

- 1 • Greater Depth of Cover - As noted on page 4.7-36 of the Draft EIR, PG&E has
2 proposed a minimum depth of cover of 60 inches (5 feet). 49 CFR 192.327
3 establishes the minimum depths of required cover. For Class 1 areas, a
4 minimum of 30 inches of cover is required. For Class 2, 3, and 4 areas, a
5 minimum depth of cover of 36 inches is required. As noted on page ~~88-57~~ of
6 the revised System Safety and Risk of Upset report, which was prepared by
7 EDM Services, Inc. for the proposed Project and is included as ~~a part of~~
8 Appendix H-3 of the ~~Draft~~ this Revised Final EIR, "Pipelines with a depth of
9 cover of 48-inches or greater experienced a 30 percent reduction in third party
10 caused incidents."

11 In order to avoid potential conflicts with other utilities, a mitigation measure
12 (MM LU-1d) has been added to section 4.9, Land Use and Planning, to
13 address potential conflicts with utilities. Refer to Section 4.0 of this Revised
14 Final EIR for revisions to the Draft EIR.

- 15 • Increasing the Frequency and Type of Monitoring and Patrols - The inspection
16 frequencies are summarized in Table 4.7-7 of the Draft EIR. As noted, for
17 Class 3 areas, the pipeline must be patrolled and a leak survey must be
18 conducted twice per year, in accordance with 49 CFR 192. PG&E must also
19 subscribe to the USA North underground service alert "one-call" system in
20 accordance with 49 CFR 192.614. Excavators are required by State law to
21 notify this service at least 48 hours prior to beginning any excavation. The
22 service then notifies all underground facility owners in the vicinity who respond
23 and mark the location of their facilities on the ground. PG&E uses a
24 Geographical Information Systems (GIS) map to maintain records of the
25 installed lines to aid USA in determining if the pipelines are in the area when
26 called and to redirect PG&E personnel in locating the pipelines.
- 27 • Better Cathodic Protection Systems - 49 CFR 192 requires the pipe to be
28 cathodically protected. In addition, the pipe to soil potential must be checked
29 annually and the rectifier readings must be checked at least six times per year.
30 PG&E has proposed the installation of devices that can provide remote
31 monitoring of pipe to soil potentials at approximately one-mile intervals along
32 the pipeline. These devices provide real time pipe to soil potential data,
33 enabling PG&E to identify major cathodic protection system deficiencies.
- 34 • More Frequent Inspections – Table 4.7-7 of the Draft EIR provides a list of
35 inspections that are required for the proposed project. Cathodic protection

1 inspections and testing are done annually for the pipe to soil potential, and are
 2 done six times per year for the rectifier readings. The valve testing is done
 3 annually. Pipeline patrols are done up to two times per year. Leak surveys are
 4 done annually. MM HAZ-2a, on page 4.7-37 of the Draft EIR, as revised in the
 5 Revised Final EIR, provides additional specific-inspection requirements which
 6 exceed those required by the federal regulation. Specifically, the mitigation
 7 measure requires that prior to beginning operations, PG&E must internally
 8 inspect the pipeline using a geometry inspection tool. Then within six months
 9 of initial operations, PG&E must conduct a baseline internal inspection using a
 10 high resolution instrument (smart pig). The internal inspections must be
 11 repeated every 7 years. These measures will help identify pipe defects.

- 12 • Better Line Marking Efforts - The line must be marked in accordance with 49
 13 CFR 192.707. However, in Class 3 areas, above-grade line marking can be
 14 problematic due to street improvements, traffic, and landscaping. In these
 15 cases, the line will most likely be marked by installing small marker caps or
 16 paint markings on the pavement. PG&E markers are placed so that the next
 17 marker is within line of sight or no more than ½ mile away. In addition, PG&E
 18 must subscribe to the USA North underground service alert “one-call” system
 19 in accordance with 49 CFR 192.614 as discussed above.

- 20 • Better Public Education Efforts - A public awareness program must be
 21 developed per 49 CFR 192.616.

- 22 • Emergency Planning and Training Programs - Operations, maintenance, and
 23 emergency response procedures must be established in accordance with 49
 24 CFR 192.605. These procedures must be reviewed and updated annually.

- 25 • Better Warning to Future Excavators Than Buried Yellow Tape - As noted ~~in on~~
 26 ~~page 57 of the revised~~ System Safety and Risk of Upset report, which was
 27 prepared by EDM Services, Inc. for the proposed Project and is included as a
 28 ~~part of~~ Appendix H-3 of the ~~Draft~~ this Revised Final EIR, the use of
 29 supplemental third-party protection (e.g., marker tape, concrete cap, steel
 30 plates, etc.) has been shown to reduce third party intrusion incidents by 10
 31 percent. Unfortunately, the source data do not differentiate between the
 32 various methods (e.g., marker tape versus concrete cap).

33 **U-4** ~~Comment acknowledged. Please refer to response to comment U-3. The~~
 34 Revised Final EIR provides an analysis that has been clarified to account for

1 individual risks to the public if a pipeline release were to occur with a subsequent fire
2 or explosion. The risk assessment included risk measurement terminology that was
3 not defined in earlier versions of the document, resulting in some confusion. The
4 revised System Safety and Risk of Upset report was completed by EDM Services,
5 Inc. (October 2009) for the proposed Project, and is included as Appendix H-3 of this
6 Revised Final EIR.

7 The risk analysis was revised because the aggregate risk was calculated and
8 reported as individual risk. In addition, the risk analysis incorrectly compared the
9 aggregate risk to the individual risk threshold of an annual likelihood of fatality of
10 1:1,000,000. The individual risk is defined as the frequency that an individual may be
11 expected to sustain a given level of harm from the realization of specific hazards, at
12 a specific location, within a specified time interval (measured as the probability of a
13 fatality per year). Aggregate risk is the total anticipated frequency of fatalities that
14 one might anticipate over a given time period for all of the project components (the
15 entire pipeline system). There is no known established threshold for aggregate risk,
16 and it is not used in practice to determine individual risk.

