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April 6, 2009

Jeanne B. Armstrong

John Boccio / Justin Seastrand
CPUC / USDA Forest Service
C/o Aspen Environmental Group
30423 Canwood Street, Suite 215
Agoura Hills, CA 91301

Re: Comments on the Draft Environmental Impact Report

Dear Mssrs. Boccio and Seastrand:

In accord with the February 13, 2009, Notice of Availability of Draft Environmental Impact Report /Statement ("DEIR/EIS") on Southern California Edison Company's (SCE) Tehachapi Renewable Transmission Project ("TRTP" or the "Project"), the City of Chino Hills (the "City" or "Chino Hills") submits the following comments.

Chino Hill's significant interest in Segment 8A of the Project has been made known from the commencement of SCE's regulatory process to achieve approval of the Project. As proposed (and as now selected in the DEIR/EIS as the environmentally superior route), Segment 8A will follow an existing 150 foot SCE right-of-way through the City for approximately five miles, three miles of which is densely populated residential neighborhoods. Specifically, there are over 1000 homes which would be within 500 feet of the proposed transmission lines. The City has attempted to work, at considerable cost, for over eighteen months with all relevant stakeholders in this process – e.g., SCE, the Commission, State Parks and Recreation – to fashion viable alternatives which would allow the Project to go forward in a timely manner, while protecting the health, safety and welfare of the residents of Chino Hills.

Unfortunately the DEIR/EIS fails to reflect such efforts. To the contrary, the DEIR/EIS chooses SCE's proposed route (including that for Segment 8A), rejecting the alternatives which the City proffered for Segment 8A by failing to assess all relevant information, erroneously dismissing other significant data, or by simply failing to account for the true impacts of the Project. As will be demonstrated by these comments the pervasive errors in the DEIR/EIS, as such pertain to the assessment of Segment 8A of the project and the alternatives thereto, have resulted in an incorrect overall finding of environmental superiority.

Since the issuance of the DEIR/EIS, the City has continued its efforts to reach out to impacted stakeholders in an effort to come to a solution that works for everyone. This effort has resulted in obtaining the endorsement of Hills For Everyone - a non-profit organization dedicated to preserving open space in the Puente – Chino Hills region of southern California --for Alternative 4C (with slight modifications as described in these comments) as the preferred environmental alternative. Given that the creation, expansion, and preservation of the Chino Hills State Park ("CHSP" or "Park") is viewed as one of the most important goals the organization, its support for Alternative 4C should be given significant weight in the Commission's assessment of this Alternative.

For purposes of organization, these comments will be divided into two sections. The first section, with accompanying attachments, will address Alternative 4C, with the modifications, proffered by Hills for Everyone. This section will illustrate that these modifications do not present environmental impacts which have not already been studied and addressed in the DEIR/EIS. At the same time, these modifications meet or exceed the environmental benefits provided by Alternative 4C as presented in the DEIR/EIS. As such the modifications do not rise to the level of significance which would necessitate a recirculation of the DEIR/EIS under the California Environmental Quality Act (CEQA) Guidelines.

The second section will provide a detailed analysis of the DEIR/EIS. Through the comments in this section, Chino Hills will illustrate that the DEIR/EIS is rife with deficiencies and inaccuracies, which renders it noncompliant with CEQA and results in the erroneous selection of the SCE's Proposed Route for Segment 8A of the Project as the "environmentally superior" route. In concert with such, Chino Hills will illustrate that proper analysis would have lead to the selection of Alternative 4C.

Correcting the deficiencies in the DEIR/EIS' analysis of the Project and correcting the errors in the analysis of Alternative 4C results in the selection of Alternative 4C as environmentally superior.

Finally, Chino Hills notes that, as referenced above, it is continuing to engage in ongoing discussions with stakeholders regarding the appropriate solution for the Project route as such transverses Chino Hills. In this regard, Chino Hills reserves the right to submit supplemental comments on the DEIR/EIS to reflect the status and results of such ongoing discussions.

Very truly yours,

GOODIN, MACBRIDE,
SQUERI, DAY & LAMPREY, LLP

By Leanne B. Armstrong

Counsel for the City of Chino Hills

cc: Carol Brown (advisor to Commissioner Peevey)
Matthew Deal (advisor to Commissioner Peevey)
Lindsey Brown (advisor to Commissioner Bohn)
Traci Bone (advisor to Commissioner Grueneich)
Pam Natoloni (advisor to Commissioner Chong
Paul Phillips (advisor to Commissioner Simon)
Service List, A.07-06-031

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SECTION 1

COMMENTS ON ALTERNATIVE 4C (modified)

COMMENTS ON ALTERNATIVE 4C (modified))

The City of Chino Hills has worked diligently for over eighteen months to devise an alternative to the proposed route for Southern California Edison Company' Tehachapi Renewable Transmission Project as that Project traverses the City of Chino Hills. This alternative was important to the City because SCE's proposed route would have 195 foot towers carrying 500 kV transmission lines running less than 75 feet from hundreds of residential properties in the City. Thus, the City presented what was designated in the DEIR/DEIS as Alternatives 4A through D. These various alternatives were provided to the California Public Utilities Commission (CPUC) and its environmental consultant by the City over a period of time as it continued its discussions with various stakeholders. The City's primary proposal, however, rests with Alternative 4C. As will be addressed in the second section of these comments, if a proper analysis of this alternative would have occurred as part of the DEIR/DEIS process, it would have led to the selection of Alternative 4C as the environmentally superior alternative.

Since the issuance of the DEIR/DEIS on February 13, 2009, the City has continued its efforts to reach out to interested stakeholders to craft a solution which will work for all. This effort resulted in a recommendation by Hills for Everyone (HFE) to slightly modify City proposed Alternative 4C to further mitigate the environmental impact on the Chino Hills State Park (CHSP). The City agrees with HFE's recommended modifications.

Alternative 4C (modified) is a feasible project alternative that further improves on Alternative 4C. Given the small degree of deviation from Alternative 4C, as described below, Alternative 4C (modified) falls with the area of potential impact analyzed in the DEIR/DES. The modifications are not significant new information that would necessitate a recirculation of the DEIR under the California Environmental Quality Act (CEQA) Guidelines.

Description of Alternative 4C (modified)[1]

The main feature of the modified Alternative 4C compared to the original Chino Hills Alternative 4C is that the 500-kV gas-insulated switching station will be moved approximately 2500 feet NW from its proposed DEIR location (approximately 0.4 miles to the west and approximately 0.2 miles to the north). Relocation of the switching station will avoid impacting sensitive habitat areas that are within the Chino Hills State Park (CHSP) sphere of influence (the CHSP ecosystem). The transmission lines that interconnect into or come close to the switching station per original Alternative 4C will be reconfigured to some extent to (a) account for the relocation of the switching station, (b) make maximum use of the existing transmission corridors within the CHSP, and (c) further mitigate the impact of transmission re-route within the CHSP.

In brief, the transmission line reconfigurations from the original Alternative 4C fall into three categories. First, the Mira Loma- Vincent and Mira Loma-Walnut/Olinda transmission lines to the west of the switching station will be moved slightly to the north in a few places and

[1] *See* Detailed Complete Description of Alternative 4C (modified) and associated map, appended hereto as Section 1, Attachment 1.

made shorter to account for the new location of the switching station and to lessen the visual impacts in the CHSP. Second, the re-routed Serrano-Lugo/Mira Loma and Mira Loma-Walnut/Olinda transmission lines, will be redirected on the east side of the switching station to travel south (rather than northeast) into the CHSP and then connect with the existing SCE transmission corridor south of the Raptor Ridge in the CHSP. Third, the re-routed Serrano-Lugo/Mira Loma 500-kV transmission lines will be built in double-circuit configuration (rather than a single circuit as was set forth in Alternative 4C) within the CHSP in order to reduce their right-of-way needs in the park.

Comments on Alternative 4C (modified)

Benefits of Alternative 4C(modified)

The benefits of Alternative 4C for the Chino Hills State Park have been presented by the City to CPUC previously. Such benefits include removing a significant stretch of 220 kV transmission lines from the CHSP to a location outside the park. It should be noted that Chino Hills State Park currently has 25 miles of transmission lines that cross its 13,800-acre area, including 10.5 miles of inactive transmission lines. Alternative 4C (modified) would add 3.5 miles of new lines within the CHSP, but as proposed by the City of Chino Hills, 15.8 of the existing active and inactive (5.3 miles of existing active and 10.5 miles of inactive) transmission lines would be removed, resulting in a net of 12.7 miles of transmission lines remaining in the Park – a significant reduction.

In addition to the net reduction in lines, Alternative 4C also relocates a portion of the existing 500 kV line within CHSP to a route on the sides of the hills within the park, instead of the ridge tops where the line runs today. This latter change will make the transmission lines less visible from many locations throughout the park, and will also remove all transmission facilities from the Water Canyon Natural Preserve, which is one of the most sensitive habitat zones within the CHSP.

Alternative 4C (modified) offers additional benefits from those associated with Alternative 4C as the relocation of the switching station allows it to avoid impacting sensitive habitat areas that are within the CHSP sphere of influence (ecosystem). Moreover, by moving certain of the lines to the west of the switching station slightly to the north, as called for Alternative 4C (modified), their visual impact is lessened. Finally, the reroute of the lines from the east side of the switching stations allows for the use of an existing SCE transmission corridor, in line with the CPUC's policy of favoring the use of existing corridors.

No Amendment to Chino Hills State Park General Plan is Necessary

As set forth in detail in the second section of these comments, the City challenges the finding in the DEIR/EIS that implementation of proposed Alternative 4C would require an amendment to the Chino Hills State Park General Plan. To the contrary, Alternative 4C results in an incremental reduction of transmission facilities within the boundaries of the CHSP and further lessens the overall impact of utility infrastructure on the Park, by reducing the visibility of existing and new transmission lines, and removing towers and lines from some of the most

sensitive habitat zones within the Park. As explained above the modifications to Alternative 4C, further add to the beneficial impacts of the Alternative. As a result, Alternative 4C (modified) is consistent with the goals and objectives of the General Plan of CHSP, and no amendment to the Plan will be necessary to effect its implementation.

Alternative 4C (modified) will have No Hazardous Materials Impacts

Out an abundance of caution, the City presented the Alternative C (modified) to its technical consultant, Parsons Engineering, to determine whether the slight modification to the route would alter its previous determination regard an absence of contamination resulting in potentially significant hazards and hazardous materials impacts. The result was a determination that "it is highly unlikely that there are any MEC [munitions and explosives of concern] items on the surface or in the subsurface of the corridor."[2]

Comparison of Alternative 4C (modified) with Proposed Project and Alternative 4C

Chino Hills has compared modified Alternative C with SCE's Project and with Alternative 4C as presented in the DEIR/EIS with respect to new infrastructure required and potential environmental impacts. As illustrated in the chart below, with respect to the section of the project which traverses Chino Hills, Alternative 4C (modified) will result in approximately 11 less miles of transmission line, 70 less transmission structures, 55 less sub-transmission structures, and will result in a net 2 miles of transmission lines removed from the Park. Alternative 4C (modified) also will result in less environmental impacts than the Project, and slightly less than Alternative 4C, making Alternative 4C (modified) the Superior Alternative.

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)			
Category	**Alternative 2 (SCE Proposed)**	**Alternative 4C (per DEIR/EIS)**	**Alternative 4C* (modified)**
Overall Project Impact:			
Total length of 500-kV and 220-kV T/L (miles)	172.9	163	158.5
Total Number of new transmission structures	853	802	794
Total disturbance during construction	1538 (+/-15%)	1567 (+/-15%)	1400 (+/-15%)*

[2] *See* April 2, 2009 Letter from Michael Short of Parsons Engineering to Mark Hensley, Attorney for the City of Chino Hills, appended hereto as Section 1, Attachment 2.

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)			
(acres)			
Total permanent disturbance (acres)	277 (+/-15%)	287 (+/-15%)	270 (+/-15%)*
Segment 8 Impact:			
Segment 8A/8C (d-c 500-kV T/L) (miles)	33.0	22.7	22.0
Segment 8B (d-c 500-kV T/L) (miles)	6.8	None	None
Distance of the new ROW (miles)	4.4	13.25	9.9
Existing transmission line to be removed	Various 220-kV T/L structures	Various 220-kV T/L structures	Various 220-kV and 500-kV T/L structures
Number of new transmission structures	226	175	154
Number of new sub-transmission structures	55 (d-c 66 kV LWSPs)	None	None
Components within CHSP	None	• 3.1-mile T/L; • 25 single-circuit 500-kV structures • 5 to 7 double-circuit 220-kV structures; • Remove 25 existing 220/500-kV structures	• Net 0.6 miles of 500-kV T/L removed from CHSP • Net 1.2 miles of 220-kV T/L removed from CHSP • Net five (5) 500-kV structures added to CHSP • Net three (3) 220-kV structures removed from CHSP
Issue/Resource Area:			

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)			
Agricultural Resources	Temporarily and permanently converts; traverses agricultural land	Superior to Project; less agricultural land traversed	Same as Alternative 4C
Comparison to Project [1]		+	+
Comparison to Seg. 8A Alternatives [2]		1	1
Air Quality	Construction emission thresholds exceeded; exceeds NOx; General Conformity analysis required	Superior to Project; lower construction emissions	Same as Alternative 4C
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Biological Resources	Minor to moderate disturbance to habitat and species	Similar to project; City mitigation provides benefit	Improves on Alternative 4C relative to location of switching station
Comparison to Project		o	+
Comparison to Seg.8A Alternatives		2	1
Cultural Resources	Minor to moderate disturbance of prehistoric and historic resources	Similar to Project; potential impacts not identified	Same as Alternative 4C
Comparison to Project		o	o
Comparison to Seg.8A		1	1

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)			
Alternatives			
Environmental Contamination & Hazards	Minor to moderate soil and ground water contamination	Superior to Project; less towers, transmission lines and EMF exposure to sensitive receptors	Same as Alternative 4C
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Geology, Soils and Paleontology	Minor to moderate impacts due to seismic occurrence, erosion and slope instability	Similar to Project; potentially impacts can be mitigated.	Same as Alternative 4C
Comparison to Project		o	o
Comparison to Seg.8A Alternatives		1	1
Hydrology and Water Quality	Streams crossed; minor to moderate impacts to water quality, ground water, erosion and flooding	Similar to Project; Less streams crossed	Same as Alternative 4C
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Land Use	Disturb existing residential land uses along Segment 8; conflict with local general plan policies	Superior to Project; reduced conflicts with Segment 8A land uses and with local general plans	Same as Alternative 4C; no CHSP General Plan amendment required
Comparison to Project		+	+
Comparison to Seg.8A		1	1

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)			
Alternatives			
Noise	Significant construction and operational noise impacts to sensitive land uses	Superior to Project; reduced noise impacts to Segment 8A residents	Same as Alternative 4C
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Public Services and Utilities	Minor to moderate impacts; some interference with emergency aircraft services and the flow of utility systems	Similar to Project; less interference with public service and utilities systems in Chino and Ontario; interference with Chino Hills services not substantiated	Same as Alternative 4C
Comparison to Project		o	o
Comparison to Seg.8A Alternatives		1	1
Socioeconomics	Significant disruption to existing residential and nonresidential properties within and adjacent to the ROW, resulting in significant physical changes and socioeconomic changes caused by fear of tower risks and EMF, and loss of property value	Superior to Project; no socio-economic impacts expected	Same as Alternative 4C
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Traffic and Transportation	Substantial construction traffic; with mitigation, less than significant	Similar to Project; fewer roads affected	Same as Alternative 4C

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)			
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Visual Resources	Significant visual impact to residents in Chino Hills, Chino and Ontario	Superior to Project; no impacts to residents; potential impacts to CHSP mitigated by City Mitigation Plan	Improves on Alternative 4C relative to relocating existing transmission lines in CHSP
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		2	1
Wilderness and Recreation	Cumulatively significant, Substantial construction traffic; with mitigation, less than significant	Similar to Project; potential impacts to CHSP mitigated by City Mitigation Plan	Same as Alternative 4C
Comparison to Project		o	O
Comparison to Seg.8A Alternatives		1	1
Wildfire Preservation and Suppression	Significant during construction and cumulative; interference with aerial firefighting.	Superior to Project; reduces fire risks near homes, and improves firefighting ability in CHSP	Same as Alternative 4C
Comparison to Project		+	+
Comparison to Seg.8A Alternatives		1	1
Electrical Interferences and Hazards	Overhead route (172.9 miles); minor to moderate electrical interference and hazards impacts	Superior to Project; (155.9 miles plus 0.95 mile for existing T/L modifications)	Improves on Alternative 4C relative to miles of transmission line

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4C and Alternative 4C (modified)

Comparison to Project		+	+
Comparison to Seg.8A Alternatives		2	1
TOTALS		18	14
Number of +, indicating "Superior to the Project"		9	9
Ranking among Seg.* alternatives		2	1

Notes:

[1]Comparison to Project: "+" indicates superior to the project; "o" similar to the project; "-" inferior to the project.

[2]Comparison to Seg.8A Alternatives: Alternative 4C modified is ranked against Alternative 4C on a scale from "1" to "2", "1" being the best. Where the alternatives are comparable, they are grouped together and assigned the same numerical ranking.

* Estimates and subject to further detailed engineering analysis

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Section 1, Attachment 1

DETAIL DESCRIPTION OF ALTERNATIVE 4C (modified)[1]

For Alternative 4C (modified), Segment 8A will deviate from the SCE proposed route beginning about two miles east of State Route 57 (approximately S8A MP 19.2), where the existing Mira Loma-Walnut/Olinda 220-kV double-circuit transmission line and the existing unenergized Chino-Mesa transmission line separate from one another. At that point, the new Mira Loma-Vincent 500-kV transmission line will turn southeast, and remain parallel and south of the existing Mira Loma-Walnut/Olinda 220-kV double-circuit transmission line up to 0.3 miles before the Chino Hill State Park (CHSP) boundary (approximately 3.9 miles). Along this portion of the alignment, approximately 150 feet of additional ROW will be required to accommodate the new 500-kV double-circuit structures. At this point, the alternative route will turn east along a new approximately 300 foot-wide ROW for approximately 0.9 miles, which will remain north of the CHSP boundary to a point where it will turn northeast and travel for about 0.2 miles into a new 500-kV gas-insulated switching station. Approximately 17 double-circuit 500-kV Lattice Steel Structures (LSTs) will be required for this approximately 5.0 mile re-route to the new switching station.

The two existing Serrano-Lugo/Mira Loma 500-kV single-circuit transmission lines located within CHSP will be re-routed to allow them to loop into the new switching station, which will be a minimum of 4 to 5 acres in size, allowing for power to be transferred along the existing 500-kV transmission lines to Mira Loma Substation. As part of this reroute, the existing 500-kV single-circuit transmission lines and structures will be removed from the environmentally sensitive Water Canyon Natural Preserve and nine (9) 500-kV single-circuit structures will be permanently removed from the CHSP. The re-routed 500-kV transmission lines will be double-circuit and all its structures will be placed at lower elevations and away from the CHSP ridge tops wherever possible. For the gas-insulated switching station, the entire system will be enclosed in a sheet metal building, which will require an air conditioning system. The building would be approximately 42-feet high and the dead-end structures on either side of the building would be approximately 65-feet high, and located next to an access road.

Approximately 3.2 miles of new ROW will be required to re-route the double-circuit 500-kV transmission lines in and out of the new switching station. The new north-south re-route into the switching station (1.7 miles, of which 1.5 miles will be within CHSP) will require an approximately 200-foot wide ROW to accommodate the one 500-kV double-circuit structures going north towards the switching station for the first 1.3 miles. The next 0.2 miles will also be south-north but within a 500 ft ROW within the CHSP. The last 0.2 miles of the line will travel northeast into the switching station outside the CHSP and will also be placed within a 500 ft ROW. The 500 ft ROW for the last 0.4 miles of this transmission line is to accommodate this as well as other rerouted transmission lines as will be explained below. The re-route of the 500-kV double-circuit transmission line will continue starting from the new switching station and will proceed southwest for about 0.2 miles (outside the CHSP) and then south into the CHSP for about 0.2 miles within the 500 ft ROW mentioned earlier. At this point the line will turn eastward and travels about 1.1 miles, within a 200 ft ROW, to reconnect to the existing two 500-kV single-circuit structures in the CHSP just south of the raptor ridge. To complete the two re-routes of the 500-kV transmission lines (approximately 3.2 miles in total) will require approximately 18 new 500-kV double-circuit LSTs (approximately 14 within CHSP and 4 outside CHSP). As noted earlier, approximately 9

[1] This reflects a description of Alternative 4C with the changes necessitated by the movement of the switching station 2500 feet NW and the changes to the transmission line configuration to (a) account for the relocation of the switching station, (b) make maximum use of the existing transmission corridors within the CHSP, and (c) further mitigate the impact of transmission re-route within the CHSP.

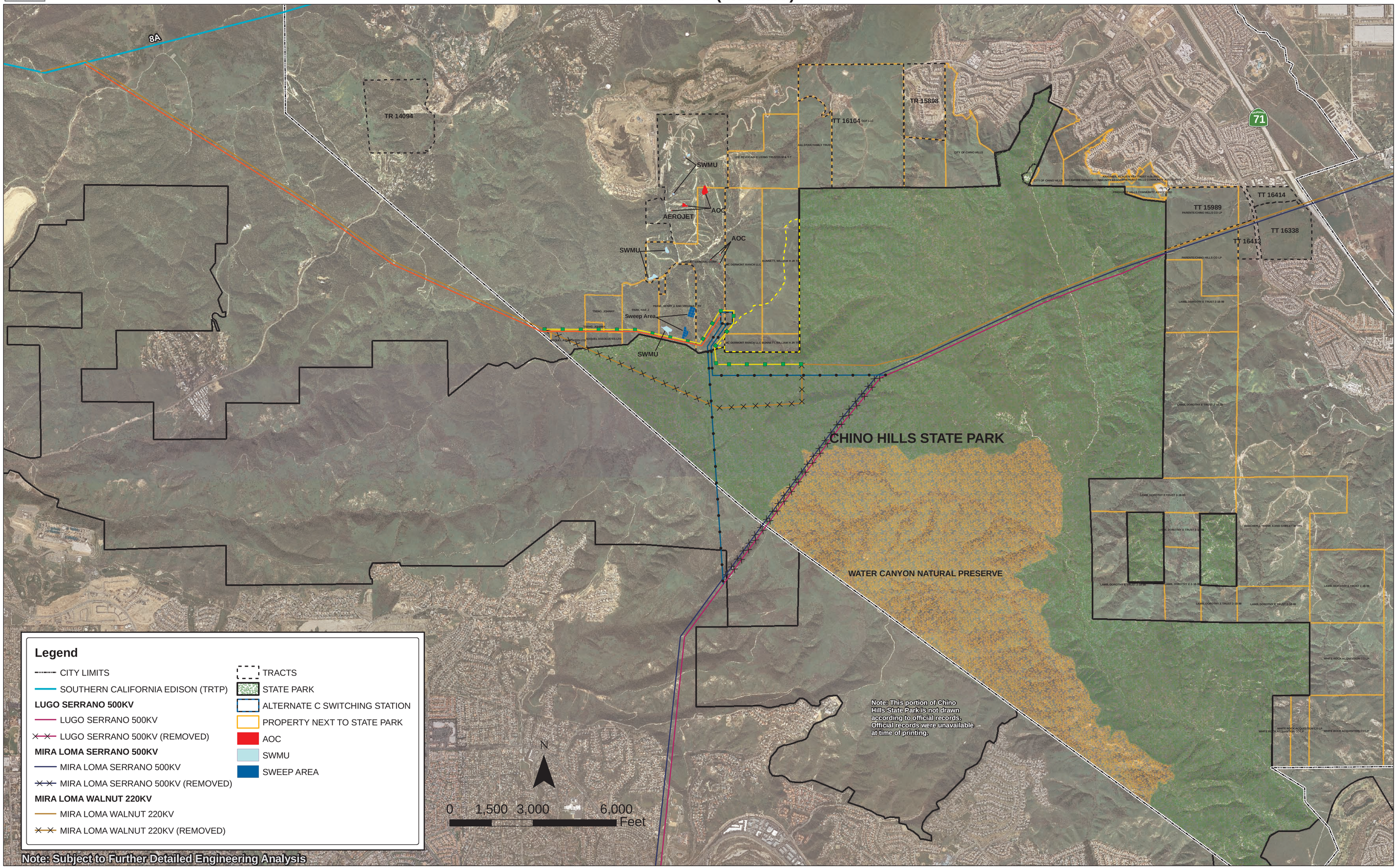
LSTs of the existing 500-kV single-circuit transmission lines will be permanently removed from the CHSP (approximately 3.4 miles of 500-kV single-circuit transmission lines).

