (for heaters) and 2.4 times as much electrical energy (for pumps) as would be required by the Pacific Pipeline system when computed for the same crude originated from a common point of crude oil availability (the AAPL Pentland Station) and destined for the same end users. This major difference in energy use is significant because of the assumed 50-year project life of these pipelines, over which period the Cajon/EPTC pipeline would use huge amounts of energy above that required for the Pacific Pipeline for the same level of crude delivery.
Overstates the average electrical power requirements for the Cajon Pipeline alternative (22,828 kW)	Average electrical usage would be approximately 16,530 (Cajon EIS/EIR, Marmac Hydraulic Analysis provided to Aspen)	

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
Significant (Class I) impact to other utilities at fault crossings during an earthquake affecting the EPTC pipeline	Existing EPTC pipeline is baseline. Potential impacts to utilities during an earthquake are the same today as they would be if EPTC was connected to Cajon. No collocated utilities are in the EPTC corridor where pipeline crosses active faults. EPTC will not cause new impact.	[Refer to Section C.6.3.2.1 under *Seismic Hazards*] See previous discussions about EIS/SEIR determination of baseline: oil spill risk was determined to be increased over baseline with Cajon's utilization of EPTC system. The EPTC pipeline crosses active faults (Whittier and Newport-Inglewood) in highly urbanized areas where numerous smaller utilities (including natural gas lines) are located, so the possibility of collocation impacts exists.
9. Hydrology		
Significant (Class I) impact to hydrology due to contamination of ground and surface water from a Cajon Pipeline rupture. EPTC pipeline would have a higher spill potential than Pacific.	EPTC pipeline is baseline. Potential impacts to hydrology during an oil spill would not change. Two new drainages are potentially impacted from new Cajon pipeline compared to 30 for Pacific Pipeline and 16 for Mojave (Table D.5-1, p. D-23)	[Refer to Table D.5-1, p. D-23] See previous discussions about EIS/SEIR determination of baseline: oil spill risk was determined to be increased over baseline with Cajon's utilization of EPTC system. According to Table D.5-1, the correct figure for Cajon's crossings of drainages where a spill could affect water supply resources is 7 (not 2)
Significant (Class I) impact to hydrology due to risk of 100-year flood on individual stream crossings for Cajon Pipeline	EPTC pipeline is baseline. Potential impacts to hydrology with a 100-year flood at individual stream crossings would not change. Numbers of stream crossings with risk of flooding is 13 (Cajon), 77 (Mojave), and 97 (Pacific).	[Refer to Table D.5-1, p. D-23] See previous discussions about EIS/SEIR determination of baseline: oil spill risk was determined to be increased over baseline with Cajon's utilization of EPTC system. Edison's quoted stream crossing figures are consistent with the EIS/SEIR (see Table D.5-1).
Significant (Class I) impact to hydrology due to unmitigated construction impacts in Tonner Canyon	Mitigation measure 3.2-1 in Cajon Addendum mitigates severe erosion or sedimentation construction impacts to insignificant levels (Class II)	[Refer to p. C.7-61] The Class I impacts identified in the EIS/SEIR from construction impacts are related only to lack of prohibition of construction during rainy season. General construction impacts are stated as Class II (line 2, p. C.7-61) based on Cajon/Edison mitigation measures 3.2-1 and others listed in Table C.7-10. Impact Summary Tables (p. ES-61, item 9 under Hydrology, and p. ES-78, item 11) correctly state the distinction between Class I and Class II impacts.
Significant (Class I) impact due to flooding at Tonner Canyon pump station	Tonner Canyon is an existing pump station. Potential flooding impact is within the baseline and not a new impact.	[Refer to p. C.7-62, first paragraph] The Tonner Pump Station is within the flood zone. The Class I impacts result from the increased oil spill risk over the baseline, resulting from the new conditions that would result from transporting of 150,000 BPD of different slate of crudes.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
Mojave Pipeline alterative "Clear Advantage" over Cajon Pipeline	Cajon Pipeline Alternative has "Clear Advantage" over both Pacific and Mojave when errors are corrected	Both the Cajon Pipeline Alternative and the Mojave Route Alternative were determined in the Pacific Pipeline EIS/SEIR to be "Preferred over Proposed Project" for the Hydrology issue area (see Tables D.1-2 and D.5-1, and text in Sections C.7.3.2 and C.7.4.2).