17 The individual risk significance threshold used in the Revised Final EIR is an annual
18 likelihood of one in one-million (1:1,000,000) for fatality (used by the California
19 Department of Education for school sites). The risk level is typically determined for
20 the maximally exposed individual (assumes that a person is present continuously—
21 24 hours per day, 365 days per year).

22 The highest risk along a segment of pipeline is to persons located immediately
23 above the pipeline, and the risk decreases as a person is farther away from the
24 pipeline. The maximum risk posed by Line 406 before mitigation is 1:2,137,000, and
25 after mitigation it is 1:4,274,000 chance of fatality per year. The maximum risk
26 posed by Line 407 before mitigation is 1:2,062,000, and after mitigation it is
27 1:4,115,000 chance of fatality per year. The maximum risk posed by Line DFM
28 before mitigation is 1:4,255,000, and after mitigation it is 1:8,475,000. Because the
29 calculated individual risk before mitigation is less than the threshold of 1:1,000,000,
30 the risk is considered to be less than significant.

31 The required DOT regulations, along with PG&E Project features that exceed the
32 minimum requirements, will reduce risks of project upset. Even though the project
33 risk impacts are less than significant, Mitigation Measures MM HAZ-2a and MM
34 HAZ-2b shall be implemented to further reduce risks of project upset.

1 **U-5** The Powerline Road Main Line Valve is located on the northeast corner of
2 Powerline and Riego roads.

3 **U-6** Approximately 55.28 acres of rice fields would be disturbed during
4 construction of the proposed Project. Of the 55.28 acres, 0.6 acre of rice field would
5 be permanently removed due to construction of aboveground facilities. Draft EIR
6 Section 2.0, Project Description, recognizes there are scheduling challenges when
7 constructing in rice fields. The discussion on pages 2-50 and 2-51 describe how
8 PG&E would coordinate with property owners prior to initiating any construction
9 activities on agricultural lands, and would work to install temporary rice checks
10 during the allowable GGS construction window in order to segregate the right-of-way
11 from flooded rice fields. The discussion includes how PG&E would work with
12 farmers to attempt to install the rice checks during their normal field preparation in
13 the spring, and to remove the rice checks after the fields have been drained
14 following construction.

15 **U-7** In planning the proposed Project, PG&E has taken future development
16 along the proposed alignment in all four counties into consideration and, as a result,
17 has proposed to construct the pipeline at depths of 60 inches (5 feet) or greater. At
18 intersections, PG&E is proposing 8 feet below ground surface. Also, see responses
19 to comments H-5 through H-7 (Yolo County); K-2 through K-5 (City of Roseville); R-1
20 through R-7 (Sierra Vista Owners Group); and T-2 through T-4 (Placer County).

21 The commenter has indicated that the proposed pipeline should be buried deeper to
22 avoid conflicts with other utilities. A mitigation measure (MM LU-1d) has been
23 added to section 4.9, Land Use and Planning, to address potential conflicts with
24 utilities. Refer to Section 4.0 of this Revised Final EIR for revisions to the Draft EIR.

25 **U-8** Because the force of backfill is downward, applying a factor to decrease
26 this calculated force would result in a more conservative net pipeline buoyant force.
27 Page 2-71 of the Draft EIR has been revised to provide additional clarity. Refer to
28 Section 4.0 of this Revised Final EIR for revisions to the Draft EIR.

29 **U-9** Refer to Response U-4.

30 ~~Measures have been implemented to reduce the risks to the public. However, the~~
31 ~~lead agency recognizes that the risks remain significant even after mitigation. The~~
32 ~~CSLC will need to balance the economic, legal, social, technological, or other~~
33 ~~benefits of the proposed Project against its unavoidable environmental risks when~~

~~1 determining whether to approve the Project. If the EIR is certified by the CSLC, a
2 statement of overriding considerations will need to be adopted at the time of
3 certification and approval of the Project (CEQA Guidelines Section 15093).~~

4 49 CFR 192.605 requires that PG&E prepare written procedures covering their
5 operations, maintenance, emergency, and abnormal operation procedures. These
6 manuals must be prepared before operations commence and must be updated
7 annually. They are on file with the California Public Utilities Commission but are
8 kept confidential for pipeline security reasons. PG&E asks that the commenter
9 specify what particular information they would like or need to complete their risk
10 analysis, and PG&E will work with them to provide specific information. Requests
11 can be made through Chris Ellis or George Karkazis at PG&E offices in Sacramento,
12 telephone number 916.923.7030.

13 **U-10** The text in Draft EIR Table 3-3 under the Description column, located in
14 Section 3, Alternatives and Cumulative Projects (page 3-63), has been updated to
15 reflect the correct timing of the Riego Road widening project, the construction of
16 which is scheduled to begin in 2011. Refer to Section 4.0 of this Revised Final EIR
17 for revisions to the Draft EIR.

18 **U-11** Please refer to responses to comments U-7 and U-9.

19 **U-12** Please refer to response to comment U-3.

20 **U-13** PG&E indicated they have been working with the Measure M group
21 through their civil engineering firm (MacKay and Soms) and provided comments to
22 the Sutter Point Specific Plan (SPSP) Draft EIR. PG&E indicated they have also
23 had meetings with representatives of the Measure M group to clarify comments
24 submitted on the SPSP Draft EIR. PG&E has used the best design information
25 available from MacKay and Soms in locating and designing the proposed pipeline.
26 Currently the road improvement plans are limited to line work in plan view only. The
27 Riego Road design has not progressed to include future elevations, drainages, or
28 utility infrastructure. PG&E has expressed a willingness ~~would like~~ to work with the
29 Measure M group to coordinate design of roads and adjacent land uses so that
30 potential conflicts can be addressed prior to construction of the Project.