A portion of the existing 220-kV transmission lines within CHSP will also be re-routed as part of this alternative. This will also take 7 of the existing 220-kV transmission lines from the CHSP, all from ridge tops. Beginning approximately 0.3 miles northwest of the CHSP boundary (outside of CHSP), the existing 220-kV double-circuit structures will be re-routed away from the CHSP to parallel the new Mira Loma-Vincent 500-kV transmission line (Segment 8A) structures north of the CHSP boundary for about 0.9 miles and then northeast for 0.2 miles to the new switching station (approximately 1.1 miles in total to the switching station). As noted earlier, the new ROW for the entire 1.1 miles will be approximately 300-feet wide to accommodate the 500-kV double-circuit and 220-kV double-circuit structures. The 220-kV transmission line will continue past the switching station (will not enter the station), and then turns southwest right after the switching station paralleling the re-routed Serrano-Lugo/Mira Loma 500-kV double-circuit transmission lines for approximately 0.2 mile to the boundary of CHSP. At this point, the re-routed 220-kV transmission line will enter CHSP in a southern direction and travel for approximately 0.1 miles inside the CHSP before turning east. For these 0.3 miles, the 220-kV transmission line will be within the 500 ft ROW mentioned above. The eastward travel of the 220-kV transmission line is about 0.6 miles and makes the line reconnect with the existing 220-kV double-circuit structure within the CHSP just south of the Raptor Ridge. To complete the approximately 1.7-mile 220-kV re-route, approximately 10 new double-circuit 220-kV LSTs will be required (approximately 4 will be within CHSP. Approximately 7 existing 220-kV double-circuit LSTs within CHSP (1.9 miles) and 2 outside CHSP (9 structures in total for 2.2 miles in total) will be removed.

As a result of this alternative, no upgrades will occur in Segment 8A between S8A MP 19.2 and 35.2 (16 miles) through Chino Hills, Chino, and Ontario. Upgrades to the existing Chino-Mira Loma No. 1, 2, and 3 220-kV transmission lines in Segments 8B and 8C (built with Segment 8A) as well potential expansion of the Mira Loma Substation will also not occur. Consequently, approximately 78 double-circuit 500-kV structures, 18 LSTs and 60 Tubular Steel Towers (TSPs) and approximately 40 double-circuit 220-kV structures (associated with the re-build of Chino-Mira Loma No. 3) will no longer be constructed within Segment 8. The undergrounding of 60-kV circuits in Chino will also be saved.

CITY OF CHINO HILLS

Alternative 4C (modified)



Legend

- CITY LIMITS
- SOUTHERN CALIFORNIA EDISON (TRTP)

LUGO SERRANO 500KV

- LUGO SERRANO 500KV
- LUGO SERRANO 500KV (REMOVED)

MIRA LOMA SERRANO 500KV

- MIRA LOMA SERRANO 500KV
- MIRA LOMA SERRANO 500KV (REMOVED)

MIRA LOMA WALNUT 220KV

- MIRA LOMA WALNUT 220KV
- MIRA LOMA WALNUT 220KV (REMOVED)

- TRACTS
- STATE PARK
- ALTERNATE C SWITCHING STATION
- PROPERTY NEXT TO STATE PARK
- AOC
- SWMU
- SWEEP AREA

Note: Subject to Further Detailed Engineering Analysis

I:\Exhibits & Projects\TRTP\Maps\Alternate 4C (modified).mxd

Section 1, Attachment 2

April 2, 2009

Jenkins & Hogin, LLP
ATTN: Mr. Mark Hensley
Manhattan Towers
1230 Rosecrans Avenue, Suite 100
Manhattan Beach, CA 90266

Subject: Analysis of Alternative Route 4C (modified)

Mr. Hensley,

I have reviewed existing documents to determine if there is a potential hazard related to the installation of the subject switching station and transmission lines. The primary reference used in the review was the Geomatrix Consultants Inc. Conceptual Site Model (CSM) for Munitions and Explosives of Concern (MEC), for the Aerojet Chino Hills Property dated August 24, 2006. The proposed Alternative Route 4C (modified) is in a choice location for the virtual elimination of any ordnance related hazardous components.

The proposed Alternative Route 4C (modified) effecting the re-routed 220KV and new 500KV transmission lines (assuming a 250-foot corridor), as shown in Exhibit 1, which run from the switching station through the southern portion of the Aerojet property and adjoining leased areas, do not travel through any area that has been found to be contaminated with MEC. This includes the re-routed 500KV line that runs from the south, through the Chino Hills State Park, to the switching station. The lone exception is the path of the re-routed 220KV and re-routed 500KV transmission lines that run from the Bonnett property through the McDermont property connecting with the switching station. The McDermont property portion, which the transmission lines will travel through, was swept and cleared and a number of small items were encountered i.e., fragmentation and one 30mm Target Practice (TP) cartridge. Neither of the items contains any reactive components, therefore the area is not considered to be hazardous. Based on the fact that the area has been previously cleared and that the items encountered posed no hazard, there is no need to re-sweep the area.

Figures 3, 5, 7 and 9, and Plates 1 and 2 of the referenced report best illustrate the relationship of the MEC areas with the effected properties and the location of the Alternative Route 4C (revised) transmission line route.

Based on the above findings and remediation efforts and the distance from the two areas to the proposed transmission line corridor, it is highly unlikely that there are any MEC items on the surface or in the subsurface of the corridor. However, to ensure the construction crews safety, I highly recommend that an ordnance recognition course be given to all site personnel as a precaution. This is the only mitigation action I deem appropriate based on the current available information.

In the event the construction crews were to encounter MEC, at that point they would have to resort to construction support consisting of two UXO technicians on site to observe the excavation. The UXO team would identify any MEC items and either remove them, if it was appropriate to do so, or call the local bomb squad to respond and destroy the item(s).

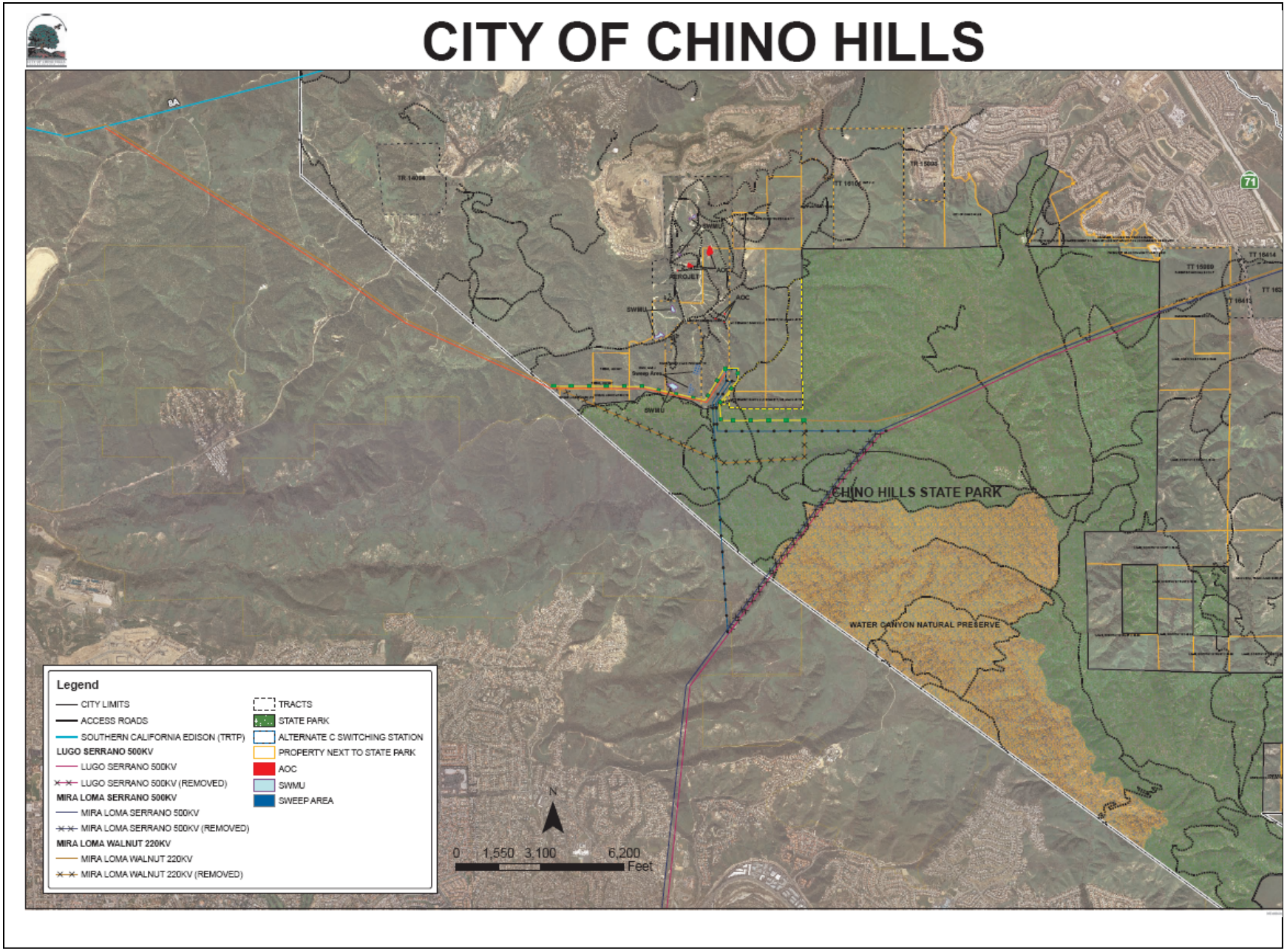
If you have any questions please do not hesitate to contact me at (678) 969-2451 Office or (404) 387-0798 Cell.

Sincerely yours,

Parsons
Michael E. Short
Technical Director

Exhibit

EXHIBIT


CITY OF CHINO HILLS
CHINO HILLS STATE PARK
WATER CANYON NATURAL PRESERVE
AEROJET
AOC
SWMU
SWMU
Legend
CITY LIMITS
ACCESS ROADS
SOUTHERN CALIFORNIA EDISON (TRTP)
LUGO SERRANO 500KV
LUGO SERRANO 500KV
LUGO SERRANO 500KV (REMOVED)
MIRA LOMA SERRANO 500KV
MIRA LOMA SERRANO 500KV
MIRA LOMA SERRANO 500KV (REMOVED)
MIRA LOMA WALNUT 220KV
MIRA LOMA WALNUT 220KV
MIRA LOMA WALNUT 220KV (REMOVED)
TRACTS
STATE PARK
ALTERNATE C SWITCHING STATION
PROPERTY NEXT TO STATE PARK
AOC
SWMU
SWEEP AREA
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SECTION 2

DETAILED COMMENTS ON DRAFT ENVIRONEMENTAL IMPACT REPORT

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT

The Draft Environmental Impact Report (DEIR/EIS) is fundamentally and basically inadequate and conclusory in nature regarding the suitability of the Chino Hills portion of Segment 8A of the Project, as proposed by SCE (the "Project"). The DEIR/EIS failed to fully present the impacts of placing the 500 kV powerlines within a 150-foot right of way (ROW) over residential and private property. Further, the DEIR/EIS ignores feasible mitigation that when analyzed would clearly lessen the environmental impacts of Alternative 4C relative to the Project. The result of these deficiencies in the DEIR/EIS was the selection of the Project as the environmentally superior route. Correction of these errors will result in selection of Alternative 4C as will be demonstrated by these comments

Summary of Fundamental Flaws in DEIR/EIS

1. Incomplete Project Description

Failure to Describe Existing Physical Conditions

CEQA requires that existing physical conditions be described. Within the portion of the 150-foot ROW that runs through and near Chino Hills are: (a) part of the physical structure of six single family homes; (b) over half the parking area belonging to the Chino Valley Community Church; (c) an access drive and parking for a full service car wash belonging to the Chino Hills Promenade commercial center; (d) parking and access roads of the Inland Hills Church; (e)parking, access roads and approximately half of the yard space of the Chino Hills Old City Yard; and (e) a tot lot play structure underneath the drip line of the proposed lines in Corral Ridge Park. The DEIR/EIS fails to identify these existing land uses. [1]

Further, the DEIR/EIS fails to discuss that according to information provided by SCE to the City of Chino Hills, parking or other land use activities that are currently permitted in the existing 150-foot ROW would not be permitted to continue following conversion of the ROW to a 500 kV system.[2] As a result, the above-described existing land uses that currently straddle the ROW would lose building and/or site improvements. SCE would be required to take all or part of these properties. The DEIR/EIS provides no discussion regarding these required takings.

Lack of Construction Information:

The DEIR/EIS omits very important information regarding the location of construction sites, including Marshalling and Material Storage Yards that are typically large areas (5 to 50 acres) and Pulling and Splicing Locations (0.92 acre). Where these sites are located is critical to a full evaluation of Project impacts, particularly within Chino Hills where the

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1 *See* Aerial Maps illustrating the homes which fall within the 150 ROW in Chino Hills and vicinity. See Section 2, Attachment 1.

2 Correspondence to Ann Dutrey of the City of Chino Hills, from Rosalie Barcinas, Land Services Agent with Southern California Edison dated January 29, 2008. See Section 2, Attachment 2.

ROW is substandard. In fact, the DEIR/EIS omits and disregards previous information contained in Section 4.0 of the Preliminary Environmental Assessment (PEA) that states: "Construction of Segment 8 would require expanded ROW at certain locations and staging areas".

Required 200 foot ROW Dimension/Eminent Domain Requirement

Information presented in the DEIR/EIS for the TRTP indicates that a minimum acceptable ROW for construction of a 500-kV T/L facility is no less than 200 feet wide. Further, SCE's own Transmission Design Specifications provide that, for maintenance purposes, new 500 kV pole and tower sites must have a minimum 100-foot radius clearance from the face of each tower footing. Within the Chino Hills portion of Segment 8A where the ROW is 150 feet, there is insufficient ROW to build or maintain the line. In fact, the DEIR/EIS omits and disregards without explanation previous information contained in Section 4.0 of the Preliminary Environmental Assessment (PEA) that states: "Construction of Segment 8 would require expanded ROW at certain locations and staging areas". At a ROW of 200 feet, 147 homes, commercial, church and public park properties would lose all or part of the building and site improvements. The DEIR/EIS provides no discussion regarding these required takings under the 200-foot ROW scenario.

Moreover, it is interesting to note that the DEIR/EIS excludes a discussion of Section IX.a of the CEQA Guidelines Appendix G ("Would the project physically divide an established community?") Clearly, the permanent placement of 195-foot high, 60-foot wide active high voltage lines within 75 feet of approximately 147 residential properties could physically divide established Chino Hills' communities.[3] Without this information, the project description is incomplete and does not comply with CEQA requirements.

2. Inconsistent Application of the Rules Excludes the City's Mitigation Plan

The DEIR/EIS selectively omits discussion of the City of Chino Hills proposed Mitigation and Cost Recovery Plan that support its proposed alternative routes for Segment 8A. In its comparison of Project alternatives, the DEIR/EIS relegates mention of the City plan to a footnote, claiming that the plan is not considered mitigation for impacts identified in the DEIR/EIS. Specifically, the DEIR/EIS states that: "While the 21st Century proposal attempts to compensate the Department of Parks and Recreation for routing Segment 8A across Chino Hills State Park as part of Alternative 4, it does not directly address the significant adverse effects on the physical environmental associated with Segment 8A that are identified in this EIR." However, such reason for exclusion is inconsistent with proposed DEIR/EIS Mitigation Measures B-1 and V-3b, both of which propose to mitigate impacts through off-site restoration or improvements.

Under its discussion of "Other Required NEPA and CEQA Considerations", the DEIR/EIS outlines provisions of the City Mitigation and Cost Recovery Plan, but this

[3] *See* Diagram of SCE Proposed Right of Way with 500 Kv line using Tubular Steel Poles, appended hereto as Section 2, Attachment 3.

time finds that "the Lead Agencies do not consider this proposal to constitute mitigation as defined by CEQA and NEPA because it is not needed to reduce or avoid any significant adverse impacts caused by the implementation of Alternative 4". No explanation of this finding is provided. By excluding the City Mitigation Plan in its evaluation of alternatives, the DEIR/EIS analysis and findings regarding Alternative 4 impacts are inaccurate and conclusory. [4]

3. Alternative 4C Consistent with the Chino Hills State Park General Plan

The DEIR/EIS erroneously finds that Alternative 4 (Routes A through D) would conflict with certain goals contained in the Chino Hills State Park General Plan (CHSPGP), and thus approval of the Alternative would require an amendment to the CHSPGP, and thereby result in an unavoidable adverse impact. This erroneous conclusion rests on the DEIR/EIS' failure to note that the supporting CHSPGP guidelines provide that:

"The [State Parks] Department will work to reduce the negative impacts of the utility easements in the park. All utility companies will be encouraged to reduce the impacts by consolidating easements into fewer or smaller corridors, or by placing the equipment underground. The Department will work with utility companies to remove unnecessary utility roads and reduce road widths, and will discourage any new easements within the park unless mitigated to benefit park resources."

Mitigation measures proposed by the City of Chino Hills that would accompany Alternative 4C include removal of approximately 12 existing 220-kV double-circuit lattice steel towers within CHSP. The measures also include removal of all easements from the Water Canyon Natural Preserve and improved view sheds by taking the towers off of the peaks. Consequently, with inclusion of the proposed City of Chino Hills mitigation measures, Alternative 4C would in fact be consistent with the above listed goals. No amendment to the CHSPGP would be necessary.

Moreover, the City notes that's no amendment was needed to the CHSPGP in the recent instance of the addition to the Parkof a mile long private access road.[5] The DEIR/DEIS fails to distinguish the necessity of a General Plan Amendment for the replacement of an existing utility line when there was no need for an amendment for the addition t of an access road.

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4 *See* 21st Century Green Partnership, Mitigation and Cost Recovery Plan, appended hereto as Section 2, Attachment 4.

5 Robert B. Diemer Treatment Plant North Access Road Draft Environmental Impact Report ("EIR") dated February 20, 2007 prepared by Metropolitan Water District

4. Deferred Analysis

There are several areas in the DEIR/EIS (e.g., archeology, noise, traffic) which defer the technical analysis required to determine the significance of and impacts to various environmental receptors until after the EIR and Project are approved (i.e., the assessment of impacts and appropriate mitigation will not occur until after project approval). Such deferral makes it impossible to determine, for comparison purposes, the impact of the Project vis-à-vis other alternatives, and whether the environmental impacts the Project can be mitigated below a level of significance.

5. Flawed Visual Impact Analysis

The DEIR/EIS's visual impact assessment is fatally flawed. The visual simulation photographs of the Project do not provide a fair representation of the neighborhoods that will be impacted by the poles. The visual simulation photographs of the Project in the DEIR/EIS are not accurate depictions of the environment in which the transmission lines will be sited. In addition, the EIR visual simulation photographs of Chino Hills State Park downplay the visual improvements that would accompany Alternative 4C.

The misleading nature of the visual simulations contained in the DEIR/EIS is illustrated by the visual impacts prepared by the City of Chino Hills which illustrate the true impact of the SCE project on the City.[6]

6. Aerojet Property: A Red Herring

The DEIR/EIS in Appendix A-105 states that the site proposed for the City's Alternative C "could be contaminated resulting in potentially significant hazards and hazardous materials impacts." Further, the DEIR/EIS at page 3.6-50 concludes that the potential for munitions and explosives of concern (MEC) cannot be ruled out along Alternative Routes 4C and 4D or along the permanent access roads passing through or near the Aerojet Facility. This statement is incorrect. The DEIR/EIS ignores a December 2008 letter to the City from the California Department of Toxic Substances Control (DTSC) that states "that the likelihood of having munitions in the area proposed for the Chino Hills Alternative is "remote." In that letter, DTSC also outlined the short process required to issue a letter stating that no further corrective action is necessary, enabling the release of that portion of the Aerojet property so that it could be used for the transmission line.[7] This letter was provided to the CPUC and Aspen Consulting, and was the subject of a

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6 *See* Visual Simulations of areas along Project's Proposed Segment 8A and the Chino Hills State Park as impacted by the City of Chino Hills Mitigation Plan appended hereto as Section 2, Attachment 5

7 *See* November 21, 2008 Letter to Douglas LaBelle, City Manager, City for Chino Hills from Robert Romero, Department of Toxic Substance Control; See also November 14, 2008 Letter to Mark Hensley, Counsel for the City of Chino Hills, from Michael Short of Parson's Engineering opining that the Aerojet property which would be utilized in Alternative 4C is suitable for transmission towers. Both of these letters are appended hereto as Section 2, Attachment 6.

December 16, 2008 meeting, held at the Aeroject offices attended by representatives of the CPUC, Aspen Consulting and SCE.

7. Incorrect Assessment of Fire Hazard

. According to the DEIR/EIS, the impacts associated with Criterion FIRE 1 for Alternative 4 would be "more severe than those associated with this criterion for the proposed Project" (pg. 3.16-36) The DEIR/EIS (pg. 3.16-37, par. 2) also finds that Alternative 4, by introducing varying lengths of new transmission ROW in Chino Hills State Park (CHSP) the DEIR/EIS states that Impact F-2 for Alternative 4 would be "significant and unavoidable, and no mitigation is available (Class I)". These findings are incorrect.[8]

Several critical factors are omitted in the DEIR/EIS's analysis of Alternative 4. A thorough analysis of Alternative 4 shows that the consolidation of transmission lines into a shared corridor through the park, the removal of an existing network of transmission lines within the CHSP, and the relocation of some ridge top transmission lines could actually *reduce* the existing impediments to ground and aerial firefighter operations if Alternative 4 is used.

Similarly, several critical factors are omitted in the DEIR/DEIS' analysis of the Project. Significant portions of the Project's transmission lines in Segment 8A run within ROW that is bordered by hundreds of residential structures, many of which are in the high hazard fireshed and on lands covered with highly flammable vegetation. According to Paul Benson, Fire Chief for the Chino Valley Fire District, the addition of new transmission lines into this corridor will likely result in additional fire starts.[9] Fires occurring in this environment will immediately threaten the lives and property of those living in such close proximity to the transmission lines. In this regard, the width of the transmission ROW is a critical factor in those areas where the transmission lines run adjacent to development or other obstructions. Absent sufficient distance between the towers and the homes, which will not be present, firefighting options are extremely limited as aerial operations are curtailed due to the lack of space to maneuver the helicopters and there is little, if any, opportunity for ground firefighting resources to maintain a safe distance from the transmission lines and hazards associated with them during firefighting operations.

8. Faulty Analysis of the Environmentally Superior Alternative

The DEIR/EIS fails to follow its own methodology for evaluating alternatives and violates Sections 21002 and 21081 of the Public Resources Code which require lead agencies to adopt feasible mitigation measures or feasible environmentally superior

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8 See March 25, 2009 Letter from Paul Benson, Fire Chief, Chino Valley Fire District, to Joann Lombardo, Environmental Consultant City of Chino Hills, appended hereto as Section 2, Attachment 7.

9 *Id.*

alternatives in order to substantially lessen or avoid otherwise significant adverse environmental effects of proposed projects, unless specific social or other conditions make such mitigation measures of alternatives infeasible. According to the DEIR/EIS, the Project would result in unavoidable adverse impacts relative to nine of the 17 topics covered by the DEIR/EIS. In its evaluation of Alternative 4, the DEIR/EIS concludes that each of the Alternative 4 Routes would result in impacts to only four of the topics found to have unavoidable adverse impacts. The math alone places Alternative 4 as the superior alternative.

The DEIR/EIS also contradicts its stated criterion from which to identify the superior alternative: weighing effects on the natural environment against effects on the human environment. As referenced above, the DEIR/EIS states that all of the Alternative 4 routes would be inconsistent with the CHSP General Plan, which would be significant and unavoidable unless remedied with approval of an amendment to the CHSP General Plan by the State Park and Recreation Commission. This finding completely ignores the effects on the human environment, notably how each of the Alternative 4 routes would avoid air quality, noise, land use, visual and safety impacts that would occur under the Project proposal to place the 195-foot 500 kV facilities on and adjacent to residential and other sensitive uses. Further, basing its dismissal of Alternative 4 on the requirement for a CHSPGP amendment conflicts with the DEIR/EIS findings that the requirement for a Special Use Easement and ANF Land Management Plan amendment is not a significant impact. The DEIR/EIS must be revised to follow its stated methodology of weighing impacts on the natural environment against impacts on the human environment.