		10. Socioeconomic
Significant (Class I) socioeconomic impact associated with an oil spill from the EPTC pipeline as no mitigation is provided	EPTC pipeline is baseline. Potential impacts from an oil spill would not change. Oil Spill Contingency Plan is approved, mitigating existing impacts form an oil spill. Mitigation measures in EIS/SEIR for Cajon Pipeline were similarly included in EPTC EIR Addendum.	[Refer to Section C.12.2.2.3] The Cajon/Edison EIR Addendum prepared for the Cajon/EPTC pipeline presented no analysis of socioeconomic impacts at all, simply stating that there are no significant socioeconomic impacts associated with the project. Therefore, the Pacific Pipeline EIS/SEIR utilized information and rationale consistent with the analysis of the Pacific Pipeline to evaluate potential socioeconomic impacts, including those resulting from incremental increases in pipeline spills. This potentially significant impact is identified for the Pacific Pipeline, and mitigation measures are presented to reduce the magnitude of these impacts. For the Pacific Pipeline, this mitigation can reduce the impacts to a non-significant (Class II) level. Had similar measures been presented in the Cajon/Edison EIR Addendum and applied to the Cajon/EPTC pipeline, that impact would have been Class II as well, but without those measures, the impact remains unmitigated and Class I.
Cajon/EPTC pipeline would impact agricultural lands during construction (page C.8-25/27)	There would be no construction on agricultural lands for Cajon/EPTC pipeline	[Refer to Section C.8.3.1.2] Land uses that would be traversed by the Cajon Pipeline and the three replacement segments of the EPTC system include a considerable amount of agricultural land. From the Mira Loma Launcher to the Euclid Pump Station, the EPTC pipeline passes along the shoulder of Milliken and Edison Avenues through an agricultural area primarily consisting of dairy farms and designated as a County dairy preserve, within San Bernardino County and the City of Chino. Specifically, a portion of this EPTC replacement segment immediately west of Milliken Avenue is located along a private road that passes through the active Dykstra Brothers Dairy farm and ranch.
EPTC Pipeline is disadvantaged by not being subject to "Oil Pipeline Environmental Responsibility Act"	EPTC pipeline is subject to "Lempert-Keene-Seastrand Oil Spill Prevention and Response Act" (OSPR), which has financial responsibility requirements similar to OPERA. Although OSPR refers to marine waters, EPTC is covered and the certificate of financial responsibility shows that Edison has the ability to pay any needed oil spill costs.	As stated in Section C.13.3.2.3 (p. C.13-8), the Oil Pipeline Environmental Responsibility Act (OPERA) is not applicable to the existing EPTC system. Most pipeline proponents (including Pacific Pipeline and its partial owners Chevron, Texaco, and Unocal) claim, as EPTC has, that they have enough financial resources to cover oil spill damages. However, OPERA was created to verify those assertions, assigning the Fire Marshal to insure that these resources exist and to provide for insurance and bond requirements.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations* * Except as noted, citations are to the Final EIS/SEIR (January 1996)
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	
No discussion of the beneficial impacts to socioeconomics associated with use of the EPTC system	12.5% of gross revenues generated by EPTC would reduce Edison electric utility rates, a beneficial impact	[Refer to p. C.8-27] Neither the Draft Supplemental Cajon EIS nor the Cajon/Edison EIR Addendum prepared for the Cajon/EPTC pipeline mentioned this alleged beneficial impact, and in fact presented no analysis of socioeconomic impacts at all, simply stating that there are no significant socioeconomic impacts associated with the project.
Pacific Pipeline has a "Minor Advantage" over Cajon alternative	When errors are corrected, Cajon Pipeline has a "Clear Advantage" over other alternatives.	No errors are confirmed; EIS/SEIR conclusions are correct.
		11. Land Use and Recreation
EPTC pipeline leads to increased probability of oil spills impacting sensitive land uses	EPTC pipeline is baseline. EPTC pipeline potential oil spill risk is reduced with the proposed modifications. Actual impacts to land use and recreation from an oil spill would not change. No new impact.	According to EIS/SEIR analysis (explained above under #3, System Safety) oil spill frequency will increase over baseline due to the change in existing operating parameters under the Cajon Project. Increased frequency of oil spills results in increased impact on sensitive land uses.
EIS/SEIR identifies a significant (Class I) impact associated with conflicts with adjacent land uses and recreational resources for EPTC pipeline (Table D.5-1, p. D-24)	No evidence in land use section supports this Class I impact. Only claimed Class I impact for Cajon is due to oil spill (p. C.8-21 to 28). As EPTC pipeline is baseline, no new conflict with adjacent land uses and recreational resources arises. Tables C.8-1 and C.8-4 show Pacific Pipeline has much greater conflicts than Cajon portion of the Cajon Pipeline alternative.	The Class I impact shown in Table D.5-1 is explained in Section C.8.3.2 (p. C.8-27 and -28), where a Class I impact is identified as resulting from an oil spill "which could cause adverse, significant impacts on nearby sensitive land uses." This impact results from the fact that the oil spill frequency of the EPTC system would increase over the current baseline, as stated by the EIS/SEIR (Section C.13.3.2). Note that a Class I impact is also identified for the Pacific Pipeline and the Mojave Route Alternative for oil spills potential impact on land uses.