31 PG&E does use risk assessments in the performance of their work (refer to Table
32 4.7-7 on page 4.7-37 of the Draft EIR). However, the risk assessments that PG&E
33 performs are not a statistical approach to determine risk of fatality or serious injury to

1 individuals such as was developed by EDM in the Draft EIR, as revised in this
2 Revised Final EIR. Rather, they are relative risk assessments (one pipeline
3 segment risk compared to another) performed for two purposes: to schedule pipes
4 for remediation or replacement (this is a voluntary program PG&E conducts with
5 approval from the CPUC), and for prioritizing assessments of HCA piping; the
6 Federal Code requires pipeline operators to risk rank their pipelines within HCAs and
7 to begin the assessments with the pipelines most at risk.

8 As noted in Response U-4, the Revised Final EIR provides an analysis that has
9 been clarified to account for individual risks to the public if a pipeline release were to
10 occur with a subsequent fire or explosion. The risk analysis was revised because
11 the aggregate risk was calculated and reported as individual risk. In addition, the
12 risk analysis incorrectly compared the aggregate risk to the individual risk threshold
13 of an annual likelihood of fatality of 1:1,000,000. There is no known established
14 threshold for aggregate risk, and it is not used in practice to determine individual
15 risk.

16 The highest risk along a segment of pipeline is to persons located immediately
17 above the pipeline, and the risk decreases as a person is farther away from the
18 pipeline. The maximum risk posed by Line 406 before mitigation is 1:2,137,000, and
19 after mitigation is 1:4,274,000 chance of fatality per year. The maximum risk posed
20 by Line 407 before mitigation is 1:2,062,000, and after mitigation is 1:4,115,000
21 chance of fatality per year. The maximum risk posed by Line DFM before mitigation
22 is 1:4,255,000, and after mitigation is 1:8,475,000. Because the calculated
23 individual risk before mitigation is less than the threshold of 1:1,000,000, the risk is
24 considered to be less than significant.

25 The required DOT regulations, along with PG&E Project features that exceed the
26 minimum requirements, would further reduce risks of project upset. Even though the
27 project risk impacts are less than significant, Mitigation Measures MM HAZ-2a and
28 MM HAZ-2b would be implemented to further reduce risks of project upset.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. LL40
 SACRAMENTO, CA 95821
 (916) 574-0609 FAX: (916) 574-0682
 PERMITS: (916) 574-0685 FAX: (916) 574-0682



June 10, 2009

Crystal Spurr
 California State Lands Commission
 100 Howe Avenue, Suite 100-South
 Sacramento, CA 95825-8202

Comment Set V
 Page 1 of 2

Dear Ms. Spurr:

State Clearinghouse (SCH) Number: 2007062091
 PG&E Line 406/407 Project

Staff for the Department of Water Resources has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board (Formerly known as The Reclamation Board). The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

V-1

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement (including auger boring/Jack-and-boring), construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee(CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6).
- A vegetation plan including, but not limited to the sites, vegetation type (i.e. common and scientific name), number, planting spacing and irrigation method that will be within each project area (CCR Section 131).
- Board jurisdictions include but are not limited to the Sacramento River, Yolo Bypass, Cache Creek, Natomas Cross Canal, Natomas East Main Drainage Canal, Knights Landing Ridge Cut.

V-2

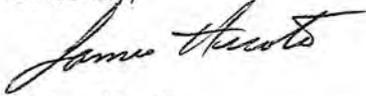
The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and state agencies, as other permits may apply.

June 10, 2009
Crystal Spurr
Page 2 of 2

Comment Set V
Page 2 of 2

If you have any questions please contact me at (916) 574-0651 or by email
jherota@water.ca.gov.

Sincerely,



James Herota
Staff Environmental Scientist
Floodway Protection Section
Division of Flood Management

cc:

Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

1 **RESPONSE TO COMMENT SET V**

2 **V-1** CSLC acknowledges that the Central Valley Flood Protection Board
3 (formerly known as the Reclamation Board) regulates standards for the construction,
4 maintenance, and protection of adopted flood control plans that will protect public
5 lands from floods. CSLC has, therefore changed 'State Reclamation Board' to
6 'Central Valley Flood Protection Board' in Section 1.4, Permits, Approvals and
7 Regulatory Requirements (page 1-9 of the Draft EIR). Refer to Section 4.0 of this
8 Revised Final EIR for revisions to the Draft EIR.

9 **V-2** Comment acknowledged (see response to comment V-1).

10



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
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<http://www.waterboards.ca.gov/centralvalley>



Arnold
Schwarzenegger
Governor

9 June 2009

Comment Set W
Page 1 of 2

Crystal Spurr, Project Manager
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Subject: WDID 5A57CR00074 Pacific Gas and Electric Line 406-407 Natural Gas Pipeline

As a Responsible Agency, as defined by CEQA, the Central Valley Regional Water Quality Control Board have reviewed the Draft Environmental Impact Report for the Pacific Gas and Electric (PG&E) Line 406-407 Natural Gas Pipeline (29 April 2009).

PG&E proposes to construct and operate multiple natural gas transmission pipelines that will cross the California Central Valley in Yolo, Sutter, Sacramento, and Placer counties. These projects are necessary in order to provide greater capacity and system reliability for existing gas transmission and distribution pipeline system and to extend service to new customers through the region. PG&E also intends to install the new facilities in an environmentally sensitive manner while locating the pipeline to "minimize the potential of environmental impacts resulting from damage by outside sources."

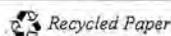
According to project information obtained from the Draft EIR, this project includes:

- Construction of approximately 40-miles of new 30-inch pipeline that would tie into existing pipelines.
- Construction of new aboveground facilities such as new valve stations and associated extensions, actuators, valve hand wheels, risers, meters, monitoring equipment and other appurtenances.

The new pipeline construction would include the following activities:

- clearing and grading
- trenching and soil stockpiling
- horizontal directional drilling
- hammer boring
- auger boring/jack and boring
- epoxy coating of pipe
- pipeline stringing and welding
- lowering in the pipeline and backfilling
- hydrostatic testing of pipe and pigging

California Environmental Protection Agency



The DEIR identifies over ten alternatives. It does not identify a preferred alternative or an environmentally superior alternative. The Executive Summary for the project states, ".the determination of an environmentally superior alternative is difficult because of the many factors that must be balanced, and none of the alternative options reduce Class I impacts." It goes on to state, "the environmentally superior alternative would be incorporating Alternative Options I and L into the proposed Project alignment. Alternative Option I includes impacts to seasonal wetlands, swales, a vernal pool, and a creek. Alternative Option L has complications with a planned new elementary school and as stated in the ES, "Option L would not reduce the significant and unavoidable impacts associated with the proposed Project..."