Finally, the DEIR/EIS selects the Project) as the superior alternative, and dismisses the other alternatives without any ranking. By so doing, the DEIR/EIS deprives the CPUC of a fair menu of alternatives or mitigation. If the Project proves untenable, unfeasible or otherwise unfavored by the CPUC, the DEIR/EIS does not provide clear direction as to which alternative would have the next least amount of environmental impacts. The DEIR/EIS clearly violates Sections 21002 and 21081 of the Public Resources Code which require lead agencies to identify a superior alternative. The Project is not an alternative.

The DEIR/EIS further skews its comparison of alternatives by failing to incorporate the City Mitigation and Cost Recovery Plan into its analysis. Using the EIR criteria and incorporating the City proposed mitigation, a tabulated ranking of the Project and each of the Segment 8A alternatives (Routes 4A-D and 5), as presented below, results in the following findings:

- Alternative 4 Routes improves over the Project in 9 of the 17 DEIR/EIS environmental topics
- Alternative 5 improves over the Project in 6 of the 17 environmental topics, but has less desirable impacts in 5 of the topics, resulting in a one net improvement of one topic over the Project.
- Based on the tabulated ranking, the Alternative 4 routes are each superior alternatives to the Project.

SECTION SPECIFIC COMMENTS:

Section 2.2. Description of Alternatives, including the Proposed Project:

1. Page 3.12.29 of the DEIR/EIS states, "While business uses occur along the route, all Project-related activities and infrastructure placement would occur within designated utility ROW and would not require the removal or relocation of any business uses". This statement is incorrect. As stated by SCE in a January 2008 letter to Ann Dutrey of the City of Chino Hills, that while parking is currently allowed in the SCE ROW, it will no longer be allowed if the 500 kV transmission line is installed. Within the Chino Hills and Chino portions of the 150-foot ROW, the following existing land uses occur: six single family houses; over half the parking area belonging to the Chino Valley Community Church; an access drive and a full service car wash belonging to the Chino Hills Promenade commercial center; parking, a yard and tot lots belonging to the Inland Hills Church in Chino; and approximately half of the yard space of the Chino Hills Old City Yard. CEQA requires that existing physical conditions be described; the DEIR/EIS must be revised to describe existing land uses within the ROW.

2. Section 2.2.12.2 of the DEIR/EIS describes Staging and Support Areas, which include Marshalling and Material Storage Yards that are typically large areas (5 to 50 acres) generally located at both ends of a bulk power T/L construction project, but with larger projects like the TRTP, generally placed every 25 miles. In addition, the DEIR/EIS notes the in addition to these primary areas, secondary yards, approximately 1 to 3 acres in size, would be located every 5 to 10 miles along the T/L alignment. About 3 miles of Segment 8 are to be located within a narrow 150-foot right-of-way behind existing Chino Hills' single family homes, parkland, commercial buildings and institutional buildings. The DEIR/EIS does not describe where these Marshalling and Material Storage Yards (primary or secondary) will be located. In fact, the DEIR/EIS disregards previous information contained in Section 4.0 of the Preliminary Environmental Assessment (PEA) that states: "Construction of Segment 8 would require expanded ROW at certain locations and staging areas". In the City of Chino Hills, there would not be adequate space for these large construction areas.
   Section 2.2.12.4 of the DEIR/EIS provides that for each existing 220 kV lattice steel tower (LST) located in the Chino Hills right of way, a crane pad of approximately 50 feet by 50 feet would need to be cleared of vegetation and graded to allow a removal crane to be setup at a distance of 60 feet from the LST's center line. The DEIR/EIS does not provide any indication as to how the cranes would be able to maneuver behind Chino Hills' existing homes and buildings.

   Section 2.2.12.4 of the DEIR/EIS also provides that at each new pole location a laydown area would be established for the assembly process and would generally occupy an area of 200 feet by 200 feet (0.92 acre). The DEIR/EIS does not provide any indication as to where these laydown areas would be located or how they could be accommodated behind Chino Hills' existing homes and buildings.

Section 2.2.12.6 of the DEIR/EIS discusses the need for Pulling and Splicing Locations with an average dimension of 200 feet by 200 feet (0.92 acre), sited approximately every 15,000 feet along the utility corridor. According to Table 3.9-15, there will be 33 wire pulling and 2 or 3 staging areas along Segment 8. Using the DEIR/EIS stated measurement of one Pulling and Splicing Location per every 15,000 feet, there would be 2.5 of these locations within Chino Hills, with at least one behind its urbanized 3-mile stretch. There will not be adequate space for the Pulling and Splicing operations behind the Chino Hills homes.

Section 15124 of the CEQA Guidelines requires that the description of the project contain the precise location and boundaries of the proposed project shown on a detailed map. The construction is part of the project. The fact the DEIR/EIS omits very important information regarding the location of construction sites means that the project description is incomplete. The project description forms the foundation for the DEIR/EIS; it is essential that the project description is whole and accurate. As stated by the court in *County of Inyo v. City of Los Angeles*, "Only through an accurate view of the project may affected outsiders and public decision makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal and weigh other alternatives in the balance. An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient DEIR/EIS." (County of Inyo v. City of Los Angeles (1977) 7 1 Cal.App.3d 185.) These errors in the project description must be corrected and the DEIR/EIS must be revised to ensure that the DEIR/EIS accurately reflects the whole of the project.

3. The lack of critical construction information requires the reader to question the Project's feasibility. Within the Chino Hills portion of Segment 8, the DEIR/EIS does not provide adequate information to validate that the existing 150-foot ROW can support the required 200 by 200 feet Pulling and Splicing Locations, or the 50 by 50 feet cleared removal crane pad located at least 60 feet from LST centerline, or the 200 by 200 feet assembly laydown area at each new pole location. Further, the Project's proposal to locate 500 kV towers in the 150-foot Chino Hills ROW appears to violate SCE's Transmission Design specification E-2008-21, Construction of Transmission Line Access Roads and Tower Site Preparation, Section 1.8.5, which provides that, for maintenance purposes, new 500 kV pole and tower sites must have a minimum 100-foot radius clearance from the face of each tower footing. This required radius cannot be accommodated in the existing 150-foot ROW that traverses behind Chino Hills residences, park facilities and buildings. The DEIR/EIS provides no discussion regarding the adequacy of the existing 150-foot ROW for 500 kV facilities. This analysis is essential to determining the feasibility of the Project, and the DEIR/EIS must be revised to disclose potential impacts associated with the deficient ROW.

4. Based on the information presented in points 1 through 3 above, the existing 150-foot ROW in Chino Hills cannot support the new TRTP 500-kV T/L facilities; and the minimum acceptable ROW for a 500-kV T/L facility needs to be no less than 200 feet

wide. To accommodate the proposed TRTP 500-kV T/L facilities within Chino Hills, the existing 150-foot easement will need to be widened by 25 feet on each side.

Based on the analysis performed and presented in *Southern California Edison's Proposed Route for the Tehachapi Renewable Transmission Project Segment 8A through Chino Hill: Report on Required Condemnation and Valuation*, prepared on behalf of the City of Chino Hills, expansion of the ROW to the minimum acceptable width of 200 feet would affect all or part of 147 residential properties; require relocation of three tennis courts and a tot lot within the City of Chino Hills Coral Ridge Park; result in loss of approximately 180 parking spaces and the viability of the Chino Valley Community Church; and in the loss of 11,000 square feet of multi-tenant retail building area, a full service car wash, a fast food restaurant, and approximately 31 parking spaces at the Chino Hills Promenade commercial center. [10]

The DEIR/EIS provides no discussion regarding the adequacy of the existing 150-foot ROW or how development of the proposed TRTP facilities within the ROW would require the taking of scores of Chino Hills properties. The Project description is both incomplete and inaccurate. These errors must be corrected and the DEIR/EIS must be revised to ensure that the DEIR/EIS accurately reflects the whole of the Project.

5. Page 2.2 of the DEIR/EIS presents various confidence intervals used for estimating project impacts. These intervals range from ±10 percent once final design and construction documents have been completed, to ±30 percent for projects "which are still at the conceptual or planning level and the location and elements of construction may be substantially adjusted". The DEIR/EIS goes on to state that for the Project, which has gone through preliminary engineering, the potential impacts are estimated with a confidence interval of ±15 percent. However, as noted in comment #1, above, the DEIR/EIS omits very important information regarding the location of construction sites. Consequently, for many of the Project segments, including segment 8, elements of construction will need to be substantially adjusted, and according to the parameters outlined in the DEIR/EIS, the confidence interval for estimating Project impacts would be ±30 percent. With critical information not known or not disclosed, the DEIR/EIS' Project description and assessment of Project impacts is incomplete. The DEIR/EIS must be revised and its analysis corrected to ensure that the DEIR/EIS accurately reflects the whole of the Project.

Section 3.1. Introduction:

1. Section 15128 of the CEQA Guidelines require DEIR/EISs to contain a statement indicating the reasons that reasons possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the DEIR/EIS. The DEIR/EIS does not appear to contain this section. This is of particular concern because there are a number of CEQA identified environmental topics omitted

[10] Southern California Edison's Proposed Route for the Tehachapi Renewable Transmission Project Segment 8A through Chino Hill: Report on Required Condemnation and Valuation, dated March 19, 2009, appended hereto as Section 2, Attachment 8.

from the DEIR/EIS. For example, the DEIR/EIS, in its review of potential TRTP impacts, does not provide any explanation for excluding a detailed discussion of the following topics identified by CEQA Guidelines:

- IX. Land Use and Planning: a) Would the project physically divide an established community?
- XIII. Public Services: d) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities?
- Mandatory Findings of Significance: c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Without a clear explanation of why certain impacts are included and others omitted, the scope of the DEIR/EIS is incomplete and responsible agencies and the public are deprived reasonable disclosure of project impacts. The DEIR/EIS must be revised to include all required CEQA topics, including a statement of effects found not significant.

Section 3.2. Agricultural Resources:

1. Section 3.2.3.3 of the DEIR/EIS states that "A review of all agricultural resource policies that apply to the proposed Project was conducted, which includes all county and city plans, as well as applicable local area plans". However, no discussion of local area plans is provided. For example, the proposed TRTP alignment crosses areas of the City of Chino Hills General Plan designated Agriculture/Ranches. This designation allows for residential densities of 0.2 units per acre, as well as equestrian facilities (including public stables), agricultural uses, and cattle grazing. This local land use plan of Chino Hills is not discussed or analyzed within Section 3.2 or any other section of the DEIR/EIS. The DEIR/EIS must be revised to present a complete description and assessment of existing agricultural conditions, including local plans.

Section 3.3. Air Quality and Air Quality Specialist Report:

General Comment**:** These comments were compiled based on a review of the DEIR/EIS and the "Air Quality Specialist Report" by Todd Brody, principal of Synectology, an environmental consulting firm specializing in air emissions and noise analysis and modeling. All included comments relevant to the Specialist Report must also be addressed in the DEIR/EIS/ document, as appropriate, and vice versa.

Specialist Report:

1. Page 4-3: The text states "Note that ozone and PM2.5 are not included in Tables 4-1, 4-2, and 4-3." However, the table clearly includes values for PM2.5. The DEIR/EIS must be revised to correct this apparent discrepancy.

2. Page 4-4, Table 4-5: The table notes, "Restrict vehicle idling time to less than 10 minutes whenever possible. (See proposed Mitigation Measure AQ-1g)." However, the mitigation plan provides for this idling time to be a 5-minute duration. Page 3.3-33 of the DEIR/EIS/EIS notes for mitigation: **"**AQ-1g Restrict Engine Idling to 5 Minutes. Diesel engine idle time shall be restricted to no more than 5 minutes. There are other places in the air quality analysis that also note the allowance of a 10-minute idle period (e.g., Table 3.3-17). The DEIR/EIS must be revised to correct these apparent discrepancies.

3. Page 4-5, 3rd paragraph: The text notes "The operating emissions from the proposed Project and all Project alternatives are comprised of occasional inspection and maintenance activities and no new stationary source operating emission sources will be constructed/operated as part of this Project. However, the Project description notes that to "Construct new Whirlwind Substation; activity would require acquisition of a new approximately 106-acre substation property." The substation is part of the Project; the direct and indirect emissions associated with the construction and operation of the substation need to be included in the air quality analysis. The DEIR/EIS must be revised to incorporate substation related emissions.

4. Page 6-1, Table 6-1: The analysis underestimates the fugitive particulate (PM10 and PM2.5) emissions associated with the use of the helicopters in that it does not account for dust that is blown up as a result of "prop wash" as the helicopters take off and land or when working close to the ground. The DEIR/EIS must be revised to incorporate dust emissions relative to helicopter use.

5. Page 6-7, 2nd paragraph: The text notes "helicopter emissions are not included as they are not ground level emissions, with the exception of the helicopter construction staging areas that are not separately evaluated as they are not known to be located within 500 meters of any sensitive receptors." Helicopter prop wash could create substantial quantities of PM10 and PM2.5 in a very small area; well under one acre. If helicopter staging is proposed over an unpaved area and receptors are located in proximity, they have the potential to be impacted. As these staging areas are unknown, the DEIR/EIS must be revised to identify provisions should the staging areas be within 500 meters of any sensitive receptors.

6. Page 6-7, 3rd paragraph: The text notes. "As can be seen in Table 6-3, site specific construction emissions of PM10 and PM2.5 emissions would have the potential to exceed the localized significance criteria during tower construction activities when those towers are located less than 50 meters from a receptor. Actually, the table shows that there is an exceedance at 25 meters. However, the table does not denote any distance at which there is no longer an impact for a 1-acre site. The 50-meter substation distance cannot be applied as it is based on a 2, as opposed to 1-acre construction site. The DEIR/EIS must be revised to correct this apparent discrepancy.

7. Page 6-7, 4th paragraph: The text states, "The onsite construction emissions are estimated, after implementation of Mitigation Measures AQ-1a for fugitive dust control, but do not explicitly include all of the control gained for measures AQ-1b to AQ-1j, as

8. Page 6-12, 4th paragraph: The text notes, "The effect of downwind dispersion eliminates the potential for Project level significant cumulative air quality impacts over areas larger than a few miles." The formation of photochemical ozone can take as much as 20 miles from its source. As such, projects in the South Coast Air Basin that are typically deemed regionally significant are also deemed cumulatively significant as their emissions add to the downwind ozone exceedance condition. The DEIR/EIS must be revised to correct this apparent discrepancy.

9. Page 6-14, 3rd paragraph: The text states "Given the temporary nature and low toxic air contaminant emission level for the proposed Project's and cumulative projects, the proposed Project would not have a less-than-significant cumulative health risk (Class III)." The DEIR/EIS must be revised to correct this conflicting statement.

10. Page 9-3, 5th paragraph: The text notes, "The GHG emissions estimated for construction are higher for this alternative (Alternative 5) than for Alternative 2" but never provides the actual value. The DEIR/EIS must be revised to include this value in the text so that the reader may know the actual projected difference.

11. Page 10-3, 5th paragraph: The text notes, "The GHG emissions estimated for construction are higher for this alternative (#6) than for Alternative 2" but never provides the actual value. The DEIR/EIS must be revised to include this value in the text so that the reader may know the actual projected difference.

12. Section 12: The comparison of alternatives does not provide any meaningful data to lead the decision makers to a reasonable conclusion of the emissions and severity of the impact associated with each alternative. The DEIR/EIS must be revised to include a table that states the maximum and average daily and yearly emissions, preferably associated with each type of construction operation, its duration, and the total emissions associated with the full construction schedule.

13. Page 13-1: The text states, "The mitigation measures introduced in Sections 6 through 11 of this Specialist Report for Air Quality are presented below in Table 13-1 (Mitigation Monitoring Program – Air Quality), which provides a summary of how each mitigation measure should be implemented and evaluated for effectiveness." However, the table provides no guidance on how to evaluate the various mitigation measures for effectiveness. For example, the analysis requires soil binders that are to achieve a

Appendix A, Air Pollutant Emissions Calculations:

14. Page C-1: The text notes, "1) Unpaved road travel is minimized to the extent feasible and shall be no more than one-half mile per trip for equipment that must access the working sites. Construction employee traffic does not use unpaved roads, parking will be on paved roads/lots." This statement grossly underestimates the fugitive dust emissions that will result from the Project. The Project would require that workers get to the individual construction sites. While the applicant may provide a shuttle to reduce the number of these trips, the DEIR/EIS does not present estimates for these shuttles in the emissions calculations.

    Furthermore, the DEIR/EIS erroneously concludes that the nearest paved road would be within 0.5 mile of each construction site. Many of the sites are in secluded areas with little or no local access, such as areas along Segment 8 that would require more than 0.5 mile of off-road travel in either direction. Also, the construction equipment would need to set up areas for wheel washers, etc. (per Rule 403/mitigation), and would likely have to travel further than 0.5 mile to set up a "cleaning station." To present a reasonably accurate estimate of construction related air emissions, the DEIR/EIS must be revised to reexamine these areas with an eye as to where parking, staging, and truck travel could be conducted.

15. Page C-26: There is no source listed for these on-road emission factors. While the analysis alludes to the South Coast Air Quality Management District (SQAMD) website, there are discrepancies in the values provided. For example the Year 2009 emissions used in the TRTP DEIR/EIS are included in the following tables:

Passenger Vehicles, Model Years 1965-2009	
Lb/mi	
CO	0.010849
NOx	0.001138
ROG	0.001179
SOx	0.000009
PM10	0.000081

Delivery Trucks, Model Years 1965-2009
Lb/mi

CO	0.01454
NOx	0.021501
ROG	0.002295
SOx	0.000033
PM10	0.000400

Heavy-Heavy Duty, Model Years 1965-2009	
Lb/mi	
CO	0.004738
NOx	0.029455
ROG	0.001042
SOx	4.61E-05
PM10	0.000559

Whereas the values on the SCAQMD website for these same years are included below:

Scenario Year: 2009			
All model years in the range 1965 to 2009			
Passenger Vehicles (pounds/mile)		**Delivery Trucks (pounds/mile)**	
CO	0.00968562	CO	0.02016075
NOx	0.00100518	NOx	0.02236636
ROG	0.00099245	ROG	0.00278899
SOx	0.00001066	SOx	0.00002679
PM10	0.00008601	PM10	0.00080550
PM2.5	0.00005384	PM2.5	0.00069228
CO2	1.09755398	CO2	2.72330496
CH4	0.00008767	CH4	0.00013655

All model years in the range 1965 to 2009			
HHDT-DSL (pounds/mile)		**HHDT-DSL, Exh (pounds/mile)**	
CO	0.01282236	PM10	0.00185393
NOx	0.04184591	PM2.5	0.00170680
ROG	0.00329320		
SOx	0.00004013		
PM10	0.00199572		
PM2.5	0.00175227		
CO2	4.21080792		
CH4	0.00015249		

Note the discrepancies, especially for delivery and heavy duty trucks that would appear to grossly underestimate these emissions. For example, the value used for heavy-heavy truck PM10 is less than 1/3 of that presented by the SCAQMD. As such, the analysis

underestimates various emissions associated with the Project. This underestimate if further reflected in the on-road vehicle summary on Page C-31. Other years also show inconsistency with the SCAQMD data. The DEIR/EIS must be revised to address these inconsistencies.

16. Page C-44: The text presents a summary of the off-road equipment emissions. However, the DEIR/EIS does not present a listing of the type and number of equipment or the time and duration of equipment use. The validity of the analysis rest on the assumptions employed in the emissions modeling. Without this information, the off-road equipment emissions assumptions and calculations cannot be validated. The DEIR/EIS must be revised to provide this data.

17. Page C-97: The time of use for certain helicopters is underestimated. For example, the text notes that the Sky Crane would operate for 0.33 hours per working trip. This equates to just 19.8 minutes to warm up the engine, fly to the site, perform the actual work, fly back to the staging area, and shut down the engine. This assumption appears unreasonable and unjustified, and the DEIR/EIS must be revised to either justify or revise the assumption.

18. Page C-104: The analysis calculates fugitive dust emissions from dozers and graders. However, the listing of equipment on page C-78 includes several other types of equipment that would also generate dust including: crawlers, excavators, backhoes, etc. that appear to not have been included in the analysis of fugitive dust. The DEIR/EIS must be revised to include all equipment in the fugitive dust emissions calculation.

19. Page C-104: The use of the 84% control efficiency for dust suppressant underestimates fugitive dust emissions. A review of the products noted in the analysis at the CARB website states: "When topically applied as a dust suppressant in accordance with the manufacturer's instructions, including a target concentration of 0.28 gallons of concentrate per square yard of treated surface applied in multiple passes on a single day, Soil-Sement® reduced PM10 emissions by approximately 84 percent after 339 days and 6,780 vehicle (*predominantly light-duty*) (emphasis added) passes on an unpaved road consisting of a silty, sandy loam." Furthermore, the other suppressant also noted at the CARB website also specifies that the effectiveness is for *predominantly light-duty vehicles*. Because the Project would use predominantly heavy-heavy duty trucks, the use of the 84% control efficiency is unsubstantiated, and fugitive dust estimates are grossly understated in the analysis. The DEIR/EIS must be revised to more accurately represent real world conditions.

20. Page C-115: In calculation of windblown dust from the disturbed areas, the disturbed areas only appear to include the actual areas of construction. The DEIR/EIS must be revised to include in the calculation of windblown dust the various staging areas that would also be disturbed.

21. Page C-153: The LST analysis includes marshalling yards, tower construction, and substation construction, none of which are associated with fugitive dust from the use of

heavy equipment. But the analysis goes to lengths to calculate this fugitive dust associated with grading and dozing activities. It is possible that these activities would also subject sensitive receptors to localized impacts and this should be addressed in the analysis.

22. Page C-186. Alt. 4C - Offroad Equipment Emission Calculations: The page notes what equipment is to be used in the construction of each portion of the Project and how many hours each piece of heavy equipment is anticipated to be used on a daily basis. A similar table is provided for all other alternatives, with the notable exception of Alternative 2, the Proposed Project/Action (that based on its position for the other alternatives, should have been on Page C-30). Without these data on equipment use, it is not possible for us to replicate and verify the analysis of the Project. Under CEQA, these data need to be provided and the document revised.

DEIR/EIS Air Quality Text:

23. Page 42, 4th paragraph: The text lists mitigation including: (1) Implementation of a fugitive dust control plan; (2) Compliance with off-road diesel-fueled equipment; (4) Equipment standards for heavy duty diesel haul vehicles; (5) Equipment standards for on-road construction vehicles (including passenger cars); (7) Restriction of engine idling to five minutes or less; and (9) Off-road gasoline-fueled equipment standards. Most of these measures are requisite under the applicable agency and therefore do not constitute mitigation under CEQA. Pursuant to Section 15126.4 of the CEQA Guidelines, the discussion of mitigation measures must go beyond statutory requirements, and shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead agencies or other responsible parties to reduce adverse impacts. The DEIR/EIS must be revised to present mitigation in compliance with CEQA.

24. Page 42, 5th paragraph: The text notes: "Construction of the Project would result in emissions that would not be in full compliance with the requirements of all applicable federal, State, and local Air Quality Management Plans." The proposed mitigation would not reduce these construction emissions and their resultant concentrations at sensitive receptors to less than significant." Still, Page 6-11 of the Specialist Report notes: "After mitigation the Project would be consistent with the currently approved Air Quality Management Plans and would have a less-than-significant impact (Class II)." The DEIR/EIS must be revised to identify this impact as a Class I impact and to disclose that the residual impact remains significant.

25. Page 43, 8th paragraph: The text states: "Construction equipment and construction operations (such as the potential for some small areas of asphalt paving), as well as the use of certain equipment types during operation and maintenance activities, may create mildly objectionable odors. However, this would be temporary and would not affect a substantial number of people." However, the analysis of construction emissions fails to include an asphalt paver and its associated equipment or the ROG emissions associated with the application of this asphalt that are released into the air. Furthermore, the

analysis of operational emissions fails to disclose the source of the potential odors. The DEIR/EIS must be revised to correct these apparent discrepancies.

26. The analysis is flawed in that it fails to describe the various health effects for the noted air pollutants. As such, the reader has no idea of the potential health impacts associated with the Project thereby trivializing the impacts. The DEIR/EIS must be revised to disclose the type of potential health risks associated with the Project.

27. Page 3.3-21, 1st paragraph: The text states: "The proposed Project includes construction but does not include any stationary emission sources…" This is incorrect. The proposed switching stations and sub facilities, which are part of the Project, will require that the equipment be air-conditioned and this will use power. Furthermore, these facilities would require maintenance and the reapplication of paints and coatings, and these produce emissions. As such, the statement that the Project "does not include any stationary emission sources" is in error and misleading to the reader. The DEIR/EIS must be revised to correctly disclose and assess Project stationary source emissions.

28. Page 3.3-25: The study includes a "localized" analysis for those areas within the SoCAB. However, the significance of the localized emissions is based on adherence to the CAAQS, and not that of the local jurisdiction (i.e., SCAQMD). As such, the analysis is deficient in not providing localized analysis for those regions outside of the SoCAB with relation to the CAAQS, and should be revised to correct this deficiency.