Pacific has "Minor Advantage" over Cajon	When errors are corrected, Cajon Pipeline has "Minor Advantage" over other alternatives	No errors are confirmed; EIS/SEIR conclusions are correct.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
		12. Transportation
EIS/SEIR found significant (Class I) impacts to transportation due to an oil spill from Cajon Pipeline and that EPTC pipeline would have a higher oil spill potential.	EPTC pipeline spill risk is reduced with proposed modifications. EPTC pipeline is baseline. Potential impacts to transportation from an oil spill would not change. Cajon Pipeline would be expected to have new oil spill impacts to 63.7 miles of road and 0.4 miles of railroad ROW, vs. 75 miles of road and 33 miles of railroad ROW for Pacific Pipeline. Potential impacts to transportation are greater for the Pacific and Mojave Pipelines. Cajon should be Class II	[Refer to p. C.14-25 and -26: determination of Class I impacts is described in sections on *Operation Impacts*] The approach to determination of the appropriate baseline for the EPTC system in the Pacific Pipeline EIS/SEIR is addressed above. As discussed above in #3, System Safety, a greater number of leaks and ruptures would likely occur during the Cajon project lifetime due to the changes in conditions resulting from shipment of heated crude oil at 150,000 BPD and from the inclusion of the older pipeline segments in the EPTC system. By the significance criteria of this Pacific Pipeline EIS/SEIR, this results in a Class I impact (note that Pacific and Mojave alternatives are also Class I for this impact).
Significant but mitigable (Class II) impacts associated with roadway blockage and increased traffic congestion during construction for Cajon. Table D.5-1 (p. D-30) shows EPTC would affect 16.9 miles of roadway (11.4 arterial and 5.5 local)	Of the 16.9 miles of roadway construction, 6.4 are in arterial roadway. Remainder occurs on private road in Tonner Canyon. Cajon portion impacts 15.4 miles of roadway. Pacific and Mojave alternatives impact 33.5 miles of roadway due to construction. Cajon Pipeline results in fewer construction impacts to roadways.	[Refer to Section C.14.3.2.2] This impact was based primarily on potentially severe construction impacts on the heavily-traveled urban roadway segment between the Lambert Launcher and the Santa Fe Springs Pump Station. The categorization of this roadway segment (Lambert, Leffingwell, and Telegraph Roads) as "active" cannot be questioned. A key factor in the assessment of construction impact level was EPTC's proposal to trench through (rather than bore under) intersections which results in major traffic impacts, especially in urban areas such as those covered by this EPTC construction segment. While the road in Tonner Canyon is lightly traveled, construction along this road will preclude its use for any other purpose, potentially affecting both the Boy Scouts and the heavy equipment training center. The pipeline is in the shoulder of Edison Avenue along the Mira Loma Launcher to Euclid Pump Station segment, but it is anticipated that shoulder construction would close at least one lane on this two-lane street.
Pacific Pipeline has "Minor Advantage" over Cajon	When errors are corrected, Cajon Pipeline has "Minor Advantage" over Pacific and Mojave	No errors confirmed; EIS/SEIR conclusions are correct.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
		13. Geology
EIS/SEIR states that Cajon Pipeline would offer "slightly less severe" impacts to geology because fewer faults would be crossed and fewer steep slopes encountered	Pacific alignment crosses the San Andreas fault at an acute angle several times within approximately 2.5 miles. Fault crossing design would require minimum setback of several hundred feet from each fault crossing for anchor points. Pipeline cannot be designed to withstand anticipated offsets at San Andreas fault crossing without significant realignment. No realignment is proposed. Stability of San Andreas fault crossings are a serious issue (Class I).	[Refer to Section C.6.2.2.3 under *Fault Rupture*] The EIS/SEIR states that because the specific pipeline design at active fault crossings has not been tested by nature, it may not be possible to prevent pipeline rupture if a major fault moves by more than several feet. For that reason, all active fault crossings of the Pacific Pipeline and alternatives are considered to have potentially significant (Class I) impacts. Mitigation included by PPSI's pipeline design includes placement of remotely-operated valves on either side of active fault crossings in order that the pipeline can be quickly shut down in the event of an earthquake resulting in pipe rupture. All of the pipeline alternatives (Pacific, Mojave, and Cajon) would cross the San Andreas fault, and in all cases the proponent has proposed block valves on either side of the fault. The fact that the Pacific Pipeline would cross the fault at an acute angle and cross it several times does not negate the value of the block valves outside of the fault zone. Whether the pipeline ruptures in one place or in several places within the fault zone, the block valves would still activate to stop oil flow and the spill volume would be approximately the same. There is no land route by which oil could be brought from the southern San Joaquin Valley into the Los Angeles basin without crossing the San Andreas fault.