W-1

Since a specific preferred alternative was not identified in the DEIR, the Central Valley Regional Board is not providing specific project comments for the Draft EIR however; we have determined that this project has the potential to adversely affect water quality and waters of the U.S. and California ("other waters"). The proponent must follow the ACOE 404(b)(1) Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:

W-2

1. **Avoidance** (Is the project the least environmentally damaging *practicable* alternative?)
2. **Minimization** (Does the project minimize any adverse effects to the impacted wetlands?)
3. **Mitigation** (Does the project mitigate to assure a no net loss of functional values?)

The Central Valley Regional Board is requesting the California State Lands Commission consider an alternative that will produce the fewest impacts to state water resources and water quality including avoiding and minimizing impacts to all drainage features, canals, creeks, streams, rivers, vernal pools and other water bodies.

W-3

We look forward to receiving additional specific project information in order to process your 401 Water Quality Certification request for this project.

Thank you for the opportunity to comment on the DEIR. If you have any questions or comments regarding the 401 water quality certification program, please contact me at (916) 464-4814.



VIRGINIA MORAN
Environmental Scientist
Water Quality Certification Unit

Cc: Mr. Chris Ellis, Principal Planner, Pacific Gas and Electric Company

1 RESPONSE TO COMMENT SET W

2 **W-1** The Draft EIR described a reasonable range of feasible alternatives to the
3 Project and to the Project location, including the No Project Alternative. These
4 alternatives were evaluated for their ability to attain most of the Project goals and to
5 avoid or substantially lessen any of the significant impacts of the proposed Project.
6 Three major alternative routes were evaluated and rejected, as stated in Section 3.2
7 of the Draft EIR, and one system-wide alternative was evaluated and rejected as
8 stated in Section 3.2.4. In summary, the overall proposed Project route was found to
9 have the fewest significant environmental impacts or magnitude of significant
10 environmental impacts. Within the overall proposed Project route, an additional 12
11 alternatives (termed options) were developed. These options were designed to
12 minimize risk; minimize impacts to biota, listed species, and wetlands; and respond
13 to land owners' concerns. None of the options was found to reduce a the Class I
14 construction air quality impact to a Class II impact; however, two options were found
15 to decrease the magnitude of the a Class I impact, risk of upset. Those options, I
16 and L, in conjunction with the proposed Project, represent the environmentally
17 superior alternative, which was adequately evaluated in the Draft EIR.

18 The CSLC will make two decisions regarding the PG&E Line 406-407 Natural Gas
19 Pipeline Project at one of the CSLC's public meetings. The first decision will be
20 whether to certify the EIR that was prepared for the proposed PG&E Line 406-407
21 Natural Gas Pipeline project. The second decision to be made by the CSLC will be
22 whether to approve the environmentally superior alternative proposed project, which
23 is construction of the PG&E Line 406-407 Natural Gas Pipeline, inclusive of all
24 project components and Options I and L. The CSLC could also choose at that time
25 to approve any of the other options and any alternatives that were analyzed in the
26 EIR. A notice of the date, time, and location of the public meeting where the Project
27 will be considered by the Commissioners will be mailed to everyone on the CLSC
28 mailing list and to everyone who has commented on the Draft EIR, at a minimum of
29 10 to 15 days prior to the date of the meeting.

30 **W-2** The proposed Project is the "preferred alternative" and was evaluated in
31 the Draft EIR in accordance with CEQA and the CEQA Guidelines. Included in the
32 Draft EIR is an evaluation of the proposed Project's potential adverse impacts to
33 biological resources and waters of the State and US (refer to Section 4.4, Biological
34 Resources; and Section 4.8, Hydrology and Water Quality).

1 Please refer to response to comment W-1. The Draft EIR identifies resource-
2 specific APMs, potential impacts, and mitigation measures. The CSLC will decide at
3 one of its public meetings whether to certify the EIR and whether to approve the
4 Project as proposed, with or without any of the alternative options. All of the APMs
5 and MMs set forth in the EIR and the MMP regarding water quality and wetlands will
6 apply to all of the alternative options if any of the options are chosen to replace that
7 segment of the Project as proposed.

8 In addition, the Project proponent, PG&E, will be working with the U.S. Army Corps
9 of Engineers for a Section 404 Permit, and the Certification from the Regional Water
10 Quality Control Board for a Section 401 Water Quality Certification.

11 **W-3** The Draft EIR includes a discussion of potential impacts to wetlands and
12 other waters in Section 4.4, Biological Resources. All of the vernal pools and swales
13 along the Project alignment would be crossed using HDD technology, to avoid
14 impacting the waterways (refer to Table 2-5 on pages 2-56 through 2-59 of the Draft
15 EIR). PG&E intends to avoid impacts to wetlands and other waters as much as
16 possible (see APM BIO-20, APM BIO-21, APM BIO-22 on pages 4.4-65 and 4.4-66
17 of the Draft EIR). If avoidance is not possible, then specific mitigation measures
18 (see MM BIO-1a, MM BIO-1b, and MM BIO-1c on pages 4.4-81 through 4.4-87 of
19 the Draft EIR, as revised in Section 4.0 of this Revised Final EIR) would be
20 implemented to mitigate those impacts to less than significant levels. Performance
21 standards are included in the MMs to ensure their effective implementation.

22 Alternatives that were evaluated in the Draft EIR are presented in Section 3.0,
23 Alternatives and Cumulative Projects, and impacts to biological resources are
24 presented in Section 4.4, Biological Resources. With so many wetlands, canals,
25 creeks, sloughs, streams, and irrigation canals in the area, it was difficult to locate
26 an alternative that would avoid these features. Six of the alternative options had
27 greater impacts and six of the alternative options had similar impacts to waters of the
28 U.S., including wetlands, as the proposed Project.