29. Page 3.3-25, 5th paragraph: The text notes, "Note that ozone and PM2.5 are not included in Tables 3.3-13, 3.3-14, and 3.3-15." However, all three tables certainly include PM2.5. The DEIR/EIS must be revised to correct this inconsistency.

30. Page 3.3-27, Table 3.3-17: The table includes many Applicant-proposed "Mitigation Measures." However, most of these measures are requisite and therefore do not constitute mitigation under CEQA. Furthermore, Measure AQ-4, "Restrict vehicle idling time to less than 10 minutes whenever possible" would allow vehicles to idle twice as long as is included in the actual mitigation measures or is legally allowable (5 minutes in either case). As noted above, pursuant to Section 15126.4 of the CEQA Guidelines, the discussion of mitigation measures must go beyond statutory requirements, and shall propose measures to reduce, not *increase,* adverse impacts. The DEIR/EIS must be revised to present mitigation in compliance with CEQA.

31. Page 3.3-32, AQ-1B: The Project proposes the use of Tier II equipment as mitigation. The use of this measure demonstrates that the analysis is flawed because its proposed mitigation would result in higher emissions than those modeled in the DEIR/EIS air quality analysis.

    The requisite off-road standards, obtained from the SCAQMD web site, are included in the following table:

TIERS 1, 2, 3 & 4 OFF-ROAD ENGINE EMISSION STANDARDS												
Engine	**Tier 1 (g/bhp-hr)**			**Tier 2 (g/bhp-hr)**			**Tier 3 (g/bhp-hr)**			**Tier 4 (g/bhp-hr)**		
Size (hp)	NOx	ROG	PM	NOx	ROG	PM	NOx	ROG	PM	NOx	ROG	PM
75 - 99	6.9			5.32	0.28	0.3	3.325	0.175	0.3	2.5	0.14	0.015
100 - 174	6.9			4.655	0.245	0.22	2.85	0.15	0.22	2.5	0.14	0.015
175 - 299	6.9	1	0.4	4.655	0.245	0.15	2.85	0.15	0.15	1.5	0.14	0.015
300 - 600	6.9	1	0.4	4.56	0.24	0.15	2.85	0.15	0.15	1.5	0.14	0.015

The analysis then proposes compliance with these standards to reduce emissions. For example, the Air Quality Appendix C (Page C-154) makes the use of a value of 0.1706 pounds per hour for ROG for a 450 horsepower crane. The mitigation then requires that crane is to meet Tier II standards thereby allowing it to meet a standard of 0.24 grams per horsepower-hour for ROG. This then represents a value of 0.2379 pounds per hour [i.e., (450 hp x 0.24 g/hp-hr) / 454 g/lb = 0.2379 pounds per hour]. As such, the mitigation would increase the ROG emissions associated with the crane by 39% from the value used in the analysis.

In fact, many of the values used in the analysis are cleaner than Tier III standards. For example, the Air Quality Appendix C (Page C-154) makes the use of a value of 1.6652 pounds per hour for NOx for a 450 horsepower crane. Under the Tier III standards it would have to meet a standard of 2.85 grams per horsepower-hour for NOx. This then represents a value of 2.8249 pounds per hour [i.e., (450 hp x 2.85 g/hp-hr) / 454 g/lb = 0.2379 pounds per hour]. As such, the analysis uses an unmitigated value that is 40% lower than the future Tier III standards. These same flaws run through all of the equipment calculations and as such, the analysis drastically underestimates the potential impacts of the Project.

The DEIR/EIS goes on to state (Page 3.3-33, 10th paragraph), "However, an analysis of the 2009 SCAQMD off-road emission factors indicates that the fleet average engine for the equipment types assumed to be used for this Project would be just better than Tier 1 on average." As demonstrated above, this is incorrect and the SCAQMD emission factors are actually cleaner than Tier II and in many cases Tier III requirements. As such, the analysis is flawed in that the mitigation would in many cases increase the impact (including the significant localized impacts) over that projected in the analysis. The DEIR/EIS must be revised to present a consistent and accurate assessment of off-road emissions.

32. Page 3.3-38, 4th paragraph: The text states, "…the Project will obtain emission reduction credits to fully offset the NOx and/or VOC emissions per 40 CFR §93.158(a)(2) for the years that the Project has been estimated to exceed the NOx and/or VOC emission applicability thresholds. Credits shall be submitted to the CPUC and FS for review and approval." However, Page 3.3-34, 2nd paragraph contradicts this statement, indicating that

"The use of emission offsets to further mitigate the significant maximum daily construction emissions in SCAQMD and AVAQMD and the 2010 PM10 emissions in KCAPCD are not considered feasible, due to lack of availability of such offsets and their prohibitive cost." The DEIR/EIS does not address this contradiction. The DEIR/EIS must be revised to explain how if emission reduction credits are neither available nor affordable for construction emissions in SCAQMD, AVAQMD, and KCAPCD areas, the credits could be both available and affordable for federal conformity areas that also fall within these jurisdictions.

33. Page 3.3-39, 3rd paragraph: The text notes, "Construction equipment and equipment used during construction operations, such as the potential for small areas of asphalt paving; and the operations maintenance/inspection equipment may create mildly objectionable odors." As discussed above, the DEIR/EIS must be revised to disclose the source of the potential odors.

34. Page 3.3-54, 1st paragraph: The text states, "A comparison of Table 3.3-21 and Table 3.3-25 shows that Alternative 6 has higher construction NOx emissions for project construction during 2010 through 2012, and has the same overall findings with respect to exceeding General Conformity applicability triggers in the SoCAB but creates a new exceedance of the AVAQMD/MDAB applicability trigger for NOx. However, the NOx emission estimate for Alternative 6 does not include the NOx reduction from the recommended off-road equipment mitigation measures, which would reduce the annual NOx emissions in the AVAQMD portion of the MDAB similar to the project (to less than 25 tons per year in 2012). Following the discussion provided in the DEIR/EIS, like the project, with incorporation of Mitigation Measure AQ-6, Alternative 6 would conform to the SIP and would have an NOx emission impact similar to the project. The DEIR/EIS analysis is flawed in that it fails to apply equivalent standards to the evaluation of the project and all alternatives.

    Further given that the air emission analysis underestimates construction emissions and the required mitigation (i.e., requirement for Tier II equipment) would further raise the emissions from those used in the analysis, the DEIR/EIS findings that project residual NOx emissions would be less than 25 tons per year is incorrect. The DEIR/EIS analysis of construction related air emissions should be revised to correct these notable flaws and should be applied consistently to all alternatives evaluated in the DEIR/EIS.

35. In accordance with page 3.10-5 of the noise analysis, "Corona may result in radio and television reception interference, audible noise, light, and production of ozone." Ozone, also known as smog, is also the by-product of photochemical oxidation of NOx and ROG. While the direct release of ozone is not regulated as a criteria pollutant, the DEIR/EIS must revise its air quality analysis to determine the equivalent value of NOx/ROG that would lead to this volume of ozone and assess the impact accordingly.

Section 3.4. Biological Resources and Biological Resources Specialist Report:

General Comment**:** These comments were compiled based on a review of the DEIR/EIS and the "Biological Specialist Report" by Ingrid Chulp, regulatory specialist/biologist with Glenn Lukos Associates. All included comments relevant to the Specialist Report must also be addressed in the DEIR/EIS document, as appropriate, and vice versa.

1. Table 3.4-1 reports that the Project degrades 1,538 acres of vegetation communities of which 277 acres will be permanent. These totals are inconsistent with the combined totals from Tables 3.4-17 and 3.4-18, which report that the project would degrade 1,546.8 acres of vegetation communities of which 282.5 acres would be permanent. Impact B-1 and B-3 (Pages 3.4-109-3.4-110 and 3.4-130) B-1) report that permanent degradation will encompass 283 acres. The DEIR/EIS must be revised to correct these inconsistencies.

2. Table 3.4-1 suggests that there are significant differences between Alternative 2 and 4 for all of the environmental issues analyzed when in fact the differences are not significant. Both alternatives have the same impacts relative to introduction of noxious weeds to remote or natural areas and habitat interiors. Both alternatives result in transmission line strikes and electrocutions not found to be significant for either alternative based on Project design features (specifically AMP's BIO-4 and BIO-9). The table is misleading and should be revised to clarify the status of each environmental issue for each alternative by adding: "Not Significant" or "Less than Significant with Mitigation".

3. Table 3.4-7 incorrectly reports that the San Diego horned lizard (Phrynosoma coronatum blainvillii) is unlikely to be found in Segment 8. According to the California Natural Diversity Database (CNDDB) [CDFG March 2009] San Diego horned lizards were identified in the vicinity of the Project Segment 8 alignment. Therefore, the table and analysis in the DEIR/EIS needs to be revised to correctly report on the 'likely" occurrence of the San Diego horned lizard within Segment 8.

4. Table 3.4-7 incorrectly reports that Bald Eagles have been utilizing the Chino Hills State Park (CHSP) Area. Based on personal conversations between biologist Ingrid Chulp and Alissa Ing, CHSP biologist, bald eagles have been observed utilizing the adjacent Prado Basin during migration. The CHSP does not support suitable foraging habitat. Further the DEIR/EIS and technical report do not provide any documentation to support that bald eagles have been breeding in the vicinity of the Project. Therefore, the table and analysis in the DEIR/EIS needs to be revised to correctly report on the occurrence of the bald eagle within Segment 8.

5. Table 3.4-7 incorrectly reports that prairie falcons are unlikely to occur within Segment 8. According to Appendix A of the CHSP General Plan and Summary of Avian Resources of the Puente-Chino Hills Corridor, prairie falcon has been observed in the vicinity of the Project, although no suitable nesting habitat is apparent. The DEIR/EIS and technical report do not provide any documentation to support the findings regarding prairie falcons. Therefore, the table and analysis in the DEIR/EIS needs to be revised to correctly report on the occurrence of the prairie falcon within Segment 8.

6. Page 3.4-137 states that "Project related activities that result in the increase in noxious weed populations would have long-lasting consequences for habitats in the proposed Project area and would constitute a significant impact…Implementation of Mitigation Measure B-1a (Provide restoration/compensation for impacts to native vegetation communities), Mitigation Measure B-2 (Implement RCA Treatment Plan) and Mitigation Measures B-3a through B-3c (Prepare and implement a Weed Control Plan, Remove weed seed sources from construction routes and Remove weed sources from assembly yards, staging areas, tower pads, pull sites, landing zones and spur roads) will reduce impacts to less-than-significant levels (Class II)". The DEIR/EIS needs to be revised to discuss whether mitigation is available for the balance of the Project area.

7. As noted by the Todd Brody, principal of Synectology, an environmental consulting firm specializing in air emissions and noise analysis and modeling, page 3.4-180, B-15, the mitigation is inadequate for the impact. The text states "If construction activities occur during the breeding season at the Whittier Narrows Recreation Area, Whittier Narrows Nature Center, Puente Hills Landfill Native Habitat Preservation Authority lands, and/or the Rio Hondo, or other areas including the ANF that have the potential to support listed riparian species, a qualified ornithologist shall conduct protocol surveys of the Project and adjacent areas within 500 feet. Fish and Wildlife Service (FWS) protocol surveys will be conducted for southwestern willow flycatcher, least Bell's vireo, and western yellow-billed cuckoo. In known occupied habitat for listed riparian birds, SCE shall only conduct focused surveys of the Project and adjacent areas within 500 feet. The surveys shall be of adequate duration to verify potential nest sites if work is scheduled to occur during the breeding season."

   The text also notes, "In coordination with the FWS and CDFG, a 300-foot disturbance-free buffer shall be established and demarcated by fencing or flagging. No construction shall occur within this buffer during the breeding season for this species." This provision is incorporated in Mitigation Measure B-16.

   In accordance with the Fish and Wildlife Service, sensitive bird species are subject to a significance threshold of 60 dBA. According to Table 3.10-4 of the noise analysis, the 60-dBA level for construction would occur at a distance of about 1,200 feet from the construction activities (and is probably further for helicopter noise that the text fails to properly document). Additionally, according to Impact B-15 Section, 3rd paragraph page 3.4-179, the 60 dBA threshold may not be sufficient. As such, the use of a 300 or 500-foot buffer, as promulgated in Mitigation Measures B-15 and B-16, is totally inadequate and these distances must be increased accordingly. The DEIR/EIS needs to be revised to identify appropriate mitigation and Project impacts relative to nesting birds.

8. Page 3.4-278. Impact B-3, in assessing potential impacts relative to Chino Hills State Park, the DEIR/EIS fails to note that grasslands within the CHSP exhibit a very high proportion of mustard and may be better classified, in many cases, as Ruderal Grassland. Additionally, the areas proposed for Alternative 4 currently exhibit a relatively high density of dirt roads. Consequently, the areas traversed by Alternative 4 east of Segment

8 Milepost 2.2 are not necessarily remote, undisturbed habitat. The DEIR/EIS needs to be revised to provide a complete and accurate comparison between Altneratives 2 and 4 relative to the potential to introduce noxious species.

9. Based on the analysis of disturbance footprints provided in Chapter 2, the DEIR/EIS concludes that Alternative 4C results in a 1 to 2% increase in land disturbance and a 3-4% increase in permanent impacts to habitat when compared to Alternative 2, in part due to a 2.4% increase in the construction and improvement of roads. Relative to biological resources, the DEIR/EIS then concludes that this increase in total disturbance area has the potential to increase potential impacts to special-status habitats including walnut woodland, coastal sage scrub, southern coast live oak riparian forest and southern sycamore-alder riparian. However, the DEIR/EIS discussion of biological resource impacts fails to discuss the mitigation measures proposed by the City of Chino Hills that would accompany Alternative 4 (21st Century Green Partnership, Mitigation and Cost Recovery Plan). The mitigation measures proposed by Chino Hills include removal of approximately 12 existing 220-kV double-circuit lattice steel towers within CHSP and 2 outside CHSP (14 total) and 3.4 miles of transmission lines that would allow for additional restoration opportunities, and the elimination of 16 miles of transmission line through Chino and Ontario that would reduce potential impacts to burrowing owl, saltspring checkerbloom and Coulter's saltbush.

   Additionally, given the high proportion of black mustard throughout CHSP and the great numbers of existing dirt roads traversing Alternative 4C, the DEIR/EISs assessment that Alternative 4C would increase the introduction of noxious weeds and interfere with wildlife movement is incorrect. Further the DEIR/EIS fails to discuss the City of Chino Hills proposed mitigation measures that would provide significant funding to the CHSP which could be used to restore habitat and eradicate highly invasive species in the CHSP. Potential uses for those funds, as presented in the 21st Century Green Partnership, Mitigation and Cost Recovery Plan, include:

   a) Bio-Corridor Expansion: A bio-corridor expansion of undeveloped parcels of land east of the State Park's current boundary totaling 2,517 acres.

   b) View Shed Enhancements: Removal of 10.45 miles of inactive 220kV line within the Park that would enhance views into the park's natural areas.

   c) Habitat Enhancements: Connections and enhancement of the CHSP bio-corridors with 1) Coal Canyon, linking the State Park to the Cleveland National Forest; 2) Sonome Canyon, linking the State Park to Tonner Canyon; and 3) The Prado Basin Area to the east of the State Park. The proposed restoration program targets and ranks areas based on several criteria including: 1) Location relative to core habitat; 2) Location relative to bio-corridors; 3) Existing condition of habitat; 4) Presence of target species indicating viability of the site; and 5) Potential to support special-status species. Each of the three canyons that meet the criteria will be buffered 300-feet to delineate an approximate restoration area.

d) Habitat Restoration: Proposed restoration including: eradication of highly invasive species, such as tamarisk, and the supplemental planting of riparian oak woodland and cottonwood willow riparian species within, and adjacent to, the canyon bottom; and supplemental planting of scrub species and native grass species adjacent to the drainage in areas that currently support non-native grassland is also proposed. Areas to be restored include:

    1) Water Canyon - totaling approximately 9 acres including 3 acres of riparian habitat and 6 acres of sage scrub habitat.
    2) Brush Canyon - totaling approximately 15 acres including 5 acres of riparian habitat and 10 acres of sage scrub habitat.
    3) Lower Aliso Canyon - totaling approximately 35 acres including 6 acres of riparian habitat and 29 acres of sage scrub habitat.

e) Operational Enhancements: construction of a guard shack, gate improvements, a message board, as well as other enhancements as recommended by the State Park.

The DEIR/EIS confines its assessment of the City proposed biological resources mitigations to a footnote on page 4-48. Within the footnote, the DEIR/EIS attempts to defend its omission of the City's mitigation plan by stating that it is not considered mitigation for impacts identified in the DEIR/EIS. The DEIR/EIS states that "While the 21st Century proposal attempts to compensate the Department of Parks and Recreation for routing Segment 8A across Chino Hills State Park as part of Alternative 4, it does not directly address the significant adverse effects on the physical environmental associated with Segment 8A that are identified in this DEIR/EIS". However, this statement is inconsistent with Mitigation Measure B-1 proposed by the DEIR/EIS, which offers off-site mitigation, restoration, enhancement/re-vegetation and/or mitigation banking to reduce impacts relative to habitat disturbance to less than significant levels. The City proposed mitigation proposes to conduct the mitigation, restoration and enhancement/re-vegetation on-site within CHSP. The Lead Agencies appear to be selectively ignoring feasible mitigation, and by so doing, the DEIR/EIS presentation of biological resource impacts associated with Alternative 4 is inaccurate. The DEIR/EIS must be revised to include the proposed City of Chino Hills mitigations in its assessment of Alternative 4.

10. Table 3.4-1 indicates that line collision and electrocution potential is higher in Alternative 4 than the Project. However, in neither alternative is the potential significant as a result of APM's BIO-4 and BIO-9. Additionally, according to Appendix B of the Biological Specialist Report [Aspen 2008] "none of the 21 species identified during the risk assessment as vulnerable to line collision is state or federally listed as threatened or endangered, and only one, white-faced ibis, is a CDFG Watch List species. No other special status species known from the region is considered vulnerable to line collisions, and no important bird migration corridors have been identified." Specifically, the report indicates that CHSP contains upland habitats with no potential to concentrate large numbers of birds, and no species considered vulnerable to line collisions were detected there during reconnaissance surveys. Consequently, the DEIR/EIS overstates the impact

of line collision and electrocution on biological resources. The DEIR/EIS must be revised to present a complete and accurate discussion of these impacts.

Section 3.5. Cultural Resources:

1. On February 23, 2009, Michael B. Day of Goodin, MacBride, Squeri, Day & Lamprey LLP, as counsel to the City of Chino Hills, phoned Jon Davidson of Aspen Environmental to request a copy of the TRTP DEIR/EIS cultural resources technical studies, but was denied a copy on the grounds that the information is proprietary. A follow up demand letter, dated March 2, 2009, was sent to Mr. Davidson as well as Laurence Chaset of the CPUC by Mr. Day. No response to the request was received. Although it is standard practice to keep the locations of recorded historical archaeological sites confidential when presenting a cultural resource report prepared in support of an DEIR/EIS, it is not standard practice to keep the entire report confidential and simply not available to affected responsible agencies. This is of particular concern because the detailed information necessary to support the DEIR/EISs cultural resource conclusions are not provided within the body of the DEIR/EIS document.

   Although the DEIR/EIS Section 3.5 notes that Pacific Legacy, Inc. and Applied EarthWorks, Inc. provided background information in support of the cultural resource analysis, the titles and dates of these reports are not provided and these reports are omitted from DEIR/EIS Section 9.0 References. Further there is no reference as to which consultant performed the analysis of cultural resource impacts, identified mitigation measures and determined the expected level of mitigation effectiveness. Technical expertise in historical and prehistorical cultural resources is necessary to adequately perform such analysis. Without inclusion of the TRTP DEIR/EIS cultural resources technical studies, the DEIR/EIS fails to satisfy Section 15064.5 of the CEQA Guidelines The DEIR/EIS should be revised to include the cultural resources technical studies, excluding the confidential locations of recorded historical archaeological sites.

2. The cultural resource section of the DEIR/EIS is deficient as it lacks the following critical pieces of information needed to determine potential Project impacts relative to cultural resources:
   a. An area of potential affects or study area map.
   b. A description of the type of historical and archaeological resources found within each segment.
   c. An evaluation as to why each identified potential resource is significant, i.e., a description of the ethnographic period or National Register of Historic Places criteria that defines each resource identified in Table 3.5-5.

The DEIR/EIS should be revised to include these critical pieces of information relative to cultural resources.

3. Table 3.5-2 lists 7 potentially significant cultural resources within Segment 8. Table 3.5-5 identifies only one of these 7 sites within Segment 8 that could be potentially affected by the Project. However, the DEIR/EIS fails to discuss why the other 6 sites within Segment

8 would not be potentially affected by the Project. The DEIR/EIS should be revised to include this discussion.

4. Table 3.5-1 indicates that there are a number of cultural resources that are not known without additional information. Table 3.5-8 indicates that the eligibility of most resources has not been evaluated. Section 3.5 of the DEIR/EIS defers the technical analysis required to determine the significance and impacts to important archaeological resources to mitigation measure C-1b, which discusses the need for site specific field surveys. Despite this deferment, the DEIR/EIS concludes that with inclusion of mitigation measures C-1a through C-1h, direct project impacts would be reduced to a less-than-significant level (Class II). However, without knowing the extent of the potential impacts, it is impossible to determine if the mitigations offered in the DEIR/EIS can reduce the impacts to less than significant.

5. The mitigation measures (C-1a through C-1h) do not satisfy the requirements of Section 15126.4 (b) (3) of the CEQA Guidelines. Pursuant to that section, public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The DEIR/EIS defers required efforts to avoid damage to mitigation measure C-1c, which offers project redesign or use of protective buffers to avoid and protect resources. This mitigation measure is not feasible. In some places, the Project right of way is less than 200 feet. There would not be sufficient space to redesign the Project or use protective buffers.

6. The DEIR/EIS goes on to state that should mitigation measures not be able to reduce impacts to less than significant levels, then effects would be considered adverse (Class I). If the deferred field surveys find that the Project will compromise, damage or destroy an important resource, this impact will not have been adequately disclosed through the DEIR/EIS process. The DEIR/EIS does not provide sufficient information, analysis or findings from which decision makers and the public can reasonably evaluate the Project's potential damage to cultural resources. The DEIR/EIS fails to meet the standards of Public Resources Code Section 15161. A Project DEIR/EIS shall examine all phases of the Project including planning, construction, and operation. It cannot defer analysis of reasonably foreseeable impacts. The DEIR/EIS should be revised to include the required field surveys and specific and feasible mitigation measures to address potential impacts to cultural resources identified through the surveys.

Section 3.6. Environmental Contamination and Hazards:

1. Page 3.6-49 of the DEIR/EIS states that Alternative 4C would traverse within approximately 100 to 400 feet of the former burn area #18 at the Aerojet Chino Hills munitions testing facility. The DEIR/EIS goes on to conclude that although there are very low levels of contaminants identified on the Aerojet site, the potential remains for ordnance and soil contamination to be present along portions of Route C and Route D in the vicinity of the Aerojet property. However, this information conflicts with that provided in Tables 3.6-11 and 3.6-12 of the DEIR/EIS, which find "soil testing indicated no risk for human health prior to site clean" relative to Alternative Routes C and D and

the Aerojet property. The inconsistency needs to be explained or corrected in the DEIR/EIS.

2. Page 3.6-25 of the DEIR/EIS states that the Aerojet Chino Hills Facility is actively undergoing cleanup, and, at the time of publication of the DEIR/EIS, no reports to verify that this work was completed have been made available. Page 3.6-50 of the DEIR/EIS concludes that the potential for munitions and explosives of concern (MEC) cannot be ruled out along Route C and Route D or along the permanent access roads passing through or near the Aerojet Facility. To mitigate this impact, the DEIR/EIS recommends Mitigation Measure E-6a to provide ordnance recognition training, and cites DTSC (2008) as the source for this mitigation.

   However, the DEIR/EIS fails to discuss recent (November 21, 2008) findings by DTSC regarding the Aerojet property.[11] Moreover the Lead Agencies had such information several months prior to publication of the DEIR/EIS. Accordingly it is unclear why such information was not factored in to the analysis. Had the DEIR done so it would have correctly reported that DTSC finds that the likelihood of having munitions present within the Alternative Route C corridor is remote. Consistent with Mitigation Measure E-6a, DTSC does recommend that an ordnance recognition course be given to all site personnel as a precaution. However, DTSC also lays out the process through which a determination of "no further action" on the proposed Route C relative to the Aerojet property ***would*** be granted. The DEIR/EIS must fully report on available information, and must be revised to include recent DTSC information regarding the Aerojet property that was available prior to the DEIR/EIS publication.