	Significant Class I impact is associated with steep slopes and landslide hazards for Pacific Pipeline. Crossing of 2 active landslides is Class I impact. Landslide hazards associated with Cajon Pipeline alternative are Class II. Cajon offers a significant advantage over Pacific Pipeline Project.	Edison's statement is correct; Table D.5-1 confirms this information and states that Cajon is preferred over the Pacific Pipeline in the Geology & Soils issue area.

Allegations from Table 1 in Edison's Comments (4/1/96)		Responses to Edison's Allegations*
Pacific Pipeline FEIS/SEIR	Actual Cajon Alternative Impacts	* Except as noted, citations are to the Final EIS/SEIR (January 1996)
		14. Visual Resources
EIS/SEIR states that Cajon Pipeline would have a "minor advantage" over Pacific and Mojave alternatives	Pacific Pipeline involves 20 miles of construction in the Angeles National Forest, visible to motorists along the Old Ridge Road. Pacific impacts would be visible from I-5, Route 166, Old Ridge Road, Templin Highway, Lebec and Peace Valley Roads. Cajon alternative would only be visible from US 395 and I-15 north of Etiwanda, and would follow dirt roads and previously disturbed ROW	See Section 15.1.3.4 For a description of the visual settings in the Angeles National Forest (ANF). [Refer to summary in Table D.5-1 of the EIS/SEIR] The Pacific Pipeline EIS/SEIR correctly concludes a "minor advantage" for Cajon/EPTC over the Pacific Pipeline for the following reasons: • While the Pacific Pipeline would involve construction within the ANF, it follows the disturbed ROW of a recently-constructed pipeline (the Mobil M-70) for nearly the entire ANF segment. That ROW is still clearly visible in the ANF, therefore it represents the baseline condition of this area. The Cajon Pipeline would traverse the scenic Cajon Pass area, requiring "some landform alteration and the clearing of a right-of-way on visually prominent mountain slopes" (Cajon Draft SEIS, pages 5.6-1 and -2). • Two of the Pacific Pipeline above-ground facilities would be constructed adjacent to existing pipeline pump stations (at Emidio and Grapevine) and are not considered to be in "visually sensitive" areas as stated by the commenter. The proposed Whitaker Pressure Relief/Reduction Station would be located in the ANF and visible from some locations, but mitigation is identified to reduce the potential visual impact. The proposed Cajon Terminal at 12-Gauge Lake would cover 25 acres in a highly visible site adjacent to SR 58, and impose views of 5 large oil storage tanks (750,000 bbl total) in an area where visual mitigation is difficult to achieve due to the expansive views and flat terrain. • As correctly stated by Edison, the Cajon/EPTC alternative would require construction of fewer miles of new pipeline than the Pacific Pipeline. That was the major reason the Cajon/EPTC system was considered to have a "minor advantage" over the Pacific Pipeline.
		15. Minority/Low Income
EIS/SEIR states that Cajon Pipeline alternative would have a "minor advantage" over Pacific and Mojave alternatives	Cajon Pipeline alternative crosses fewer minority and/or low-income tracts than Pacific. Minority and/or low-income populations along the Pacific route are over 20% greater than County averages in terms of income and race. The minority and/or low-income populations along the Cajon Pipeline route are an average of 14% lower than County averages. Cajon Pipeline alternative has a "Clear Advantage" over Pacific and Mojave alternatives.	The Pacific Pipeline EIS/SEIR documents the major underlying issues with respect to the impacts on minority populations and low-income populations. While this analysis attempts to "overlay" impacts identified in the environmental issue areas (Sections C.2 - C.15) with the geographic distributions of minority populations and low-income populations, significance criteria and significance of impact are not specified. Based on the findings of Section C.16 (and C.2 - C.15 upon which C.16 is based), the Cajon/EPTC project is considered to offer a minor advantage with respect to such impacts, by virtue of the lower percentages of minority and low-income populations along the route. This advantage is stated as minor because the Pacific Pipeline is considered to make a minor incremental contribution to the general industrial character and use of the corridor through which it passes (health and environmental effects on residential and commercial areas would not be major). The Cajon/EPTC route would pass through many more residential and commercial areas than would the Proposed Project.