Memorandum

Date: June 18, 2009

To: Crystal Spurr, Project Manager
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825

Comment Set X
Page 1 of 5

From:  Kent Smith, Habitat Conservation Program Manager
Department of Fish and Game
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Subject: Comments on the Pacific Gas and Electric Company (PG&E) Line 406-407 Natural Gas Pipeline Draft Environmental Impact Report (DEIR), SCH# 2007062091

The California Department of Fish and Game (DFG) has reviewed the California State Lands Commission's Draft Environmental Impact Report (DEIR) for the proposed PG&E Line 406-407 Natural Gas Pipeline project (Project). PG&E is proposing to construct a 30-inch diameter natural gas pipeline (Lines 406 and 407) from Esparto in Yolo County east to a location near Roseville in Placer County. The proposed pipeline would be approximately 40 miles long spanning four counties: Yolo, Sutter, Sacramento, and Placer. Line 406 would begin at PG&E's existing Lines 400 and 401 in Yolo County and extend east to PG&E's existing Line 172A near the town of Yolo. Line 407 would extend from PG&E's existing Line 172A where the proposed Line 406 terminates, east to PG&E's existing Line 123 near the City of Roseville. The proposed Distribution Feeder Main would extend from the new Line 407 south and parallel Powerline Road to the Sacramento Metro Air Park development in Sacramento County. The Project would also include the construction of six above-ground facilities totaling 2.18 acres in size.

The DFG is providing comments on the DEIR as a trustee agency and responsible agency. As trustee for the State's fish and wildlife resources, the DFG has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species. In this capacity, the DFG administers the California Endangered Species Act (CESA), the Native Plant Protection Act (NPPA), and other provisions of the California Fish and Game Code that afford protection to the State's fish and wildlife public trust resources. As a responsible agency, the DFG will review a Lake and Stream Alteration Agreement notification package for components of the proposed Project.

X-1

Enforceable Mitigation Measures

California Environmental Quality Act (CEQA) Guidelines §§15126.4 (a)(1)(B) state that formulation of mitigation measures should not be deferred until some future time.

X-2

Table 7-3 lists a number of mitigation measures for biological resources (i.e. APM BIO-17, APM BIO-35, MM BIO-2a, MM BIO-4a, MM BIO-4b, MM BIO-4c) that rely on future approvals or agreements with State/federal agencies, The Natomas Basin Conservancy (TNBC), and private/public land owners, as a means to bring identified significant environmental effects to below a level that is significant. Because there is no guarantee that these approvals or cooperation with all of the above entities will ultimately occur, the DFG believes that the above mitigation measures are potentially unenforceable and may not bring the impacts to biological resources to below a level that is significant.

Mitigation measures should establish performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and must commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented, and explain why the measure is feasible. The DFG recommends that the mitigation measures summarized in Table 7-3, include measures that are enforceable and do not defer mitigation details to some future time. The DEIR should identify the following items: how each measure will be carried out; who will perform the measures; when the measures will be performed; and the performance standards and mechanisms for achieving success, and an assured source of funding to acquire and manage identified mitigation lands. The DEIR should describe a range of enforceable mitigation measures that will be implemented in instances where approval and cooperation with the entities identified above either does or does not occur.

X-2
Cont.

Impacts to Swainson's Hawk

There are numerous documented occurrences of Swainson's hawk (*Buteo swainsoni*, SWHA), a threatened species protected under CESA, with the potential to be impacted by the proposed Project. Page 4.4-141 of the DEIR states that "based on conservative estimates... approximately 206 potentially suitable nesting trees would be removed during construction of the proposed Project, and an additional 1,967 potentially suitable nesting trees occur within 250 feet of the Project site, some of which may require removal or trimming/pruning in order to construct the Project. Several of these trees have recorded occurrences of nesting by Swainson's hawk". The Final EIR should provide a complete inventory of the species, size, and location of these trees identified for potential removal during Project construction, once a final design route has been decided upon through the CEQA process. Table 4.4-1 states that 1.04 acres of riparian woodland and 0.59 acres of valley oak woodland are located within the Project's footprint and may be removed. It is unclear to the DFG whether or not these woodlands identified in table 4.4-1 are part of the 2173 trees identified within 250 feet of the Project site. The Final EIR should specify the species and size of these trees identified for potential impacts.

X-3

Prior to the initiation of Project related construction activities, the entire pipeline route should be surveyed by a qualified biologist at the appropriate time of year to identify

any occupied SWHA nests within 0.5 miles that could potentially be impacted by construction activities. To avoid violation of CESA and Fish and Game Code §3503.5, a no-construction buffer zone of at least 0.25 miles should be maintained by construction personnel at all times around any occupied SWHA nest tree. These no-construction buffer zones should be clearly delineated, with construction personnel instructed to maintain all construction activities and staging areas outside of the 0.25 mile buffer until all SWHA young have fledged.



X-3
Cont.

Any suitable SWHA nest trees that cannot be avoided by the proposed Project should be appropriately mitigated for with a mix of native tree species typical of those utilized by SWHA for nest sites (valley oak, cottonwood, sycamore, black walnut, willow). Removed trees should be replaced at a minimum 3:1 ratio to offset the temporal loss of nesting habitat associated with the loss of mature trees, and the significant amount of time required for mitigation plantings to attain similar canopy size as those trees removed. These mitigation plantings should be appropriately managed and monitored for the minimum amount of time necessary to ensure a 100% survival rate among trees, typically 5 to 7 years.

CESA

A CESA permit should be obtained if the Project has the potential to result in take of species of plants or animals listed under CESA, either during construction, or over the life of the Project. Issuance of a CESA permit is subject to CEQA documentation; therefore the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA permit. A CESA permit may only be obtained if the impacts of the authorized take of the species is minimized and fully mitigated and adequate funding has been ensured to implement the mitigation measures. The DFG may only issue a CESA permit if DFG determines that issuance of the permit does not jeopardize the continued existence of the species. The DFG will make this determination based on the best scientific information available, and shall include consideration of the species capability to survive and reproduce, including the species known population trends and known threats to the species. Issuance of a CESA permit may take up to 180 days from receipt of an application from the applicant.