3. Table 3.9.12 of the DEIR/EIS identifies educational facilities within ½ mile of the ROW through Chino Hills and other communities. The California *Code of Regulations, Title 5*, Section 14010(c) establishes minimum setbacks between schools and overhead utility lines. The setbacks have been developed in consultation with international experts on the health effects of electro-magnetic fields (EMF), state agencies such as the Department of Health Services (DHS), the Division of the State Architect (DSA), and the California Public Utilities Commission (PUC), electric utilities, school districts, consultants, and private citizens with an interest in the topic. For 500 kV lines, the setbacks recommend a distance of 350 feet measured from the edge of easement of overhead transmission lines to the usable portions of the school site. The DEIR/EIS provides no discussion of whether the Project would comply with the Title 5 Guidelines. In fact, the DEIR/EIS provides somewhat contradictory information. While, Section 3.17.4 of the DEIR/EIS incorrectly states that there are no federal or State standards limiting human exposure to EMFs from transmission lines or substation facilities in California, Section 5.3.1.3 sets forth those standards. Of particular concern in the City of Chino Hills is the large number of residents who reside within 75 feet of the proposed 500 kV ROW. Two churches and two daycare facilities are within 350 feet of the ROW. The DEIR/EIS is remiss in not identifying and discussing the relevance of this guideline or the potential health effects of EMF on the children who would live, play and attend daycare and

[11] See Section 2,Attachment 5.

church adjacent to the ROW. The DEIR/EIS must be revised to address this state regulation and impacts associated with the Project's noncompliance.

Section 3.7. Geology and Soils and Geology, Soils, and Paleontology Specialist Report:

General Comment**:** These comments were compiled based on a review of the DEIR/EIS and the "Air Quality Specialist Report" by Lisa L. Bates-Seabold, CEG 2293, Senior Engineering Geologist at GMU Geotechnical Inc. All included comments relevant to the Specialist Report must also be addressed in the DEIR/EIS document, as appropriate, and vice versa.

1. The DEIR/EIS refers to the Puente Formation bedrock in general as particularly prone to landsliding. However, within the City of Chino Hills, the Yorba member of the Puente Formation is significantly more prone to failure than other members. While landsliding may occur infrequently within other members, such as the Sycamore Canyon and Soquel Sandstone members, it is the Yorba member that should be considered as "landslide prone". The DEIR/EIS must be revised to correct this misstatement.

2. The DEIR/EIS must be revised to differentiate the Yorba member of the Puente Formation from other members when discussing soil conditions, slope stability, landslide potential, earthquake-induced landsliding, etc. For example, the DEIR/EIS states Alternate 4 passes through "moderate to steep terrain with mapped landslides, potentially unstable slopes…" referring to the Puente Formation bedrock slopes in general. Given that the entire Alternate 4 alignment is underlain by the Puente Formation, this generalization results in increased potential for slope failures and landsliding. However, the Yorba member of the Puente Formation is exposed along roughly half of Alternate 4 (depending on Route). Taking this difference into account, as well as the relatively lower potential for slope instability in the other exposed members of the Puente Formation, the slope stability and other potential landsliding issues for Alternative 4 would be reduced.

3. The DEIR/EIS refers to Alternate 2 as crossing soils possessing "low to moderate" expansion potential and "moderate" potential corrosion to concrete; however, site-specific geotechnical investigations completed within similar soils in the City of Chino Hills yielded results of highly expansive soils possessing high corrosion potential to concrete. The DEIR/EIS must be revised to correct this misstatement.

4. The DEIR/EIS refers to Alternate 2 as crossing the potentially active Central Avenue fault and not crossing the currently mapped trace of the active Chino fault. While the Alquist-Priolo designation does not continue northward, topography, regional mapping (reference (5)), aerial photograph review, and site-specific geologic data suggest the fault may continue northward, crossing the Alternatives 2 and 5. Alternative 4 Routes A and C do not cross the Alquist-Priolo zone for the Chino fault. Based on this distinction, Routes A and C of Alternate 4 would not be subject to potential fault rupture and damage to the transmission line. The DEIR/EIS must be revised to correct this misstatement.

5. The DEIR/EIS provides potential peak ground accelerations for the Project within Chino Hills up to 0.5g. However, site specific seismic analyses for other projects in the vicinity of the Project have yielded accelerations greater than 0.5g. The DEIR/EIS must be revised to correct this misstatement.

6. The DEIR/EIS does not specifically address the potential for landsliding and slope instability across Alternate 2 given that regional bedding dips to the northeast and that all north, northeast, and east facing slopes may be potentially unstable. The DEIR/EIS must be revised to describe these existing geologic conditions and the potential impacts associated with placing the 195-foot facilities within this unstable area.

7. The DEIR/EIS refers to liquefaction potential of Alternate 2 as "low" within alluvial areas due to deep groundwater elevations based on Chino Basin Watermaster (CBWM) data. The City of Chino Hills General Plan (reference (3)), Figure S-2 (Seismic Hazards, Fault Rupture and Liquefaction Susceptibility) delineates the area between approximate Mileposts 24 and 26 as having "high" liquefaction potential. It should be noted that groundwater data in this area is limited, and shallow groundwater conditions cannot be ruled out without further investigation. The DEIR/EIS must be revised to describe these existing conditions and the potential impacts associated with placing the 195-foot facilities within a potential liquefaction area.

8. The DEIR/EIS appears to be inconsistent in the evaluation and impact analysis of landsliding, erosion, and slope stability impacts. The DEIR/EIS should be revised to state that Route A of Alternate 4 will be susceptible to less impact from geotechnical hazards than Alternate 2, as stated on Page 3.7-77.

9. The Chino Hills General Plan Safety Element's Focused Goal 1-1 provides for: "A safe community free from manmade and natural hazards." The Project's proposes to locate 195-foot poles on seismically active land, that in the case of a seismic event, could fall well outside of the 150 foot easement onto homes is a manmade hazard in clear violation of the City Safety Element. The DEIR/EIS must be revised to disclose this information.

Section 3.8. Hydrology and Water Quality:

1. Table 4.2-2, relative to hydrology, erroneously states that Alternative 4 would cross several high quality streams. Rather, Alternative 4 crosses a lesser number of streams than the Project, and the DEIR/EIS provides no analysis regarding stream quality. The DEIR/EIS must be revised to correct this information.

Section 3.9. Land Use and Planning:

1. A discussed in Comment #3 to Section 2.2, within the Chino Hills and Chino portions of the 150-foot ROW, the existing land uses include: six single family houses, Chino Valley Community Church; Chino Hills Promenade commercial center, Inland Hills Church and Chino Hills Old City Yard. CEQA requires that existing physical conditions be

described. The DEIR/EIS must be revised to include a description of the existing land use conditions within and adjacent to the Project site, including these existing land uses that overlap the ROW.

2. As noted in Comment #1 to Section 3.1, the DEIR/EIS excludes IX.a of the CEQA Guidelines Appendix G (Would the project physically divide an established community?) without providing any explanation for its exclusion. Clearly, the permanent placement of 195-foot high, 60-foot wide active high voltage lines across six existing homes and within 75 feet of approximately 147 residential properties could physically divide established Chino Hills' communities. Further it would clearly physically divide the existing Chino Hills and Chino commercial and institutional properties that overlap the ROW (reference Comment #1 to Section 3.9) and would lose parking and other facilities The DEIR/EIS must be revised to include item IX.a in its criteria for land use and planning, and provide an analysis of these impacts.

3. Table 3.9-12 of the DEIR/EIS identifies existing uses within ½ mile of the ROW. Section 3.9.6.1 of the DEIR/EIS discusses Project construction impacts that would temporarily disrupt, displace, or preclude existing residential land uses. According the DEIR/EIS, construction activities could include work crews of up to 80 persons with durations of up to 45 months. The DEIR/EIS recognizes that many residential properties that are located less than 250 feet away would be impacted by construction-related activity. To mitigate these impacts, the DEIR/EIS proposes 3 mitigation measures, each which require property owner notification regarding the construction process. The DEIR/EIS then concludes that these measures would reduce construction-related impacts to residential land uses to a level of less than significant. The DEIR/EIS provides no discussion or rationale to support how the proposed notices would mitigate the construction impacts to Chino Hills' residents living immediately adjacent to the construction. As noted in the DEIR/EIS, there would be almost 4 years (45 months) of construction activity in the ROW. Existing towers would need to come down. Existing footings would need to be drilled out. New footings would need to be excavated and poured. Two-trailer trucks would be driving back and forth delivering the poles. Materials would need to be marshaled and stored and transmission wires would need to be pulled and spliced. For the Chino Hills' residents living adjacent to the ROW, construction impacts would be adverse and significant. The mitigation proposed by the DEIR/EIS is not sufficient to reduce these impacts to less than significant levels. The DEIR/EIS must be revised to provide a thorough and accurate evaluation of construction related impacts to residential land uses.

4. On pages 9.9-65-67, Impact L-3, the DEIR/EIS discusses the Project's operation and maintenance and finds that these impacts would be adverse but less than significant impact relative to existing and planned residential land uses. However as discussed above in Comment #3 to Section 2.2, there are six existing homes within the existing 150-foot ROW. Further as discussed in Comment #4 to Section 2.2, the existing 150-foot ROW adjacent to Chino Hills homes and businesses is deficient. To widen this ROW to the minimum acceptable width of 200 feet, approximately 147 existing residences would be fully or partially displaced. Further, as discussed above in Comment #3 to Section 3.6,

the DEIR/EIS provides no discussion of *California Code of Regulations, Title 5*, Section 14010(c) guidelines or of the potential land use compatibility impacts of placing 500 kV facilities adjacent to sensitive land uses. The DEIR/EIS must be revised to identify potential impacts associated with the probable taking of residential properties and the Project's impacts relative to Title 5 on residential and other sensitive land uses.

5. On page 3.9-69-78, Conflict with any applicable federal, State, or local land use plans, goals, or policies (Criterion LU2), the DEIR/EIS discusses applicable federal, state and local land use plans, goals, or policies. The only Chino Hills' goal or policy identified by the DEIR/EIS is a Park, Recreation and Open Space Element policy that was superseded by an update to that Element, adopted by the City in March of 2008. A more thorough review by the DEIR/EIS of the Chino Hills General Plan would have identified the following applicable goals and policies:

   Land Use Element:
   - Policy 1-8: Require underground utilities for all new development.

   Land Use Element / Safety Element:
   - Major Goal 2 – A high quality of life for all residents
   - Focused Goal 2-1: A safe community free from manmade and natural hazards.

   Conservation Element:
   - Policy 5-4: Make available to the public information concerning electric and magnetic fields (EMF), and as continuing research supports, amend City codes to address any risks associated with EMF.

   Parks, Recreation and Open Space Element:
   - Focused Goal 1-1: Protect and preserve the natural features of Chino Hills' open space, such as the ridgelines, native vegetation, wildlife, springs and waterways.
   - Focused Goal 2-5: Create a strong community image for Chino Hills using the City parks and natural open space.

   Each of the above goals and policies emphasize protection of the City's quality of life, including safety from hazards, preservation of natural open spaces, and creation of a strong community image, open spaces view sheds and quality of life. Of particular interest, given that the residential neighborhoods adjacent to the ROW pre-date the City's incorporation, is that one of the first policies of the City Land Use Element is to require undergrounding of utilities for all new development. This policy is further supported by a Conservation Element policy to inform the community and to reduce risks associated with EMFs. Clearly, placing a 195 foot utility tower at the back door of residents violates each of the above listed Chino Hills goals and policies. The DEIR/EIS must be revised to identify and assess the Project's compatibility with these goals and policies.

6. Table 3.9-23 of the DEIR/EIS identifies applicable Chino Hills State Park General Plan (CHSPGP) goals and implementation measures. From the approximately 25 goals identified in the CHSPGP, the DEIR/EIS selects only two goals to evaluate:
   - Establish, maintain, and protect buffers adjacent to Chino Hills State Park.

- Protect scenic features from man-made intrusions and preserve the visitor's experience of the natural landscape by minimizing adverse impacts to aesthetic resources.

The DEIR/EIS then finds that Alternative 4 (Routes A through D) would conflict with these goals, which in turn would require an amendment to the CHSPGP, and thereby result in an unavoidable adverse impact. However, the DEIR/EIS fails to discuss that the supporting CHSPGP guidelines provide that: "The [State Parks] Department will work to reduce the negative impacts of the utility easements in the park. All utility companies will be encouraged to reduce the impacts by consolidating easements into fewer or smaller corridors, or by placing the equipment underground. The Department will work with utility companies to remove unnecessary utility roads and reduce road widths, and will discourage any new easements within the park unless mitigated to benefit park resources."

Mitigation measures proposed by the City of Chino Hills that would accompany Alternative 4C (21st Century Green Partnership, Mitigation and Cost Recovery Plan) include removal of approximately 12 existing 220-kV double-circuit lattice steel towers within CHSP. The measures also include removal of all easements from the Water Canyon Natural Preserve and improved view sheds by taking the towers off of the peaks. Consequently, with inclusion of the proposed City of Chino Hills mitigation measures, Alternative 4C would in fact be consistent with the above listed goals.

The City Mitigation and Cost Recovery Plan which would provide funding to take such measure as restore vegetation; expand the bio-corridor by assisting with the acquisition of compatible adjacent properties and construct visitor amenities such as a new gate, guard shack and message board. Through these measures, Alternative 4C further supports other CHSPGP goals, including the following:

- Maintain and enhance the movement of native animals through the park and regional ecosystem.
- Restore and protect the native vegetation within Chino Hills State Park through active resource management programs.
- Protect, perpetuate, and restore native wildlife populations and native aquatic species at Chino Hills State Park
- Expand the visitor's awareness, understanding, and appreciation of the park's resources.
- Provide for appropriate visitor uses of the park and at the same time protect resources.
- Provide essential visitor services and operations facilities to enhance the visitor's experience and at the same time maintain the park's natural, cultural, and aesthetic values.
- Provide safe, reliable vehicle access points for park visitors to enter the park and travel to the primary park destinations.
- Create appropriate pedestrian access points to meet the needs of both the park and the local jurisdictions that are contiguous to the park boundary.
- Protect and enhance park resources and improve visitor's enjoyment and education in the park through appropriate land acquisitions.

The DEIR/EIS fails to mention these other goals or guidelines, or how with the City proposed mitigation measures, Alternative 4C is compatible with the CHSPGP and potential impacts would be reduced to less than significant levels.

In contrast to its treatment of the CHSPGP, the DEIR/EIS appears to interpret the criterion for significance differently when discussing the goals and policies of the 2005 ANF Land Management Plan. Page 3.9-73 of the DEIR/EIS states that as part of the proposed Project's approval and prior to construction, the USDA Forest Service would issue a Special Use Easement, which would involve amending the 2005 ANF Land Management Plan. Pursuant to the Special Use Easement and plan amendment, the DEIR/EIS finds that the Project impacts related to potential conflicts with applicable ANF land use plans, goals, or policies would be mitigated to a level of less than significant. This DEIR/EIS finding directly contradicts the DEIR/EIS finding relative to the CHSPGP, for which as described above, the finding of a need for a general plan amendment results in a finding of an unavoidable adverse impact.

Further, the DEIR/EIS appears to select only the ANF Land Management provisions that support its conclusion, ignoring those that do not. For example, ANF Forest Goal 1.1 - Community Protection states: "The most obvious general effects on scenic resources are derived from unplanned natural occurrences, such as wildland fire… road construction and utility and communication-site infrastructure." Such goal is overlooked by the DEIR/EIS.

The DEIR/EIS selectively presents goals and mitigations, and ignores others. By so doing, the DEIR/EIS presentation of conflicts with applicable federal, State or local land use plans is biased and inaccurate. The DEIR/EIS must be revised to include the proposed City of Chino Hills mitigations, all applicable goals and policies of the City of Chino Hills General Plan as well as the CHSPGP, and to evaluate land use impacts of Alternative 4 according to the same standards applied to the Project.

Section 3.10. Noise and Noise Specialist Report:

General Comment**:** These comments were compiled based on a review of the DEIR/EIS and Noise Technical Report by Todd Brody, principal of Synectology, an environmental consulting firm specializing in air emissions and noise analysis and modeling. Additional support for the following noise related comments was provided by Dariush Shirmohammadi, PhD, PEng**,** of Shir Consultants, Inc. and Turan Gonen, Professor of Electrical and Electronic Engineering at California State University, Sacramento. . All included comments relevant to the Technical Report must also be addressed in the DEIR/EIS document, as appropriate, and vice versa.

1. There are many cases where construction activities would violate the local noise standards and the sole mitigation cited is to obtain a variance through that municipality. There are also cases where corona noise could violate local standards. For example, page 3.10-39 of the DEIR/EIS, states, "Corona noise generated by the proposed Project would not be in compliance with noise standards of Los Angeles County, or the Cities of Chino, Monterey Park, and Whittier Corona noise generated by the proposed Project would not

be in compliance with noise standards of Los Angeles County, or the Cities of Chino, Monterey Park, and Whittier." However, the DEIR/EIS does not identify these violations of the noise standards as adverse impacts and does not provide mitigation for these violations. Because the Project must be viewed as a "whole," a mitigation should be added to the Project requiring the Lead Agencies to obtain any and all of these variances before construction work starts anywhere along the Project route. The DEIR/EIS must be revised to address, through either construction alternatives or mitigation, what actions the Project will undertake to comply with local noise standards should the affected responsible agencies decide not to grant requested variances.

2. The criteria for a significant noise increase are different in the DEIR/EIS and the Noise Technical Report. For example, page 3.10-19 of the DEIR/EIS states, "Given that environmental noise levels vary widely over time, an increase in ambient noise levels of 3 dBA is the minimum change that is perceptible and recognizable by the human ear. An increase in day-night environmental noise levels of more than 5 dBA (Ldn or CNEL) is considered to be a substantial increase. Intermittent noise sources that are temporary or periodic may also be substantial over shorter durations if it is determined that increases over 5 dBA could occur. For the purposes of this noise analysis, a predicted (modeled) change in ambient noise of 5 dBA or more is considered to be substantial." The analysis provides no basis for using a threshold level of 5 dBA Ldn. Because a change of 3 dBA is clearly audible to the human ear, this is the appropriate threshold, and the DEIR/EIS analysis must be revised to present Project impacts based on this threshold.

3. Although the DEIR/EIS uses any increase of 5 dBA or more to represent a substantial increase, the technical report notes that the increase must also be accompanied by a set level to be exceeded (e.g., 50 dBA) to be significant. In many instances, the technical report shows increases of 6 dB but dismisses the increase as less than significant because the resultant level does not exceed this set value. The DEIR/EIS on the other hand notes these impacts as significant. The DEIR/EIS must be revised to correct inconsistencies with the technical report and vice versa.

4. Helicopter noise is based on unreported exposure duration of just 1-second during an hour with the remainder of that hour in complete helicopter silence. For example, page 6-2 of the Noise Technical Report notes, "Available data indicate that the sound exposure level (SEL) from the overflight of one heavy-duty helicopter flying at an elevation of 1,000 feet would likely be in the range of 85 dBA to 93 dBA. This corresponds to an hourly Leq of 49 dBA to 57 dBA. Light-duty helicopters may also be used during construction. Light-duty helicopters would be smaller and generate an SEL of 80 dBA to 85 dBA for an overflight at 1,000 feet elevation. This corresponds to an hourly Leq of 44 dBA to 49 dBA for the light-duty helicopters."

   Nowhere in the DEIR/EIS or technical report does it state how long the actual noise from the helicopter is estimated to last at the site. However, a "back-calculation" of this duration based on the values presented in the Noise Technical Study, indicate that helicopter exposure is based on a period of just 1 second during the hour with the remainder of the hour in silence: 49 dBA Leq = 10 log(108.5 x 1 second / 3,600

seconds/hour). Actual helicopter noise gets louder as the helicopter approaches, comes to a peak level for a few moments (or longer if actually working at a site), then gets softer as the helicopter moves away. This 1-second estimate drastically underestimates the exposure of this noise. The DEIR/EIS must be revised to correctly calculate helicopter noise.

5. The DEIR/EIS states (page 3.10-1), "In the following noise analysis, data was extensively used from the TRTP Noise Technical Report, dated December 2007 (CH2MHill, 2007)." However, the Lead Agencies did not include this technical report with the on-line TRTP documentation or specialist reports. This is a substantial omission, especially because much of technical report does not agree with the text and conclusions of the DEIR/EIS.

6. Page 3.10-3, 3rd paragraph, the text describes various noise descripters. However, the analysis presented in the DEIR/EIS does not report noise in any of the described formats. For example, page 3.10-7, 4th paragraph reports noise as "The hourly Leq noise level measured over a 24-hour period was 71 dBA." There is no discussion in the noise descriptors of what an hourly Leq over 24-hours even means. Does this value represent the actual 24-hour Leq expressed as one value, or is it a simple average or logarithmic average of 24 1-hour measurements? Is it an Ldn, CNEL, or some other measurement? The DEIR/EIS must be revised and its analysis corrected to present a clear description of the noise measurements used.

7. Page 3.10-21, 4th paragraph of the DEIR/EIS text notes, "All noise-sensitive receptors located within approximately 200 feet of construction activities would be affected by this construction noise. Construction of the proposed Project would result in noise levels (Leq) ranging from greater than 83 dBA at 50 feet from the noise source to 52 dBA from approximately 3,200 feet from the edge of the ROW, as shown in Table 3.10-4 (Estimated Construction Equipment Noise Levels Versus Distance)." The analysis then underestimates the impact that goes out well beyond the 200 feet noted above. Table 3.10-2 shows ambient levels that, with one exception, range from 40 to 59 dBA. If construction were to be conducted in a quiet area (e.g., 40 dBA), the noise would increase by 5 dBA if construction were at just 43 dBA (i.e., 43 dBA + 40 dBA = 45 dBA). This 43-dBA level would fall at a distance of about 5,000 feet. As such, the DEIR/EIS analysis must be revised to correct this underestimate, and must address each area on a case-by-case basis rather than in some general blanket statement with a 200-foot zone of impact.

8. Page 3.10-27, Table 3.10-9 states, "Man-made vibration issues are usually confined to short distances (i.e., 500 feet or less) from the source. Based on the distance of the ROW and receptors from vibration construction activities, and Mitigation Measures N-1a and N-1b specified to ensure construction equipment noise impacts to sensitive receptors would be reduced to the maximum extent feasible, it is assumed vibration impacts during construction would be less than the specified threshold. With incorporation of these measures, construction activities would be compliant with this City of La Habra Heights ordinance."

However, the DEIR/EIS provides no evidence to support the assumption that such things as engine shrouds and mufflers, as proposed by the mitigation measures, would reduce the groundborne vibration associated with the operation of heavy equipment. As such, contrary to the statement, this impact could remain significant. The DEIR/EIS must be revised to correctly calculate expected noise reduction from proposed mitigation.

9. On page 3.10-31, 6th paragraph, the DEIR/EIS text notes, "Segment 4. The overall existing ambient noise measured along this segment was 40 dBA, while existing wet weather corona noise was estimated to vary between 50 and 51 dBA at the edge of the ROW along Segment 4. Future corona noise along Segment 4 of the proposed Project route is characterized by corona modeling at Location 7, as presented in Table 3.10-5 (Modeled Future Audible Corona Noise along Proposed Project Route), and was determined to range between 52 to 55 dBA at the edge of the ROW."

   Given the uncertainty in the measurements (i.e., no wet weather data was actually obtained) and presented ranges of the ambient setting and with Project setting, it is certainly conceivable that the increase could go from 50 to 55 dBA representing an increase of 5 dBA and an undisclosed significant impact. Furthermore, the analysis of the existing environment considers 24-hours of measurement. Page 3.10-3, 5th paragraph notes, "Nighttime ambient levels in urban environments are about seven decibels lower than the corresponding daytime levels." Because corona discharge can take place at night when ambient noise levels are much lower, the DEIR/EIS must be revised to assess the increase in night noise (and not just the average 24-hour noise).

10. Page 3.10-36, Table 3.10-10, regarding the City of Chino Hills Municipal Code Noise Ordinance: The text states, "No noise policies apply during operation." "Operational activities would be compliant with City of Chino Hills." This is in error; the City of Chino Hills Municipal Code Noise Ordinance applicable to the Project is included in Chapter 16.48 PERFORMANCE STANDARDS, 16.48.20, Noise. According to the City Code, a significant noise impact is any noise that exceeds the City standard by 5 dBA for a cumulative period of more than five minutes in any hour; or by 10 dBA for a cumulative period of more than five minutes in any hour; or by 15 dBA for a cumulative period of more than one minute in any hour; or by 20 dBA for any period of time. There is not sufficient information in the DEIR/EIR to ascertain whether or not the Project would violate City of Chino Hills operational noise standards. This same error occurs in the DEIR/EIS presentation of other city noise ordinances. The DEIR/EIS must be revised to document these standards and assess Project compliance with City standards.