X-4

Impacts to Migratory Birds and Raptors

To avoid violation of Fish and Game Code §3503, §3503.5, and §3513, no trees shall be disturbed that contain active bird nests until all eggs have hatched and young birds have fledged. To avoid potential impact to tree nesting birds, tree and shrub removal would be conducted during the time period of September 15th to February 15th. Trees may be removed between February 15th and September 15th provided the County has a qualified biologist (as determined by a combination of academic training and professional experience in biological sciences and related

X-5

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resource management activities) survey the proposed work area to verify the absence of nesting birds within 15 days prior to the start of construction activities. The detailed survey would be submitted to DFG for review and comment prior to commencement of tree removal. The County is advised that the U.S. Fish and Wildlife Service (USFWS) regulates activities that may be covered under the Federal Migratory Bird Treaty Act of 1918.

↑
X-5
Cont.

Impacts to Giant Garter Snake

The proposed Project may result in potentially significant impacts to giant garter snake (*Thamnophis gigas*, GGS) within the Natomas Basin. The DEIR proposes to install temporary earthen berms throughout all affected rice fields in the Natomas Basin to separate the Project area from the surrounding habitat and avoid direct impacts to GGS. This will be accomplished either by constructing the berms during the GGS active season (May 1st to October 1st) the summer before planned construction activities, or by constructing the berms early during the GGS active season of the year construction is to begin. Pages 2-50 and 2-51 of the DEIR state that if construction within the right-of-way is to be conducted outside of the GGS work window within the Natomas Basin, the USFWS will be consulted to ensure proper mitigation measures are in place. Please be advised that the GGS is a threatened species protected under CESA as well as the Federal Endangered Species Act. If the proposed Project has the potential to result in impacts to GGS, the DFG should be consulted in addition to the USFWS to ensure that proper mitigation measures are in place to avoid violation of CESA.

X-6

APM BIO-35 of the Mitigation Monitoring Program (MMP) states that compensatory mitigation for GGS will be "calculated upon determination of a final route by the CEQA Lead Agency (California State Lands Commission) and final compensatory mitigation ratios will be determined in consultation with the appropriate resource agencies during permitting of the Project". The DFG urges the County to meet as soon as possible with the DFG and the USFWS to address minimization and appropriate mitigation measures which offset impacts to SWHA, GGS, and other species covered by the Natomas Basin's Habitat Conservation Program's (NBHCP) Incidental Take Permits, without affecting the implementation of the NBHCP or TNBC's operating conservation program.

Cumulative Effects

CEQA guidelines require a discussion of the ways in which a project could potentially foster economic or population growth or the construction of additional housing in the surrounding environment. The DEIR provides no meaningful discussion regarding the potential for the Project to contribute to economic or population growth or the construction of additional housing in the surrounding environment. The DFG recommends that the Final EIR provide the above discussion by examining the relationship between energy supply and land use planning for this Project, and

X-7
↓

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demonstrate how growth inducing impacts to fish and wildlife resources will be avoided or reduced to a level below significant.

↑ X-7
Cont.

DFG appreciates the opportunity to comment on the DEIR. We remain available to be of further assistance to the California State Lands Commission in finalizing their DEIR.

If there are any comments or questions regarding this letter please contact the following DFG Staff: CEQA, CESA, or HCP related comments/questions, Mr. Patrick Moeszinger, Environmental Scientist, at (916) 358-2850 or Mr. Jeff Drongesen, Senior Environmental Scientist, at (916) 358-2919; for Lake and Streambed Alteration Agreement related comments/questions, Ms. Kelly Barker, Environmental Scientist, at (916) 358-4353.

cc: Kent Smith
Jeff Drongesen
Patrick Moeszinger
Kelly Barker
Department of Fish and Game
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

U.S. Fish and Wildlife Service
2800 Cottage Way, Room W2605
Sacramento, CA 95825

1 RESPONSE TO COMMENT SET X

2 **X-1** The California Department of Fish and Game (CDFG) and its role as a
3 responsible and trustee agency, including its jurisdiction and authority, is considered
4 in the Draft EIR on page 1-4, line 15; page 1-9, line 2; page 4.4-49, line 31, page
5 4.4-50, lines 32 through 35; page 4.4-50, lines 1 through 11; page 4.4-53, lines 20
6 through 32; page 4.4-54, lines 1 through 2; 4.4-54, lines 30 through 35; page 4.4-
7 73, lines 1 through 3; page 4.4-79, lines 5 through 6; page 4.8-5 through page 4.8-7;
8 and page 4.8-15, lines 28 through 29.

9 The regulatory requirements of CDFG have been included in APM BIO-1 (page 4.4-
10 61); APM BIO-5 (page 4.4-62); APM BIO-12 (page 4.4-63); APM BIO-18 (page 4.4-
11 65); APM BIO-22 (page 4.4-66); APM BIO-26 (page 4.4-68); APM BIO-34 (page 4.4-
12 71); MM BIO-1a (Page 4.4-81 through 83); MM BIO-1b (pages 4.4-83 through 84);
13 MM BIO-1c (pages 4.4-84 through 85); MM BIO-2a (pages 4.4-89 through 91); MM
14 BIO-4a (pages 4.4-101 through 104); MM BIO-4d (pages 4.4-105 through 107); and
15 MM HWQ-1 (pages 4.8-17 through 4.8-19)

16 **X-2** The Third District Court of Appeal recently issued its decision in California
17 Native Plant Society v. City of Rancho Cordova, Case No. C057018. The Court
18 determined that when an agency has evaluated the potentially significant impacts of
19 a project and has identified measures that will mitigate those impacts, the agency
20 does not have to commit to any particular mitigation measure in the EIR, as long as
21 it commits to mitigating the significant impacts of the project. In addition, the details
22 of exactly how mitigation will be achieved under the identified measures can be
23 deferred pending completion of a future study.

24 The Draft EIR includes 35 APMs (APM BIO-1 through BIO-35) and four MMs (MM
25 BIO-1 through BIO-4) in order to reduce impacts to biological resources to less than
26 significant levels. In response to several comment letters, including Comment Set S
27 and the CDFG letter (Comment Set X), portions of the MMs have been revised to
28 include more specificity and additional performance standards. The CSLC feels that
29 the mitigation measures which include minimum replacement ratios, timing of
30 implementation, performance standards, range of options to achieve the
31 performance standards, and success criteria that are included in the revised
32 mitigation measures for Biological Resources (see Section 4.0 of this Revised Final
33 EIR) are adequate for CEQA purposes and bring the potential impacts to biological
34 resources to a less than significant level.

1 The applicant, PG&E, has identified a series of mitigation measures that have been
2 incorporated into the Mitigation Monitoring Program (MMP) included in ~~Appendix F~~
3 ~~of the~~ this Revised Final EIR. The 35 APMs, coupled with the four comprehensive
4 mitigation measures identified in the Draft EIR, address the items identified in this
5 comment. The APMs and MMs were written so that it is clear that PG&E will be
6 responsible for the success of each mitigation measure, with oversight by
7 responsible agencies. APM BIO-35, Compensatory Mitigation, states that PG&E will
8 consult with the resource agencies on species specific and habitat specific
9 compensation.

10 **X-3** Up to 206 potentially suitable nesting trees are located within the areas
11 proposed for the Project, including the six aboveground facilities, the 100-foot
12 pipeline right-of-way, and the temporary staging areas. An additional 1,967
13 potentially suitable nesting trees occur within 250 feet of the Project site (refer to
14 page 4.4-18 of the Draft EIR). These estimates of potentially affected trees include
15 trees within riparian woodland and valley oak woodland habitat. The Draft EIR
16 provides a conservative estimate of the number of trees that could be removed;
17 during construction, PG&E would avoid trees within the 50-foot temporary easement
18 to the maximum extent possible. MM BIO-2a, Tree Avoidance and Replacement,
19 from page 4.4-89 of the Draft EIR (as amended in Section 4.0 of this Revised Final
20 EIR), states that the first step for avoiding, minimizing, and compensating for
21 impacts to trees “shall be to determine the size and location of all trees located
22 within and adjacent to the Project right-of-way, work areas, staging areas, and
23 launcher/receiver stations.” The CSLC has revised this MM to include recording the
24 tree species, along with the size and location of all trees. Performance standards for
25 this mitigation measure, which are described on pages 4.4-90 and 4.4-91 of the
26 Draft EIR, have been revised to include additional details regarding replacement
27 ratios, species, monitoring, and survivorship. Refer to Section 4.0 of this Revised
28 Final EIR for revisions to the Draft EIR.

29 MM BIO-4a, Swainson’s hawk, on page 4.4-104 of the Draft EIR, has been revised
30 to reflect suggested language regarding no-construction buffer zones around
31 occupied nests. Refer to Section 4.0 of this Revised Final EIR for revisions to the
32 Draft EIR.

33 **X-4** Comment acknowledged. PG&E has been working with CDFG regarding
34 CESA compliance and has submitted an application for a 2081 Permit. PG&E will
35 continue to work with CDFG to resolve the Department’s concerns regarding special
36 status species.

1 **X-5** The construction windows listed on page 4.4-104, lines 5 through 22, and page
2 4.4-106, lines 4 through 18 and lines 23 through 33, of the Draft EIR have been
3 revised to be consistent with CDFG's comment regarding "Impacts to Migratory
4 Birds and Raptors." Accordingly, MM BIO-4a and MM BIO-4d have been revised to
5 be consistent with the guidance provided in the CDFG letter. Refer to Section 4.0 of
6 this Revised Final EIR for revisions to the Draft EIR.

7 **X-6** Table 4.4-3 on page 4.4-30 of the Draft EIR shows the federal and state
8 listing status of the giant garter snake. APMs BIO-25 through BIO-28 and APM BIO-
9 35 specifically address mitigating impacts to giant garter snake, and APM BIO-35
10 states that PG&E will consult with the USFWS, USACE, and/or CDFG regarding
11 impacts to this and other special-status species. The text on page 2-50 of the Draft
12 EIR has been modified to include CDFG. Refer to Section 4.0 of this Revised Final
13 EIR for revisions to the Draft EIR.

14 **X-7** PG&E's planned increases in natural gas in Lines 406 and 407 and the
15 DFM would accommodate demand for existing and currently planned residential and
16 small commercial entity gas consumption. The Draft EIR discusses the potential for
17 the proposed Project to induce growth in several sections. Section 6.4, on pages 6-
18 2 through 6-6 of the Draft EIR, discusses the potential for growth-inducing impacts
19 because of the proposed Project. The discussion includes economic or population
20 growth and provides an estimate of the amount of average daily gas throughput
21 needed through the year 2020. Based on PG&E's 10-year investment plan, the
22 changes in average daily throughput do not provide excess supply of gas that could
23 be considered growth inducing. The proposed Project would not foster growth or
24 remove obstacles to population or economic growth.

25 The Draft EIR includes discussions regarding population and housing on pages
26 4.12-19, 4.12-20, and 4.12-33 through 4.12-35. The purpose of the proposed
27 Project is to support existing and approved future planned population growth in the
28 Project vicinity and the Project would not directly or indirectly increase permanent
29 population in the Project area.

30 The Draft EIR includes discussions regarding energy resources in Section 4.14. The
31 proposed Project would facilitate more efficient movement of natural gas to support
32 the existing and approved future planned population growth within Yolo, Sutter,
33 Sacramento, and Placer counties. While the Project would facilitate the delivery of
34 non-renewable resources, these resources would be exploited and expended now
35 and in the near future regardless of the proposed Project, since the need for natural

1 gas in the planned growth areas has been, or will be, approved by permitting
2 agencies.

3 The Draft EIR includes discussions regarding cumulative effects of the proposed
4 Project on fish and wildlife resources in Section 4.4.6 of the Biological Resources
5 section. All Project impacts would be mitigated to a less than significant level. The
6 proposed Project would not contribute to a cumulative significant impact on fish and
7 wildlife resources.