11. Page 3.10-39, 1st paragraph the DEIR/EIS text states, "Corona noise generated by the proposed Project would not be in compliance with noise standards of Los Angeles County, or the Cities of Chino, Monterey Park, and Whittier." It continues by say that "No feasible mitigation is available to reduce or eliminate the corona noise that would be generated by the proposed Project. Therefore, because Project operation would result in local plan violations regardless of mitigation measure implementation, Impact N-4 would be significant and unavoidable (Class I)." However, Page 3.10-5, 2nd paragraph

describes several ways to reduce the noise of corona discharge (e.g., heavier wire). The DEIR/EIS assessment of Impact N-4 is incomplete and must be revised to consider all mitigation to reduce the impact to the extent feasible.

12. Page 3.10-39, 2nd paragraph the DEIR/EIS text states, "The geographic extent for the analysis of cumulative impacts related to noise is generally limited to areas within approximately 0.25 mile of the proposed Project route and substation locations. This area is defined as the geographic extent of the cumulative noise impact area because noise impacts would generally be localized, mainly within approximately 600 feet from any noise source." On the other hand, page 3.10-21, 4th paragraph noted "All noise-sensitive receptors located within approximately 200 feet of construction activities would be affected by this construction noise." The DEIR/EIS does not discuss this apparent discrepancy between the 600 and 200 feet thresholds, and must be revised to assess impacts from a consistent threshold and present potential impacts to residents residing between 200 to 600 feet of the noise source.

13. Page 3.10-41, 3rd paragraph, the DEIR/EIS text states that operational impacts would be significant both by increasing the ambient noise levels at sensitive receptor locations, as well as violating the various Cities' noise ordinances. As such, the document must consider all viable mitigation. However, the analysis provides absolutely no mitigation for operational impacts and every mitigation measure is proposed to reduce construction noise. Still, the text demonstrates that there are ways to reduce this operational noise (e.g., thicker wire, taller towers, etc.) none of which have been included to mitigate impact of the Project's operation. Furthermore, if this noise is not mitigable at the source, the applicant still has the responsibility to mitigate this noise at the receptors, as feasible, including the use of sound-rated window assemblies for any affected sensitive land uses as any noise increase outside of the structure would have a similar effect inside the structure. Because the analysis fails to include any viable measures to reduce the operational impacts (or state why these measures are not viable), the analysis is inadequate and must be revised. This comment applies to all the alternatives.

14. Page 3.10-41, 4th paragraph, the DEIR/EIS text notes, "Mitigation measures are introduced where necessary in order to reduce significant impacts to less-than-significant levels" (emphasis added). This statement misleads the reader, because in no case does the mitigation reduce the impact to less than significant. The DEIR/EIS needs to be corrected. This applies to all the other alternatives as well.

15. Page 3.10-42, 2nd paragraph, the DEIR/EIS text notes, "All noise-sensitive receptors located within approximately 225 feet of construction activities would be impacted by construction noise." The DEIR/EIS is not consistent regarding the distance from which noise impacts are measured. For example, on page 3.10-21 4th paragraph of the DEIR/EIS, the distance is measured at 200 feet; and on page 3.10-39, 2nd paragraph, the distance is measured at 600 feet; and on page 3.10-55, the distance is measured from 300 feet. The DEIR/EIS needs to be revised to assess noise impacts according to consistent thresholds.

TRTP Noise Technical Report:

16. Page 4-4, Table 4-1, The text states, "Transmission facility construction generally scheduled for Monday through Friday, 7:00 a.m. to 5:00 p.m.; when extended hours would require a variance, it would be acquired." "Substation construction generally scheduled for Monday through Friday, 7:00 a.m. to 5:00 p.m.; when extended hours would require a variance, it would be acquired." On the other hand, page C-1 of the Air Quality Appendix notes "Proposed Project General Assumptions, Construction work occurs 6 days a week excepting major holidays." As such, the air quality and noise analyses use different assumptions and this either leads to an underestimation of noise impacts or an overestimation of air quality impacts. The supporting technical reports and the DEIR/EIS must be revised to present consistent assumptions.

17. Page 5-5, 6th paragraph The analysis notes, "The hourly Leq noise levels measured over a 24-hour period ranged from 57 to 78 dBA at this site. The hourly L90 noise levels measured at this site over the same 24-hour time period ranged from 43 to 72 dBA. The DNL noise level was 75 dBA." As such, the DNL was 3 dBA louder than the peak hour. On the other hand, page 5-6, 3rd paragraph notes, "No noise measurements were conducted in Segment 6; however, the noise measurement conducted in the ANF portion of Segment 11 (Site 10) is representative of the noise level in this segment. The hourly Leq noise levels measured over a 24-hour period ranged from 26 to 49 dBA at Site 10. The hourly L90 noise levels measured at Site 10 over the same 24-hour time period ranged from 20 to 40 dBA. The DNL noise level was 45 dBA." So in this case, the peak hour was 4 dBA louder than the DNL.

    However, page 3-2, Table 3-1 specifically notes, "Because FHWA regulates peak noise level, the DNL is assumed equivalent to the peak noise hour." However, most of the obtained readings do not show this similarity. (Also see page T5-7, Table 5.2-4.) Obviously the field data refute this assumption and the DEIR/EIS noise analysis must be redone to assure consistency of the data.

18. Page T5-3, Table 5.2-2, shows that noise readings were being obtained with winds up to 23 mph. This wind noise obviously skews the reading raising measured ambient noise levels. Because Project impacts are based on the difference between the ambient levels and the "with project" levels, use of these elevated ambient levels reduces the apparent impact of the Project. To truly determine the magnitude of the impacts, the DEIR/EIS noise analysis must be redone to account for ambient levels during non-wind conditions.

19. Page T5-7, Table 5.2-4, uses the term Leq (24-hour) with no explanation of what this even means or how it is calculated. There is not identified regulatory basis for this metric. The DEIR/EIS noise analysis should identify this metric or apply a metric recognized by responsible agencies.

20. Page 6-10, 2nd paragraph the noise report states, "Noise associated with construction would be potentially significant if: (1) the construction activity is permanent, (2) use of heavy equipment will occur outside of daytime hours; and (3) no feasible noise

abatement measures can be implemented for noise-producing equipment." On the other hand, the text of the DEIR/EIS includes a threshold of 5 dBA for a temporary increase in construction noise. The DEIR/EIS and the technical report must be revised to apply consistent thresholds.

21. Page 6-10, paragraph 5&6, The analysis is inconsistent in its use of the threshold criteria to assess the impact leading to erroneous conclusions. The text states, "For "permanent increases" associated with fair weather corona noise or substation noise, the threshold for a potentially significant increase is 5 dBA resulting in a level that exceeds 40 dBA. Permanent increases of any magnitude that do not result in levels above 40 dBA are considered less than significant. In addition, increases that result in permanent noise levels greater than 50 dBA are considered potentially significant."

22. Page 6-13, 2nd paragraph of the DEIR/EIS noise report states, "Pile driving activities are typically the construction activity with the greatest potential to create groundborne vibration and noise, and pile driving is not currently anticipated as part of this project. The groundborne vibration and noise associated with construction of this segment would not be excessive." But, the Department of Transportation notes that other construction equipment can also create excessive vibration including such things as dozers and loaded trucks (Transit Noise and Vibration Impact Assessment, DOT, May 2006). Because some cities along the route (e.g., La Habra Heights) note a significant vibration impact as "any vibration that is above the vibration perception threshold of any individual (motion velocity of 0.01 in/sec over the range of 1 to 100 Hertz) at or beyond the property boundary of the source," the noise analysis must be revised to provide a quantitative analysis, at least for those jurisdictions with such restrictions.

23. Page 6-14, 2nd paragraph of the DEIR/EIS noise report states, "Use of heavy equipment during construction of this segment would result in noise levels (Leq) ranging from greater than 83 dBA to 52 dBA from the edge of the ROW to approximately 3,200 feet from the edge of the ROW, respectively." This is inconsistent with page 6-5, Table 6-4 that shows the 83-dBA-value at a distance of 50 feet from the edge of the ROW. The noise analysis must be revised to present consistent thresholds.

24. Data in included in the DEIR/EIS noise report is inconsistent with the DEIR/EIS text in a number of instances, including: page 6-25, 8th paragraph of the DEIR/EIS noise report which states that for Segment 8, the measured ambient noise levels range from 43 to 63 dBA; while page 3.10-32 of the DEIR/EIS notes that for this same segment, the measured ambient noise level of this segment ranges from 43 to 60 dBA. Similarly, page 6-25, of the DEIR/EIS noise report states that the modeling of fair weather future corona noise shows noise levels from 26 to 29 dBA; while page 3.10-32 of the DEIR/EIS notes that for this same segment, the range of existing wet weather corona noise at the ROW edge ranges from 23 dBA to 25 dBA. The DEIR/EIS and its noise report must be revised to correct these inconsistencies.

Additional Comments on Corona Noise

25. The corona discharge on the high-voltage line produces air movement and creates an audible noise (corona noise) which for a well-designed transmission line in fair weather is very low. Rain and fog produce droplets on the surface of line conductors can significantly enhance the corona discharge. The corona discharge bursts the water droplets and disperses the water increasing the corona noise dramatically. The light rain and fog produce corona noise that varies in intensity, depending on the level of wetting of the conductors. However, heavy rain generates more or less constant and loud corona noise.

At this time all models used for predicting of corona noise from a yet to be built line are very unreliable and inaccurate, especially when dealing with foul weather coronal noise levels. There is no documented basis upon which to predict the level of corona noise at the level of accuracy stated in the DEIR/EIS.

Section 3.11. Public Services and Utilities:

1. Impact PSU-5 discusses impacts to public works maintenance yards. However, it fails to mention the Old City Yard in Chino Hills that it is currently being utilized for a transfer station for waste haulers. The OId City Yard is located within and adjacent to the existing ROW and would certainly be adversely impacted by Project construction and operation. The DEIR/EIS must be revised to discuss potential impacts to this facility.

2. The DEIR/EIS's analysis of public service impacts fails to consider how the Project would impact public parks. For example, Coral Ridge Park in the City of Chino Hills is located within and adjacent to the ROW and would certainly be impacted by the Project. The DEIR/EIS needs to be revised to discuss how the Project would impact existing park facilities.

   The DEIR/EIS's analysis erroneously states that Alternative 4 would interfere with public services. On the contrary, as discussed in Section 3.16 comments below, the Segment 8A transmission lines and properties adjacent to the lines would be much easier to access under Alternative 4 than the Project. The DEIR/EIS needs to be revised to present accurate information provided by public services providers, including those presented by Paul Benson, Fire Chief for the Chino Valley Fire District. [12]

Section 3.12. Socioeconomics:

1. Section 3.12.3.2 of the DEIR/EIS states that consistent with the requirements set forth in State CEQA Guidelines Section 15131, social and economic effects are not treated as significant effects on the environment in this analysis and, therefore, no CEQA significance conclusions are presented for such effects. However, the DEIR/EIS's interpretation of Section 15131 is not entirely correct., CEQA Guidelines state that economic or social information may be included in an DEIR/EIS as they relate to physical changes caused in turn by the economic or social changes. The CEQA

[12] *See* Section 2, Attachment G (letter from Fire Chief, Paul Benson).

Guidelines cite two examples illustrating the causal relationship between socioeconomic and physical changes:

a. If the construction of a new freeway or rail line divides an existing community, the construction would be the physical change, but the social effect on the community would be the basis for determining that the effect would be significant.
b. If the construction of a road and the resulting increase in noise in an area disturbed existing religious practices in the area, the disturbance of the religious practices could be used to determine that the construction and use of the road and the resulting noise would be significant effects on the environment. The religious practices would need to be analyzed only to the extent to show that the increase in traffic and noise would conflict with the religious practices.

Similar to the first example, the Project proposes to locate new transmission line poles behind existing homes and businesses in Chino Hills. The new poles would be almost twice as large as the existing poles that they would replace. At 195 feet tall, the new poles would loom over residential yards and houses located less than 75 feet away. The construction of new poles would be the physical change caused by the project. Residents living under the poles would suffer fear due to both the perceived probability of the poles falling on their homes during a seismic event, and the perceived health hazards posed by electromagnetic radiation and its effect on property value. In San Diego Gas & Electric Co. v. Daley (1988) (205 Cal.App.3e 1334), the court determined that the controversy over health hazards posed by electromagnetic radiation would affect market value. The fear and effect on market value are the socio/economic change caused by the Project.

Similar to the second example, the Project ROW would cross existing residential, church and commercial properties in Chino Hills. Locating the 195-foot poles and active transmission lines across existing private property is the physical change caused by the Project. For the houses, the Project ROW would take away structural portions of the dwellings, making them uninhabitable. For the church property, the Project ROW would take away over half of the existing parking for the church. SCE has informed the City of Chino Hills that while parking is currently allowed in the SCE ROW, it will no longer be allowed if the 500 kV transmission line is installed. This taking of parking would interfere with the church's ability to accommodate its patrons and hold services. For the commercial property, the ROW would take away an access drive and as much as an 11,000 square foot multi-tenant retail building, a full service car wash, building square footage and parking. This taking of access, property and parking would interfere with the tenant businesses ability to operate. Interference with community members' ability to live in their homes, church services and business operations are the socioeconomic changes associated with the Project.

These two examples of Project impacts demonstrate that the Project would indeed cause interrelated socioeconomic and physical changes that could significantly alter the character of Chino Hills' neighborhoods and properties. The DEIR/EIS must be revised to identify these changes and assess their impacts consistent with Section 15131 of the CEQA Guidelines.

2. Page 3.12-22 of the DDEIR/EIS concludes that the proposed Project ROW does not contain any habitable housing structures and would not require the removal of any housing units. This conclusion is incorrect. As discussed in comment #1 to Section 2.2 above, seven existing single family homes are within the Segment 8A ROW. Further SCE specifications and information contained in the DEIR/EIS indicate that a minimum acceptable ROW for a 500-kV T/L facility needs to be no less than 200 feet wide. Expansion of the existing 150-foot ROW through Chino Hills would require the taking of all or part of 147 residential properties. The DEIR/EIS fails to identify this potential impact that would result in the substantial displacement of housing and people. The DEIR/EIS must be revised to evaluate this potential impact.

3. Pages 3.12-25 through 29 of the DEIR/EIS discuss a variety of studies that address the impacts of transmission lines on property values. The DEIR/EIS concludes that the effects of transmission lines on property value are generally smaller in comparison to other relevant factors. However, the DEIR/EIS fails to consider not just the lines, but the effects of a 195 foot pole within 75 feet of a home on property values. The DEIR/EIS must be revised to evaluate the specific impacts that are reasonably accepted to occur should the Project be implemented.

   Page 3.12.29 of the DEIR/EIS states, "While business uses occur along the route, all Project-related activities and infrastructure placement would occur within designated utility ROW and would not require the removal or relocation of any business uses'. This statement is incorrect. The SCE 150-foot ROW crosses multiple properties and would be required to remove and or relocate the uses on those properties, which include: six single family houses; over half the parking area belonging to the Chino Valley Community Church; an access drive and a full service car wash belonging to the Chino Hills Promenade commercial center; parking, access roads and a yard belonging to the Inland Hills Church; approximately half of the yard space of the Chino Hills Old City Yard; and a tot lot play structure underneath the drip line of the proposed lines in Corral Ridge Park. Further, as discussed in the *Southern California Edison's Proposed Route for the Tehachapi Renewable Transmission Project Segment 8A through Chino Hill: Report on Required Condemnation and Valuation (*March 2009), expansion of the ROW to the minimum acceptable width of 200 feet would also require the removal and/or relocation of approximately 147 single family houses; three tennis courts within the City of Chino Hills Coral Ridge Park; another one-third loss of parking spaces at the Chino Valley Community Church; and an 11,000 square feet of multi-tenant retail building area, a fast food restaurant, and approximately 31 parking spaces at the Chino Hills Promenade commercial center.The DEIR/EIS must be revised to correctly identify the properties expected to require removal and/or relocation as a result of the Project and the impacts associated with these actions.

Section 3.13. Traffic:

1. Impact T-2 of DEIR/EIS Section 3.13 discusses the impact of Project construction on traffic congestion on area roadways. To address these impacts, the DEIR/EIS offers Mitigation Measure T-2. This measure recommends preparation of subsequent transportation control plans, which according to the DEIR/EIS, would reduce this impact to less than significant. However, the DEIR/EIS does not provide information regarding the number, type and duration of truck and vehicle trips associated with TRTP construction. Without even an approximation of these trips, the potential impacts of Project construction on road closures and area roadway traffic cannot be known. The DEIR/EIS does not disclose the level of service thresholds for affected roadways or how Project construction traffic would affect these levels of service. The DEIR/EIS is deficient in its failure to estimate these impacts. Further its assumption that Mitigation Measure T-2 would reduce these impacts to less than significance is a finding based on conjecture rather than reasoned analysis. The DEIR/EIS defers the technical analysis required to determine the significance and impacts to traffic, and must be revised to correct the deficiencies of its Impact T-2 analysis.

2. Page 3.13-36 of the DEIR/EIS discusses temporary impacts of Project construction on parking in Chino Hills. There is no discussion of long-term Project impacts on area parking. As discussed in comment #2 to Section 2.2, the Project would result in the loss of approximately 180 parking spaces and the viability of the Chino Valley Community Church; and in the loss of 11,000 square feet of multi-tenant retail building area, a full service car wash, a fast food restaurant, and approximately 31 parking spaces.

Section 3.14. Visual Resources:

1. The DEIR/EIS provides visual simulations of the proposed TRTP facilities from key observation points (kop), 3 of which are from points in Chino Hills. Although the ROW will be located behind 3 miles of residential development and directly adjacent and within 300 feet of hundreds homes, the DEIR/EIS provides only one visual simulation that shows the 500 kV poles in relation to the houses. Consequently, the visual simulations do not provide a fair representation to the neighborhoods that will be impacted by the poles. In addition, the DEIR/EIS visual simulation photographs of Chino Hills State Park downplay the visual improvements that would accompany Alternative 4. For example, the photo simulations do not show how vistas from the park would be enhanced by the City Mitigation and Cost Recovery Plan proposal to relocate the 220 kV lines outside the park, and to relocate the ridgetop 500 kV lines. Nor do the photo simulations depict the how the City proposed habitat restoration would visually enhance the Water Canyon Natural Preserve. The DEIR/EIS must be revised to present an accurate depiction of the proposed TRTP and Alternative 4.

2. Chino Hills State Park currently has 25 miles of transmission lines that cross its 13,800-acre area, including 10.5 miles of inactive line. Alternative 4C would add 7.8 miles of new lines within the CHSP, but as proposed as part of the City of Chino Hills Mitigation Plan, 18.7 of the existing active and inactive (8.2 miles of existing active and 10.5 miles

of inactive) transmission lines would be removed, resulting in a net of 14.1 miles of transmission lines remaining in the Park." Section 3.14 fails to discuss the City's proposed mitigation in its evaluation of Alternative 4C impacts. As noted in comment #9 to Section 3.4, above, the DEIR/EIS confines its assessment of the City proposed mitigations to a footnote page 4-48, where it dismisses the City Mitigation Plan because "it does not directly address the significant adverse effects on the physical environmental associated with Segment 8A". However, this statement is inconsistent with DEIR/EIS proposed Mitigation Measures V-3b, which offers to provide restoration/compensation for impacts to landscape character and visual quality as full mitigation for visual impacts on NFS land. The Lead Agencies is selectively ignoring feasible mitigation, and by so doing, the DEIR/EIS presentation of visual resource impacts associated with Alternative 4 is biased and inaccurate. The DEIR/EIS must be revised to include the proposed City of Chino Hills mitigations in its assessment of Alternative 4.

Section 3.15. Wilderness and Recreation:

1. As discussed in Comment #6 to Section 3.9, the City Mitigation and Cost Recovery Plan includes measures to restore vegetation; expand the bio-corridor by assisting with the acquisition of compatible adjacent properties and construct visitor amenities such as a new gate, guard shack and message board. When added to Alternative 4, these measures would have a beneficial impact to Chino Hills State Park. The DEIR/EIS needs to be revised to include these mitigations in its discussion of Wilderness and Recreation.

2. This DEIR/EIS's analysis of recreation impacts fails to consider how the Project would impact public recreation facilities. For example, Coral Ridge Park in the City of Chino Hills is located within and adjacent to the ROW and contains a number of recreation amenities, including tennis courts and a tot lot. The DEIR/EIS needs to be revised to discuss how the Project would impact existing public recreation facilities.

Section 3.16. Wildfire:

General Comment**:** These comments were compiled based on a review of the DEIR/EIS/EIS by Paul Benson, Fire Chief of the Chino Valley Fire District. Comments:

1. Criterion FIRE 1: Adverse effects on fire prevention and suppression activities: According to the DEIR/EIS, the impacts associated with Criterion FIRE 1 for Alternative 4 would be "more severe than those associated with this criterion for the proposed Project" (pg. 3.16-36). The DEIR/EIS (pg. 3.16-37, par. 2) states that Alternative 4 would: introduce varying lengths of new transmission ROW through areas of high risk fuels and steep topography, introduce new obstructions to aerial and ground-based firefighting operations, and create an area of indefensible space in Chino Hills State Park (CHSP) of approximately 2,000 acres. Based on these assertions, the DEIR/EIS states that Impact F-2 for Alternative 4 would be "significant and unavoidable, and no mitigation is available (Class I)".

   The Fire District disagrees with this finding. Several critical factors are omitted in the DEIR/EIS's analysis of Alternative 4. The DEIR/EIS fails to acknowledge that much of

the new transmission ROW in Alternative 4 is consolidated into existing transmission ROW. The DEIR/EIS also does not address the fact that Alternative 4 removes existing transmission ROW from the CHSP in amounts nearly equal to that of the new transmission ROW required.

In fact, the existing transmission lines that would be removed with Alternative 4 dissect the CHSP, creating a patchwork of obstacles/impediments to aerial and ground firefighting operations. Their removal will open up large portions of the Park previously impacted by transmission ROW, thus improving aerial and ground firefighting effectiveness and safety.

Alternative 4 also proposes to relocate significant portions of ridge top transmission lines to lower elevations, thereby further reducing potential impacts to aerial firefighting operations.

The consolidation of transmission lines into a shared corridor through the park, the removal of the existing network of transmission lines within the CHSP, and the relocation of some ridge top transmission lines could actually reduce the existing impediments to ground and aerial firefighter operations if Alternative 4 is used. Therefore, Impact F-2 for Alternative 4 would be less than significant (Class II).

2. Criterion FIRE 2: Exposure of communities, firefighters, personnel, and/or natural resources to an increased risk of wildfire: The DEIR/EIS findings for Impact F-5 (presence of overhead transmission lines would increase the risk of wildfire and compromise firefighter safety) state that impacts relative to Alternative 4 would remain "significant and unavoidable (Class 1)". This finding for Impact F-5 does not take into consideration the fact that Alternative 4 will remove significant portions of existing transmission ROW, all of which is located in the high-hazard Fireshed area of the CHSP.

   It is troubling that credit is given for removal of existing transmission lines in Alternative 2 (SCE's proposal, pg. 3.16-30, p.5); however there is no recognition for removal in Alternative 4. Given the consolidation of transmission lines into existing ROW with Alternative 4, and the removal of significant segments of existing transmission lines within CHSP, Impact F-5 would seem to be more appropriately evaluated as having less than or no significant impact.

3. Impact F-6 (introduction of non-native plants contributing to increased ignition potential and rate of fire spread) within Segment 8 should be rated as Class III, i.e., no significant impact. Through a variety of circumstances, including wildfires, non-native plants and grasses are pervasive in the CHSP. These plants have traditionally contributed to fire ignition and spread. In November 2008, the Freeway Complex Fire burned more than 90% of the lands within the CHSP. City of Chino Hills Mitigation Plan for Alternative 4 includes reintroduction of native plant species and numerous physical and ecological improvements to the Park; therefore it is likely the selection of Alternative 4 would result in a positive impact on the fire environment through reduction in invasive and non-native plant species.

Cumulative Impact Analysis: The cumulative impact analysis states that Alternative 4 would "incrementally increase the Project's contribution to significant cumulative Impacts F-2, F-3, F-5, and F-6". For the reasons outlined above, the Chino Valley Fire Chief finds that Alternative 4 would have a cumulative impact of less-than-significant, and potentially could have a positive impact on wild fire prevention and suppression through the removal of existing transmission lines within CHSP, reintroduction of native plant species, and the consolidation of new lines into existing ROW. [13]

4. Additional Factors Affecting Wild Fire Prevention and Suppression: Additional factors that should be considered in the DEIR/EIS include relative values at risk, proximity of values at risk to transmission lines, and the effects of constrained ROW widths on fire operations and firefighter and public safety. Firefighting tactics and strategy are driven relative to the values at risk. Industry recognized priorities, in descending order, are the need to protect life, property, and resources/environment. Each of the DEIR/EIS Alternatives should include an assessment of the values at risk relative to that Alternative.

5. Significant portions of the Project's transmission lines in Segment 8A run within ROW that is bordered by hundreds of residential structures. The threat to these high-value priorities is further complicated by the fact that most of the ROW running through the residential neighborhoods is in the high hazard fireshed, and the lands are covered with highly flammable vegetation. The use of existing ROW and the addition of new transmission lines into this corridor will likely result in additional fire starts. Fires occurring in this environment will immediately threaten the lives and property of those living in such close proximity to the transmission lines. Alternative 4 will relocate those lines from the higher values-at-risk ROW to more rural and open ROW, providing significantly greater opportunity for the firefighting operations to gain control of the fire before lives and structures are threatened.

   The width of the transmission ROW is a critical factor in those areas where the transmission lines run adjacent to development or other obstructions. Tower or line failure in the ROW of Segment 8A that is proposed to run through residential neighborhoods will pose a direct and immediate threat to lives and property simply because the ROW width is far less than adequate to provide separation from the structures. Aerial firefighting options through most of this ROW are severely limited today. Fixed wing aircraft cannot operate in this environment due to the transmission lines and the proximity of structures. Rotary wing aircraft operations are severely limited within this narrow corridor.

   Relocating these lines to the CHSP as proposed in Alternative 4 would substantially improve access for aerial firefighting operations, both fixed and rotary wing aircraft. In addition, the limited ROW through the residential neighborhoods provides little, if any, operating room for ground firefighting resources. Transmission line arching-to-ground frequently occurs during wildfires when smoke plumes from the fires directly impact the transmission lines. This potential is extremely dangerous to firefighters or anyone in the

[13] See Attachment __

immediate vicinity. The limited width of the ROW through this residential area provides little, if any, opportunity for ground firefighting resources to maintain a safe distance from the transmission lines and hazards associated with them during firefighting operations. Routing these transmission lines through vast areas of open space, as proposed in Alternative 4, provides greater flexibility and safety for firefighting resources.

Section 3.17. Electrical Interference:

1. Criterion EIH-1 of the DEIR/EIS discusses impacts of wind and earthquakes on Project structures. It finds that there is a less than significant risk (Class III) that high winds or an earthquake would cause transmission line structures to threaten public safety. However, the DEIR/EIS does not discuss the potential seismic safety risks of placing 195-foot poles on seismically active land less than 75 feet from single family dwellings. The DEIR/EIS must be revised to disclose this information.

2. As discussed in Comment #3 to Section 3.6, the California *Code of Regulations, Title 5*, Section 14010(c) establishes minimum setbacks between schools and overhead utility lines. For 500 kV lines, the setbacks recommend a distance of 350 feet measured from the edge of easement of overhead transmission lines to the usable portions of the school site. The DEIR/EIS provides no discussion of the Title 5 guidelines, or if the Project would comply with them. Of particular concern in the City of Chino Hills is the large number of residents who reside within 75 feet of the proposed 500 kV ROW. Two churches and two daycare facilities are within 350 feet of the ROW. The DEIR/EIS is remiss in not identifying and discussing the relevance of this guideline or the potential health effects of EMFs on the children who would live, play and attend daycare and church adjacent to the ROW. The DEIR/EIS must be revised to address this state regulation and impacts associated with the Project's noncompliance.

3. Section 3.17.2.3, containing the DEIR/EIS only discussion of electric fields, states that:

   > The electric fields associated with the proposed Project's transmission lines may be of sufficient magnitude to impact operation of a few older model pacemakers resulting in them reverting to an asynchronous pacing. Cardiovascular specialists do not consider prolonged asynchronous pacing to be a problem; periods of operation in this mode are commonly induced by cardiologists to check pacemaker performance. Therefore, while the transmission line's electric field may impact operation of some older model pacemakers, the result of the interference is of short duration and is not considered harmful. No mitigation measures are required or recommended."

   Such discussion is inadequate. Several recent studies have concluded that the electric field effects for extra-high-voltage transmission (such as 500 kV lines) are much more harmful than even the magnetic fields. These studies have shown that the quantity and character of currents induced in the body by magnetic effects have considerably less impact than those

arising from electric induction. For example, the induced current densities in the human body are less than one-tenth those caused by electric field induction.[14]

4. The electric field surrounding a transmission line can charge ungrounded metallic objects close to the line to the ROW. This will cause a person standing on the ground and touching such metallic objects to discharge the object to the ground and receive an electric shock. After the initial discharge the person touching the ungrounded metallic object grounds it through his or her body, which results in a constant current through the person. The discussion of this impact is set forth in Section 3.17.6.1 which states that: "Induced currents and voltages on conducting objects near the proposed transmission lines represent a potential significant impact that can be mitigated. These impacts do not pose a threat in the environment if the conducting objects are properly grounded." The mitigation proposed for such impact is:

> "As part of the siting and construction process for the Project, SCE shall identify objects (such as fences, metal buildings, and pipelines) within and near the ROW that have the potential for induced voltages and shall implement electrical grounding of metallic objects in accordance with SCE's standards. The identification of objects shall document the threshold electric field strength and metallic object size at which grounding becomes necessary. SCE shall install all necessary grounding measures prior to energizing the transmission lines."

Such mitigation is insufficient. The DEIR fails to cover many mobile ungrounded metallic objects, such as children's tricycles, or objects installed at higher elevations, such as satellite dishes or TV antennas, that cannot be permanently grounded per above measure and will commonly be used in the backyards of the residents 75 feet or less from the lines. The mitigation measures set forth in the DEIR/EIS will NOT be effective under many prevalent life scenarios.

4. The totality of the DEIR/EIS analysis of the impact of wind and earthquakes on transmission line is comprised of statements contained in Section 3.17.2.4 of DEIR/EIS. In totality its states that: "Transmission line structures used to support overhead transmission lines must meet the requirements of the California Public Utilities Commission, General Order No. 95, Rules for Overhead Electric Line Construction.[15] This design code and the National Electrical Safety Code (NESC) include loading requirements related to wind conditions. Transmission support structures are designed to withstand different combinations of loading conditions including extreme winds. These design requirements include use of safety factors that consider the type of loading as well as the type of material used, e.g., wood, steel or

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[14] T. Gonen, "Electric Power Transmission System Engineering: Analysis and Design", Wiley, 1988.

[15] General Order 95 states that as a rule of thumb the required distance between two lines should be 60% of the highest structure. If such a rule of thumb was applied to current situation between the structures and Chino Hills homes, then the SCEs proposed installation of the 500kV transmission line through Chino Hills would fail miserably as 60% of the height of the proposed structures is 119 feet.

concrete. Failures of transmission line support structures are extremely rare and are typically the result of anomalous loading conditions such as tornadoes or ice-storms. Overhead transmission lines consist of a system of support structures and interconnecting wire that is inherently flexible. Industry experience has demonstrated that under earthquake conditions structure and member vibrations generally do not occur or cause design problems. Overhead transmission lines are designed for dynamic loading under variable wind conditions that generally exceed earthquake loads."

Based on this generic analysis of the impact of wind and earthquakes on transmission lines, the DEIR /EIS conclude (Section 3.17.6.1):

> "The proposed Project would be constructed on steel lattice towers or tubular steel poles, where failure as a result of extreme wind conditions would be highly unlikely. Overhead transmission lines are designed for dynamic loading under variable wind conditions that generally exceed earthquake loads. Consequently, the risk that high winds or an earthquake would cause transmission line structures to threaten public safety is less than significant (Class III)."

The DEIR/EIS' treatment of the hazards related to wind and earthquakes is deficient.

5. Experience with SCE's own transmission lines have shown that 500 kV transmission structures have collapsed during the Northridge Earthquake of 1994 and in 2006 as the result of high desert winds. The industry standards referenced in the DEIR/EIS have been in effect for decades, and therefore it can be assumed that SCE abided by them when erecting the above referenced structures which ultimately failed. These failures lend to the conclusion that, regardless of the mitigation measures taken, the chance of large transmission structures failing due to earthquakes and wind does exist.

6. Given the DEIR/EIS' generic treatment of wind and earthquake hazards no effort is taken to evaluate the conditions along Segment 8A which may elevate the likelihood of their occurrence. Specifically: [16]

   - The TRTP Segment 8A alignment passes through parts of Chino Hills that are susceptible to landslides, with about a quarter of the area identified as "most susceptible." The Safety Element of the Chino Hills General Plan defines "most susceptible" as areas being unstable and subject to failure even in the absence of activities by man.
   - Over two thirds of the proposed TRTP Chino Hills alignment crosses through areas with a moderate to high potential for liquefaction. The City Safety Element and environmental studies prepared on properties within the vicinity of the proposed TRTP alignment document groundwater at depths of below 30 feet. Much of the soil

[16] All of this information, as well as that in point 4 was provided to the CPUC and Aspen Environmental through an August 21, 2008 Letter from Jeanne Armstrong, Counsel for the City of Chino Hills

in the proposed TRTP alignment area is comprised of unconsolidated, sandy alluvial soil, which is highly susceptible to liquefaction.

- There exists a tangle of small faults in the Chino Hills area as evidenced by the Chino Hills earthquake of July 29, 2008 (5.4 on Richter Scale).
- Chino Hills is susceptible to very high winds. The design wind speed for Chino Hills is 85 mph exposure C. The highest recorded wind speed in the area has been 90 MPH.[17]
- There are two transmission angle structures along the path of the TRTP Segment 8A within populated areas of Chino Hills. These angle structures are subject to higher lateral forces and thus pose a higher risk of collapse.

7. The DEIR/EIS also failed to account for, or mitigate against, the devastation which would be imparted if, as a result of such hazards, tower failure did occur. As detailed in Comment No. 1, of Section 5, the TRTP Segment 8A alignment goes through the most densely populated residential neighborhoods of Chino Hills, with an estimated 3,000 people living within 500 feet of the proposed lines. In additional there are three parks and four daycare centers and schools located within 500 feet of the line.

Section 4.0. Comparison of Alternatives

1. Section 4.3.1 of the DEIR/EIS states its methodology for determining the environmental superior alternative as follows: "Determination of the environmentally superior alternative also requires a weighing of one type of impact against another type, such as weighing short-term effects against long-term effects or weighing effects on the natural environment against effects on the human environment." However, the DEIR/EIS fails to follow its own methodology and violates Sections 21002 and 21081 of the Public Resources Code which require lead agencies to adopt feasible mitigation measures or feasible environmentally superior alternatives in order to substantially lessen or avoid otherwise significant adverse environmental effects of proposed Projects, unless specific social or other conditions make such mitigation measures of alternatives infeasible.

   The California Court of Appeals has upheld the requirement to examine an environmentally superior alternative when the adoption of all feasible mitigation measures would leave an unmitigated significant impact (*Citizens for Quality Growth vs. City of Mount Shasta* 1988) 198 Cal.App.3d 433). Focus of the alternatives analysis must be on reducing the unavoidable adverse impacts of the Project.

   According to the DEIR/EIS, the Project would result in unavoidable adverse impacts relative to nine of the 17 topics covered by the DEIR/EIS, including: agricultural resources, air quality, biological resources, cultural resources, land use, visual resources, noise, wilderness and recreation, wildfire and suppression. In its evaluation of Alternative 4, the DEIR/EIS concludes that each of the Alternative 4 Routes would result in impacts to only four of the topics found to have unavoidable adverse impacts (biological resources, cultural resources,

[17] Recorded on January 6, 2003 at the Ontario Airport.

wilderness and recreation, wildfire and suppression). The math alone places Alternative 4 as the superior alternative. The DEIR/EIS must be revised to weigh the unavoidable adverse impacts of the Project against those of the alternatives.

2. The DEIR/EIS further skews its presentation of Alternative 4 by failing to incorporate the City Mitigation and Cost Recovery Plan into its analysis. The City plan would reduce the long-term impacts to biological resources, visual resources and wilderness and recreation. Rather than incorporate the feasible mitigation proposed by the City, the DEIR/EIS essentially relegates its evaluation to a footnote on page 4-48, and to a summary in Section 5.3.4 that finds "the Lead Agencies do not consider this proposal to constitute mitigation as defined by CEQA and NEPA because it is not needed to reduce or avoid any significant adverse impacts caused by the implementation of Alternative 4". By dismissing these long-term benefits of Alternative 4 in conjunction with the City proposed mitigations, the DEIR/EIS contradicts its own criterion of weighing short-term effects against long-term effects.

   On page 4.45, the DEIR/EIS further contradicts its stated criterion to weigh short-term effects against long-term effects, by listing the following environmental benefits offered by Alternative 4:

   - Eliminates the need for construction along the proposed Project (Alternative 2) route between S8A MP 19.2 and 35.2 (16 miles), thereby eliminating impacts associated with construction and operation of that portion of the proposed Project;
   - Socioeconomic impacts east of Segment 8A MP 19.2 along the Project route, which would: benefit several communities (Chino Hills, Chino, and Ontario) and their existing and planned land uses;
   - Convert fewer acres of Farmland and traverse shorter distances of agricultural lands compared to the Project;
   - Avoid construction and operational (corona) noise impacts that would occur along 16 miles of the proposed Project alignment;
   - Avoid interference with public service and utilities systems during construction (within the re-routed portion);
   - Avoid potential adverse impacts to private property values within the re-routed portion of Segment 8;
   - Cross the fewer roadways, municipal transit routes, bicycle routes, and pedestrian routes; and
   - Place the new double-circuit 500-kV T/L and switching station in a less visible location to many viewers in the cities of Chino Hills, Chino, and Ontario.

   Of these benefits, only one (interference with public service and utilities systems during construction) is exclusively short-term; the balance has substantial long term benefits. The DEIR/EIS must be revised to follow its stated methodology of weighing short term effects against long-term impacts.

3. The DEIR/EIS also contradicts the last criterion it lays out to identify the superior alternative: weighing effects on the natural environment against effects on the human environment. Section 4.31 concludes its assessment of Alternative 4 impacts by focusing

exclusively on the natural environment, i.e., impacts to Chino Hills State Park. The DEIR/EIS states that all of the Alternative 4 routes would be inconsistent with the CHSP General Plan, which would be significant and unavoidable unless remedied with approval of an amendment to the CHSP General Plan by the State Park and Recreation Commission. However, because the Lead Agencies do not know if the State Parks and Recreation Commission would approve such an amendment, the DEIR/EIS concludes the Project is the superior alternative. This finding completely ignores the effects on the human environment, notably how each of the Alternative 4 routes would avoid air quality, noise, land use, visual and safety impacts that would occur under the Project proposal to place the 195-foot 500 kV facilities within 75 feet of residential and other sensitive uses. Further, the DEIR/EIS dismissal of Alternative 4 is inconsistent with its findings that the requirement for a Special Use Easement and ANF Land Management Plan amendment is not a significant impact. The DEIR/EIS must be revised to follow its stated methodology of weighing impacts on the natural environment against impacts on the human environment.

4. Section 4.3.1 of the DEIR/EIS selects the Project (Alternative 2) as the superior alternative, and dismisses the other alternatives without any ranking. By so doing, the DEIR/EIS deprives the CPUC of a fair menu of alternatives or mitigation. If the Project proves untenable, unfeasible or otherwise unfavored by the CPUC, the DEIR/EIS does not provide clear direction as to which alternative would have the next least amount of environmental impacts. The DEIR/EIS clearly violates Sections 21002 and 21081 of the Public Resources Code which require lead agencies to identify a superior alternative. The Project is not an alternative.

   In the following table, each of the Segment 8A alternatives (Routes 4A-D and 5) is compared against the Project. The criteria applied in the table follows that used in Tables 4.2-1 and 4.2-2 of the DEIR/EIS. For each of the 17 environmental topics covered in the DEIR/EIS, the table ranks each Segment 8A alternatives against the Project and against each other, adding in the mitigation available through the City of Chino Hills Mitigation and Cost Recovery Plan. As shown in the table, each of the Alternative 4 Routes improves over the Project in 9 of the 17 DEIR/EIS environmental topics. Alternative 5 improves over the Project in 6 of the 17 environmental topics, but has less desirable impacts in 5 of the topics, resulting in a one net improvement of one topic over the Project. Based on the tabulated ranking, the Alternative 4 routes are each superior alternatives to the Project.

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4 and Alternative 5 for Segment 8A						
Issue /Resource Area	**Alt. 2 (Proposed Project)**	**Alt 4A (Chino Hills Route A)**	**Alt. 4B (Chino Hills Route B)**	**Alt 4C (Chino Hills Route C)**	**Alt. 4D (Chino Hills Route D)**	**Alt. 5 (Partial Under-ground)**
Agricultur-al Resources	Temporarily and permanently converts; traverses agricultural land	Superior to Project; less agricultural land traversed	Superior to Project; less agricultural land traversed	Superior to Project; less agricultural land traversed	Superior to Project; less agricultural land traversed	Similar to Project
Comparison to Project [1]		+	+	+	+	-
Comparison to Seg. 8A Alternatives [2]		1	1	1	1	2
Air Quality	Construc-tion emission thresholds exceeded; exceeds NOx; General Conformity analysis required	Superior to Project; lower construction emissions	Superior to Project; lower construction emissions	Superior to Project; lower construction emissions	Superior to Project; lower construction emissions	Less Environ-mentally desirable; NOx emissions higher than Project
Comparison to Project		+	+	+	+	-
Comparison to Seg.8A Alternatives		1	1	1	1	3 [3]

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4 and Alternative 5 for Segment 8A						
Issue /Resource Area	**Alt. 2 (Proposed Project)**	**Alt 4A (Chino Hills Route A)**	**Alt. 4B (Chino Hills Route B)**	**Alt 4C (Chino Hills Route C)**	**Alt. 4D (Chino Hills Route D)**	**Alt. 5 (Partial Under-ground)**
Biological Resources	Minor to moderate disturbance to habitat and species	Similar to project; City mitigation provides benefit	Similar to project; City mitigation provides benefit	Similar to project; City mitigation provides benefit	Similar to project; City mitigation provides benefit	Similar to project
Comparison to Project		o	o	o	O	o
Comparison to Seg.8A Alternatives		1	1	1	1	1
Cultural Resources	Minor to moderate disturbance of prehistoric and historic resources	Similar to Project; potential impacts not identified	Similar to Project; potential impacts not identified	Similar to Project; potential impacts not identified	Similar to Project; potential impacts not identified	Less Environmentally desirable; increased excava-tion
Comparison to Project		o	o	o	O	-
Comparison to Seg.8A Alternatives		1	1	1	1	3
Environmental Contamination & Hazards	Minor to moderate soil and ground water contamina-tion	Superior to Project; less towers, transmission lines and EMF exposure to	Superior to Project; less towers, transmission lines and EMF exposure to sensitive receptors	Superior to Project; less towers, transmission lines and EMF exposure to	Superior to Project; less towers, transmission lines and EMF exposure to	Superior to Project; under-ground facilities, less EMF exposure to sensitive

Comparison of Environmental Issues of Project (Alternative 2), Alternative 4 and Alternative 5 for Segment 8A						
Issue /Resource Area	**Alt. 2 (Proposed Project)**	**Alt 4A (Chino Hills Route A)**	**Alt. 4B (Chino Hills Route B)**	**Alt 4C (Chino Hills Route C)**	**Alt. 4D (Chino Hills Route D)**	**Alt. 5 (Partial Under-ground)**
		sensitive receptors		sensitive receptors	sensitive receptors	receptors
Comparison to Project		+	+	+	+	+
Comparison to Seg.8A Alternatives		1	1	1	1	1
Geology, Soils and Paleontol.	Minor to moderate impacts due to seismic occurrence, erosion and slope instability	Similar to Project; potentially impacts can be mitigated.	Similar to Project; potentially impacts can be mitigated.	Similar to Project; potentially impacts can be mitigated.	Similar to Project; potentially impacts can be mitigated.	Similar to Project; potential for ground settle-ment due to tunneling

Comparison to Project		o	o	o	O	-
Comparison to Seg.8A Alternatives		1	1	1	1	2
Hydrology and Water Quality	Streams crossed; minor to moderate impacts to water quality, ground water, erosion and flooding	Similar to Project; Less streams crossed	Similar to Project; Less streams crossed	Similar to Project; Less streams crossed	Similar to Project; Less streams crossed	Similar to Project; Less streams crossed; More groundwater impacts
Comparison to Project		+	+	+	+	o
Comparison to Seg.8A Alternatives		1	1	1	1	2
Land Use	Disturb existing residential land uses along Segment 8; conflict with local general plan policies	Superior to Project; reduced conflicts with Segment 8A land uses and with local general plans	Superior to Project; reduced conflicts with Segment 8A land uses and with local general plans	Superior to Project; reduced conflicts with Segment 8A land uses and with local general plans	Superior to Project; reduced conflicts with Segment 8A land uses and with local general plans	Superior to Project; reduced conflicts with Segment 8A land uses and with local general plans
Comparison to Project		+	+	+	+	+
Comparison to Seg.8A Alternatives		1	1	1	1	1
Noise	Significant	Superior to	Superior to Project;	Superior to	Superior to	Construction

	construction and operational noise impacts to sensitive land uses	Project; reduced noise impacts to Segment 8A residents	reduced noise impacts to Segment 8A residents	Project; reduced noise impacts to Segment 8A residents	Project; reduced noise impacts to Segment 8A residents	impacts greater than Project; operation-al impacts to Segment 8A residents
Comparison to Project		+	+	+	+	o
Comparison to Seg.8A Alternatives		1	1	1	1	2
Public Services and Utilities	Minor to moderate impacts; some interference with emergency aircraft services and the flow of utility systems	Similar to Project; less interference with public service and utilities systems in Chino and Ontario; interference with Chino Hills services not substantiated	Similar to Project; less interference with public service and utilities systems in Chino and Ontario; interference with Chino Hills services not substantiated	Similar to Project; less interference with public service and utilities systems in Chino and Ontario; interference with Chino Hills services not substantiated	Similar to Project; less interference with public service and utilities systems in Chino and Ontario; interference with Chino Hills services not substantiated	Similar to Project; reliability of the system unknown
Comparison to Project		o	o	o	o	o
Comparison to Seg.8A Alternatives		1	1	1	1	2
Socioeconomics	Significant disruption to existing residential and	Superior to Project; no socio-economic impacts expected	Superior to Project; no socio-economic impacts expected	Superior to Project; no socio-economic impacts expected	Superior to Project; no socio-economic impacts	Superior to Project; some physical changes to

	nonresidential properties within and adjacent to the ROW, resulting in significant physical changes and socio-economic changes causedby fear of tower risks and EMF, and loss of property value				expected	properties on or adjacent to ROW; no socio-economic impacts expected
Comparison to Project		+	+	+	+	+
Comparison to Seg.8A Alternatives		1	1	1	1	2
Traffic and Transportation	Substantial construction traffic; with mitigation, less than significant	Similar to Project; fewer roads affected	Similar to Project; fewer roads affected	Similar to Project; fewer roads affected	Similar to Project; fewer roads affected	Similar to Project; construction impacts extended over a longer duration
Comparison to Project		+	+	+	+	-
Comparison to Seg.8A Alternatives		1	1	1	1	3
Visual	Significant	Superior to	Superior to Project;	Superior to	Superior to	Superior to

Resources	visual impact to residents in Chino Hills, Chino and Ontario	Project; no impacts to residents; potential impacts to CHSP mitigated by City Mitigation Plan	no impacts to residents; potential impacts to CHSP mitigated by City Mitigation Plan	Project; no impacts to residents; potential impacts to CHSP mitigated by City Mitigation Plan	Project; no impacts to residents; potential impacts to CHSP mitigated by City Mitigation Plan	Project; no impacts to residents
Comparison to Project		+	+	+	+	+
Comparison to Seg.8A Alternatives		2	2	2	2	1
Wilderness and Recreation	Cumulative significance, Substantial construction traffic; with mitigation, less than significant	Similar to Project;; potential impacts to CHSP mitigated by City Mitigation Plan	Similar to Project; potential impacts to CHSP mitigated by City Mitigation Plan	Similar to Project; potential impacts to CHSP mitigated by City Mitigation Plan	Similar to Project; potential impacts to CHSP mitigated by City Mitigation Plan	Similar to Project
Comparison to Project		o	o	o	O	o
Comparison to Seg.8A Alternatives		1	1	1	1	1
Wildfire Preserv. and Suppress.	Significant during construction and cumulative; interference with aerial firefighting.	Superior to Project; reduces fire risks near homes, and improves firefighting ability in CHSP	Superior to Project; reduces fire risks near homes, and improves firefighting ability in CHSP	Superior to Project; reduces fire risks near homes, and improves firefighting ability in CHSP	Superior to Project; reduces fire risks near homes, and improves firefighting ability in CHSP	Superior to Project; reduces fire risks near homes, and improves firefighting

						ability in CHSP
Comparison to Project		+	+	+	+	+
Comparison to Seg.8A Alternatives		1	1	1	1	1
Electrical Interfer-ences and Hazards	Overhead route (172.9 miles); minor to moderate electrical interference and hazards impacts	Superior to Project; (156.3 miles plus 0.85 mile for existing T/L modifications)	Superior to Project; (159.83 miles plus 0.95 mile for existing T/L modifications)	Superior to Project; (155.9 miles plus 0.95 mile for existing T/L modifications)	Superior to Project; (159.9 miles plus 0.95 mile for existing T/L modifications)	Superior to Project; under-grounding would eliminate electrical interference and hazards impacts
Comparison to Project		+	+	+	+	+
Comparison to Seg.8A Alternatives		2	3	2	4	1
TOTALS		17	18	17	19	24
Number of +, indicating "Superior to the Project"		9	9	9	9	1

Ranking among Seg.* alternatives [4]		1	2	1	3	4

Notes:
[1]Comparison to Project: “+” indicates superior to the project; “o” similar to the project; “-" inferior to the project.
[2]Comparison to Seg.8A Alternatives: each alternative is ranked against each other on a scale from “1” to “5”, “1” being the best. Where the alternatives are comparable, they are grouped together and assigned the same numerical ranking.
[3]Where Alternative 4 is ranked the same and Alternative 5 is inferior to the project, a numerical ranking of 3 is given.
[4]The lower the ranking, the more environmentally superior the alternative.

Section 5. Other Required CEQA Considerations

5.3.1 Magnetic Field Concerns:

1. As set forth in the DEIR/EIS, in Table 5.3-5, SCE proposed measures to mitigate the magnetic field along Segment 8A of the TRTP mainly consists of using taller and more compact tubular steel poles in residential areas as well as using split-phasing (effectively using a double-circuit line where a single-circuit line would have sufficed). The DEIR/EIS, Table 5.3-6 shows that with the use of these measures a magnetic field of approximately 27 mG will exist at the edge of the Segment 8A ROW in the residential areas of Chino Hills. The following illustrates that SCE has significantly understated the level of the magnetic field along Segment 8A.

- SCE's reason to have a double-circuit transmission line for Segment 8A between San Gabriel Junction and the Chino Substation area is not to mitigate electromagnetic field effect of the line but to allow for future significant flow increase on Segment 8A, especially after Segment 8C is also converted to 500 kV and becomes part of Mira Loma-Vincent line.
- SCE does not have a credible basis to establish the level of current used for the calculation of the magnetic field. This current was selected based on the assumption of certain flow forecast in the line and came to about 2000 Amps which after split phasing results in 1000 Amps current in each phase. Using this assumption, SCE estimates magnetic fields reaching 27 mG on a temporary or sustained basis. The conductor type used for Segment 8A (Bluebird conductors - ACSR 2156) can carry up to 2000 Amps per conductor. Since Segment 8A is set up as double conductor bundle, the current in each phase can readily reach 4000 Amps sometime in the future as generation and load configuration in and around LA basin change. Therefore, the actual current per phase can be 4 times higher than the value used by SCE to calculate the magnetic field at the edge of ROW in populated areas of Chino Hills. The result is that ***the people of Chino Hills, as well as those in Chino and Ontario could be exposed to magnetic fields reaching 110 mG on a temporary or sustained basis rather than the 27 mG estimated by SCE.*** The DEIR/EIS fails to properly acknowledge the impact of such high and partially sustained magnetic field on the residents of Chino Hills who would live in close proximity of the Segment 8A of TRTP transmission line.

2. The following demographic facts illustrate the magnitude of the risk posed by the high level of the magnetic field created by TRTP Segment 8A:

    - Segment 8A goes through densely populated residential neighborhoods in Chino Hills; over one thousand homes (estimated 3,000 people) would be located within 500 feet of the proposed line;
    - There are three parks owned by the City – two of which the line will pass directly through and one of which will be within 500 feet of the line;
    - Chino Hills has four day care centers and schools which are located within 500 feet of the line:

- Sunshine Montessori School (provides a year round program for 70 children ranging in age from infants to school level);
- Montessori School of Chino Hills (provides elementary level education for 120 students in grades kindergarten through fifth).
- Loving Savior of the Hills, Lutheran Church and School (provides year round preschool for 200 children ranging in age from infant to five years old; year round elementary level education for 180 students in the grades of kindergarten through eighth);
- KinderCare Learning Center (provides a year round program for 75 children ranging in age from infant to 12 years old);

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Section 2, Attachment 1

City of Chino

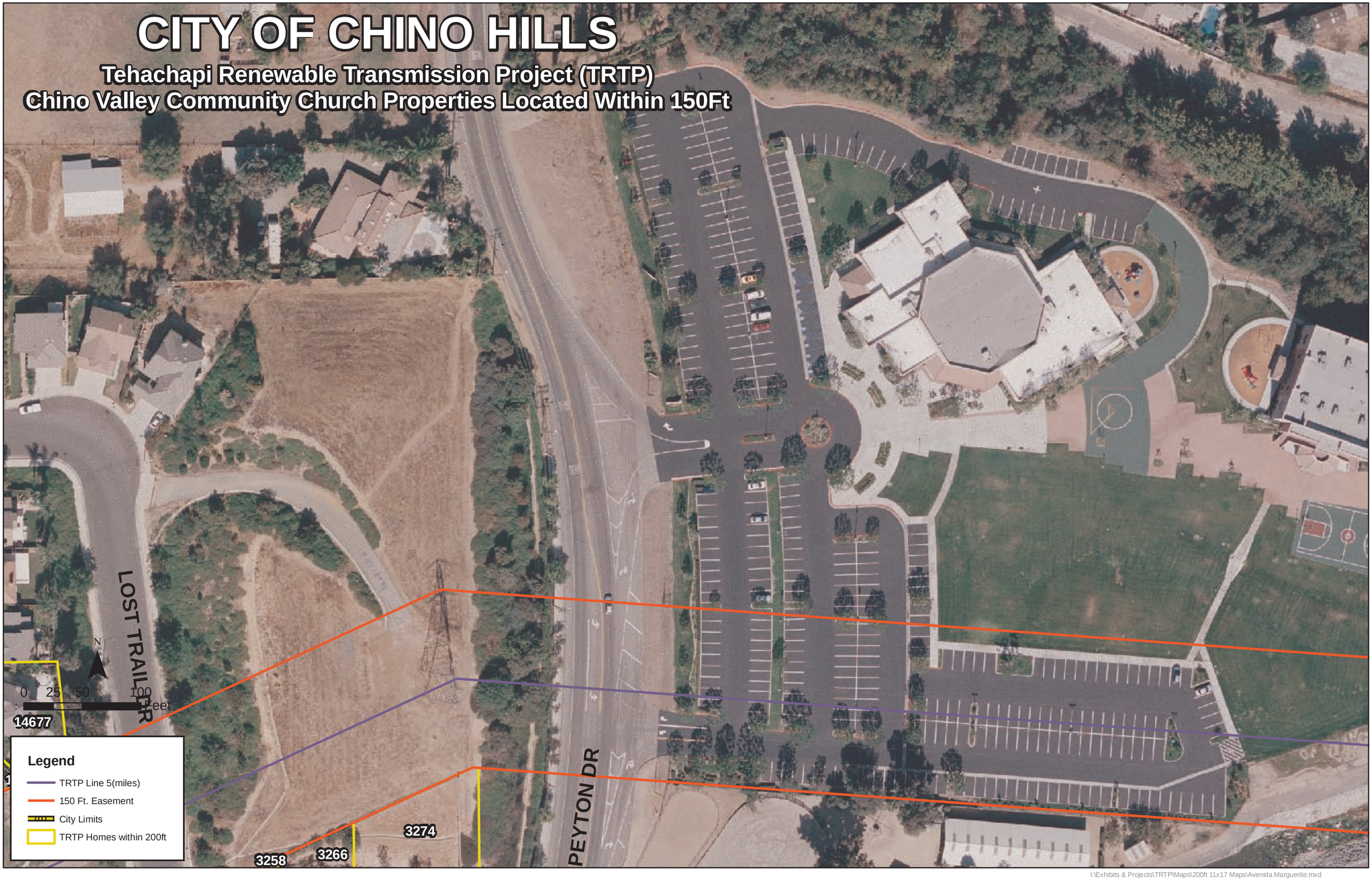
I:\Exhibits & Projects\TRTP\Maps\City of Chino (property that is inside 150 ROW).mxd

City of Chino Hills

I:\Exhibits & Projects\TRTP\Maps\City of Chino Hills (property that is inside 150 ROW).mxd

CITY OF CHINO HILLS

Tehachapi Renewable Transmission Project (TRTP)
Chino Valley Community Church Properties Located Within 150Ft



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CITY OF CHINO HILLS

Tehachapi Renewable Transmission Project (TRTP)
Chino Hills Promenade Properties Located Within 150Ft

PIPELINE AVE

N

0 20 40 80
Feet

Legend

- Street_2008
- TRTP Line 5(miles)
- 150 Ft. Easement
- City Limits
- TRTP Homes within 200ft

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CITY OF CHINO HILLS

Tehachapi Renewable Transmission Project (TRTP)
Old City Yard - Pipeline Ave Properties Located Within 150Ft

Legend

- TRTP Line 5(miles)
- 150 Ft. Easement
- City Limits
- TRTP Homes within 200ft

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CITY OF CHINO HILLS

Tehachapi Renewable Transmission Project (TRTP)
Coral Ridge Park Located Within 150Ft

Section 2, Attachment 2

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

Anne Dutrey
City of Chino Hills
2001 Grand Avenue
Chino Hills, CA 91709

January 29, 2008

SUBJECT: Request to Consent for Parking, Landscaping, and Irrigation on SCE Easement Right of Way
Chino-Mesa 220kV T/L R/W
Location: East Side of Pipeline Avenue, North of Chino Hills Parkway, Chino Hills

This letter is a follow up to our meeting on January 7th of this year. In this meeting you presented your Chino Hills Community Center project which incorporates a portion of the SCE easement right of way into your design. Some of your requested improvements over the SCE right of way are parking, landscaping, and irrigation.

It was discussed this particular site is currently within the proposed path for the future 500kV right of way, although it is not included as part of the alternate plan. The final decision is with the CPUC and SCE does not expect to receive an answer until mid-year at the earliest. In the event the decision is to have the 500kV line through this site no parking will be allowed. Although the City of Chino Hills is aware of this, you confirmed the City would like to proceed with the planning of the site with the assumption the alternate plan would be chosen. SCE agreed to assist with the review of the City's plans with the understanding no approvals will be given until the decision regarding the new 500kV line is determined.

To assist in the preparation of your project plans I am including a few of SCE's general guidelines as also discussed in the meeting. Please note a rights check will need to be done in order to first determine what is allowed on the subject right of way under the existing easement document(s). These guidelines are given subject to the language within the easement document.

1. Genevieve with our Transmission department verified the necessary clearance around the tower and there needs to be a 50 foot clearance (from each tower leg).
2. Trees (along with their canopies) need to be located 10 feet outside of the conductor lines and at a maximum height of 15 feet (assuming they are allowed under the easement document). They should be of a slow to moderate growth species as well.
3. Light standards should be located 10 feet outside of the conductor lines with a maximum height of 15 feet. The installation of 3 foot high lighting for the walkway was proposed by the City.
4. Parking should be located 10 feet outside of the conductor lines as well (again assuming it is not prohibited within the easement). Overflow parking only will be considered as SCE will reserve the right to take back a portion or the entire site for future operational needs.
5. Transmission gave a general guideline of 5 feet set back needed for the proposed building (outside of the right of way) to the northern right of way boundary.
6. Irrigation should have a cover of 3 feet with no valves or controllers located within the right of way.
7. Rolled curbing around the tower is a preferred option.
8. All drainage runoff shall be channeled away from SCE facilities and easement right of way.
9. Anti-climbing guards and bollards will be required on and around the tower.

Also included is a general check list to assist in putting together your request package. It is understood the underlying fee owner of the property is partly the County of San Bernardino and the Flood Control District. A

14799 Chestnut Street
Westminster, CA 92683

letter of authorization will be needed from them for you to request this on their behalf. Also needed to complete your request package is an engineering advance of $3,500 made payable to Southern California Edison.

In our meeting a possible quit claim request for a distribution facility on the north side of the property was discussed. Todd Pearce, our planner, confirmed this facility to feed several parcels and therefore a quit claim would not be possible.

Once your request package is complete, please mail to me for review and further processing of the consent request. Please send to Southern California Edison, 14799 Chestnut Street, Westminster, CA 92683, Attention: Rosalie Barcinas.

I look forward to working on this project with you. If you have any questions, please do not hesitate to call me at (714) 934-0835.

Sincerely,

ROSALIE BARCINAS
LAND SERVICES AGENT

ENC

Cc: Richard Crane, Crane Architectural Group
Raymond Hicks, SCE Public Affairs
Jeannette Rivera, SCE Transmission
Todd Pearce, SCE Distribution Planner

Plan Checklist (SAMPLE)

1. All new requests must be accompanied by scaled plans (1"=50' Maximum) for approval. No approval will be given from Preliminary, Conceptual, or Site Plans. These may be used for discussion purposes only. Four sets of FINAL plans will be required for consents, six sets if a relocation of SCE facilities is involved. Requests must also be accompanied by one copy of the recorded tract map when it becomes available. Only those sheets pertaining to or showing development impacting the SCE right of way will be accepted.

2. All SCE Rights of Way must be clearly and accurately defined on all submitted sheets including separation between parcels or documents.

3. All SCE structures must be clearly and accurately plotted on the plans. 10-feet around poles shall be kept clear. 50-feet around suspension towers and 100-feet around dead end towers shall be kept clear.

4. Plans for any and all improvements, which will impact the SCE Right of Way, must be submitted for approval. All improvement plans must include a complete legend sheet. These improvements include but are not limited to:

   a. Grading
   b. Street Improvements (including signage). Street improvement plans must include profiles of finished street surface elevations.
   c. Street Lights (street lights will generally not be permitted on R/W)
   d. Utilities
   e. Landscaping and Irrigation (no valves or controllers of any type will be permitted on the R/W; no portion of any mature tree will be permitted under or within 10-feet of conductor drip lines. Trees must not exceed 15-feet in height at maturity.)
   f. Water Improvements (no valves of any type will be permitted on the R/W)
   g. Sewer
   h. Fencing (cross fencing will be permitted only at streets)

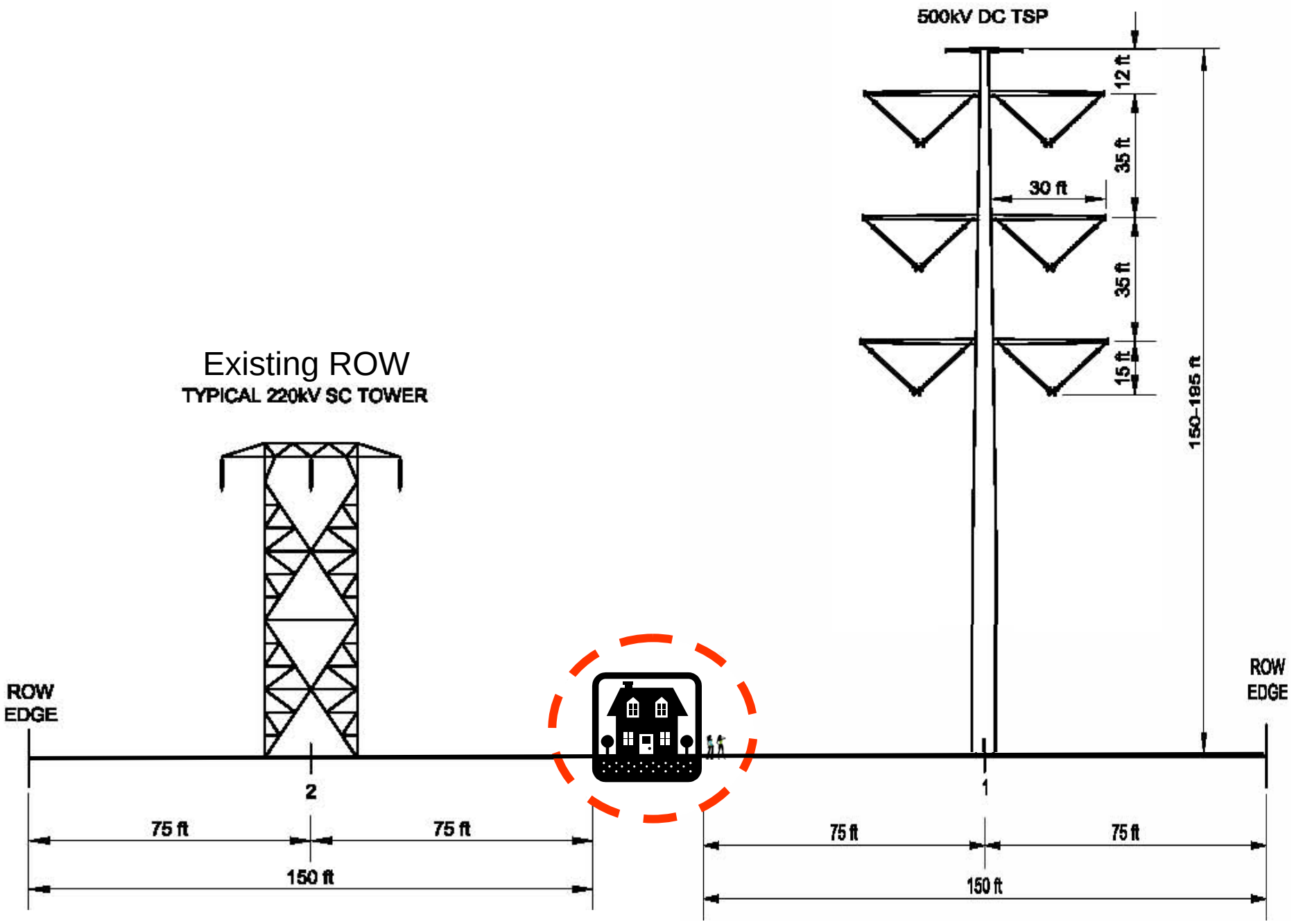
5. No parallel or longitudinal encroachments will be permitted. All improvements crossing the Right of Way must do so perpendicular to the centerline of the Right of Way.

6. Parking will not be permitted on the Right of Way if prohibited by an easement document and under no circumstances under or within 10-feet of conductor drip lines on circuits of 115kV and above.

7. Due to the present workload, each new request will take ***six to eight weeks*** for Transmission Design and Right of Way to process. Each new set of plans or revision ***will be treated like a new request*** and require ***another six to eight weeks*** for review and processing.

Section 2, Attachment 3

SCE Proposed ROW with Tubular Tower



Section 2, Attachment 4

21st Century Green Partnership

"A community committed to the responsible delivery of renewable energy for the State of California."

The 21st Century Green Partnership provides all of the stakeholders with the always hoped for "Golden Opportunity" to create the perfect partnership leading to a win-win-win for all parties. The State's goal of expanding renewable energy in a timely fashion is achieved. Much-needed enhancements to Chino Hills State Park are made possible and the adverse impacts to the residents of Chino Hills from the SCE proposed Segment 8A are eliminated. Let us all move forward together to make the 21st Century Green Partnership a reality.

Mitigation and Cost Recovery Plan

After a comprehensive review of the status and plans for Chino Hills State Park, including informational meetings with State Park representatives, a Mitigation and Enhancement Plan (Plan) has been developed for Chino Hills State Park (State Park). We are excited and enthusiastic about the Plan's benefits from an environmental as well as a user perspective. The proposed Plan focuses on the areas we believe to be important to the State. The Plan provides for expansion of the bio-corridor, view shed improvements, riparian habitat improvements and funding for ongoing operational costs. The total cost of the Plan's components is $50,000,000 as detailed below.

Funding for these items is proposed to be paid for by Southern California Edison (SCE) which would be conditioned by the California Public Utilities Commission (CPUC) as part of the project's approval. The proposed source results from Decision 93-11-013, which established the California Public Utilities Commission's "low cost/no cost" policy for EMF mitigation. As a measure of low-cost EMF mitigation, the Commission adopted a benchmark 4% of transmission and substation project costs. This policy was reaffirmed two years ago in Decision 06-01-042. Based on the Tehachapi Renewal Transmission Project's (TRTP) estimated cost of $2 billion dollars, $80 million dollars would be available for mitigation measures.

Bio-Corridor Expansion

The City has identified various undeveloped parcels of land east of the State Park's current boundary totaling 2,517 acres. Given the current zoning and topographical challenges, these properties are not good candidates for future development. The Bio-Corridor Expansion component also includes the construction of a wildlife crossing that would travel under the SR-71 Freeway into the Prado Basin area. The Prado Basin contains nearly 10,300 acres which will remain as permanent open space.

The City of Chino Hills is also offering, as a part of the expansion component, to provide assistance to the State Park with the acquisition of these properties. This assistance would include all aspects of the real property acquisition process.

Bio-Corridor Funding: $20,000,000

View Shed Enhancements

City staff has worked with SCE to determine the facilities that could be removed or relocated in a way that would improve the view sheds as part of any project that would traverse the State Park. SCE estimates the cost of removing the surplus lines at $300,000 per mile. There are currently 10.45 miles of inactive 220Kv line within the Park that could be considered for removal. It is proposed that the removal plan be reviewed and approved by State Parks and made a part of the CPUC project approval process.
View Shed Funding: $5,000,000

Habitat Enhancements

The Chino Hills State Park General Plan identifies a core wildlife habitat within the State Park and several critical bio-corridors connecting the State Park to the surrounding open space. The bio-corridors consist of: 1) Coal Canyon, linking the State Park to the Cleveland National Forest; 2) Sonome Canyon, linking the State Park to Tonner Canyon; and 3) The Prado Basin Area to the east of the State Park. The proposed restoration program targets and ranks areas based on several criteria including: 1) Location relative to core habitat; 2) Location relative to bio-corridors; 3) Existing condition of habitat; 4) Presence of target species indicating viability of the site; and 5) Potential to support special-status species. Each of the three canyons that meet the criteria will be buffered 300-feet to delineate an approximate restoration area. The 300-foot buffer was determined based upon functional assessment standards that consider an aquatic feature with a 300-foot buffer of native habitat as high functioning.

PROPOSED HABITAT RESTORATION AREAS

1. Water Canyon - totaling approximately 9 acres including 3 acres of riparian habitat and 6 acres of sage scrub habitat.

2. Brush Canyon - totaling approximately 15 acres including 5 acres of riparian habitat and 10 acres of sage scrub habitat.

3. Lower Aliso Canyon - totaling approximately 35 acres including 6 acres of riparian habitat and 29 acres of sage scrub habitat.

Proposed restoration would include eradication of highly invasive species, such as tamarisk, and the supplemental planting of riparian oak woodland and cottonwood willow riparian species within, and adjacent to, the canyon bottom. Supplemental planting of scrub species and native grass species adjacent to the drainage in areas that currently support non-native grassland is also proposed. In addition, this proposal includes funding for project monitoring and operational costs for a period of ten years.

The City will seek a partnership with Cal Poly Pomona to provide environmental expertise and oversight of this phase of the project. This partnership would provide a long-term educational and research opportunity that would also serve to reduce initial and ongoing maintenance costs of this project.
Habitat Restoration Funding: $8,000,000

Operational Enhancements

The Plan also provides for the reconstruction of the Chino Hills entrance to the State Park. Improvements would include the construction of a guard shack, gate improvements, a message board, as well as other enhancements as recommended by the State Park. Funding would also be provided for long-term operational expenses associated with the
Plan's various components.

These improvements will enhance the State Park's ability to monitor, limit, and collect user fees at this entrance. The new informational kiosk and rest area will enable improved communication and outreach to Park users. In addition, these improvements would provide opportunities for new partnerships with local educational institutions, environmental organizations and user groups.

This section of the proposal estimates $2,000,000 for construction costs and $15,000,000 to be placed in an interest baring trust to fund on-going operational costs.
Construction and Operational Funding: $17,000,000

Conclusion

The 21st Century Green Partnership looks forward to working with the various stakeholders including California State Parks Department, California Public Utilities Commission, and Southern California Edison. It is the goal of the 21st Century Green Partnership to create a responsible solution that delivers renewable energy to the State of California.

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