8

9



American Farm Bureau Federation/California Farm Bureau Federation

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Tim Miramontes

1ST VICE-PRESIDENT
Chuck Dudley

2ND VICE-PRESIDENT

SECRETARY/TREASURER
Denise Sagara

June 2, 2009

Comment Set Y
Page 1 of 1

Crystal Spurr, Staff Environmental Scientist
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento CA 95825
FAX: 916.574.2274

RE: CSLC EIR No.: 740
Project: PG&E Line 406 and Line 407 Natural Gas Pipeline

Dear Ms. Spurr;

Yolo County Farm Bureau welcomes the opportunity to comment on the recently released EIR for the above project. After reviewing the document it appears that comments from our July 18, 2007 letter were considered and we thank you.

We would like to make the following comments:

- 1) We appreciate that PG&E has decided to bury the pipeline under 5 feet of dirt. This provides safety for agricultural operations above the pipeline. | Y-1
- 2) We appreciate that PG&E has met with the Reclamation Districts and is working to accommodate their needs. | Y-2

The following comments will apply to PG&E's preferred Alternate C. These parcels are located at the beginning of the pipeline at Capay going east to I-505. Most of these parcels will be bisected by the pipeline.

- 3) Laying the pipeline through a field creates problems:
 - a. The placement of a pipeline within the field has the potential to disturb the soil due to compaction with the worst-case scenario of killing the soil in that area. If that happens then there will be a dead strip somewhere in the field. The landowner now has two smaller fields rather than one.
 - b. If the owner is the farmer, he/she will deal with the smaller field sizes
 - c. If the owner leases the parcel to a tenant farmer the parcel is now a less desirable parcel as small parcels are harder, more costly and less efficient to farm
 - d. cutting the field in two could create a need for two separate irrigation ditches, taking further land out of production
- 4) Irrigation problems – It appears most of these parcels drain in a north-south direction while the pipeline would bisect the fields in an east-west direction.
- 5) Compaction problems – mentioned above. Construction needs to be done during the correct conditions, not by calendar date. If the soil is compacted it can, in a worst case scenario, kill the soil.
- 6) Tree and vine crops – the EIR acknowledges the pipeline will prohibit the planting of tree and vine crops in a 50 ft area of the underground pipeline. The problem will be to agree on the correct amount of compensation for the landowner. | Y-3
| Y-4

Thank you for considering and addressing our concerns.

Sincerely,

Tim Miramontes
President

1 RESPONSE TO COMMENT SET Y

2 **Y-1** Comment acknowledged. As noted on page 2-16, lines 20 through 24 of
3 the Draft EIR, PG&E has increased the cover beyond minimum requirements to 5
4 feet because PG&E's experience has demonstrated that it is sufficient to eliminate
5 most threats from agricultural operations and reduce impacts on farming operations.

6 **Y-2** Comment acknowledged. Reclamation Districts 730, 1000, 1600, and
7 2035 are included under Section 1.0, Introduction, subsection 1.4, Permits,
8 Approvals, and Regulatory Requirements on page 1-9.

9 **Y-3** Pages 2-53 and 2-64 of Section 2.0, Project Description, and page 4.2-23
10 of Section 4.2, Agricultural Resources of the Draft EIR discuss topsoil removal and
11 replacement.

12 PG&E would remove, stockpile, and replace topsoil during construction activities in
13 accordance with landowner negotiations. The trench would be backfilled using
14 select excavated subsoils that meet PG&E's backfilling requirements, and topsoil
15 would then be replaced and restored to its original condition using either tracked
16 construction equipment or water to minimize future settling. Soil that is not suitable
17 for backfill or spread as topsoil would be removed from the ROW. It is estimated
18 that approximately 1,200 cubic yards of spoil materials would need to be removed
19 from the pipeline route. All excess soil would be disposed of appropriately with
20 landowner and agency approval. A moderate level of compaction, 85 percent of
21 maximum density using the American Society for Testing and Materials (ASTM) D-
22 1557 test procedure, would be used to reduce the risk of uplift. Areas that would be
23 under paved surfaces would be compacted to 95 percent or greater as specified by
24 permitting entities. Compacting would be conducted to 85 percent in agricultural
25 areas up to 18 inches from the surface. The entire pipeline ROW would be
26 decompacted/restored per landowner negotiations.

27 As discussed in Impact HWQ-2, the Project has the potential to interrupt or degrade
28 groundwater used for private or municipal purposes. Accordingly, MM HWQ-2 (as
29 amended in this Revised Final EIR) would require testing of wells identified as
30 potentially at risk and consultation with landowners, should wells be affected (please
31 refer to page 4.8-21 through 4.8-22 of the Draft EIR). Implementation of MM HWQ-2
32 would ensure that Project construction activities would avoid potential conflicts with
33 private water wells, irrigation wells, and water pipelines. Refer to Section 4.0 of this
34 Revised Final EIR for revisions to the Draft EIR.

1 In addition, PG&E has committed to working with landowners and their tenant
2 farmers to avoid or minimize impacts to agricultural crops and disruption to crop
3 irrigation systems during the proposed pipeline construction, including temporary or
4 permanent re-configuration of crop irrigation systems to maintain irrigation to crops
5 adjacent to the pipeline construction right-of-way. PG&E and their pipeline
6 construction contractors will take reasonable measures to avoid damage to crop
7 irrigation systems and will immediately repair all damage that does occur to crop
8 irrigation systems during the proposed pipeline construction. MM HWQ-2 has been
9 revised to also reflect these commitments. Refer to Section 4.0 of this Revised Final
10 EIR for revisions to the Draft EIR.

11 **Y-4** The statement and concerns regarding economic impact to farmland is
12 included in the public record and will be taken into account by decision-makers when
13 they consider certification of the EIR and consider whether to approve the proposed
14 Project.

15 The proposed 40-mile pipeline Project would temporarily disturb 511 acres of
16 farmland within four counties (329 acres in Yolo County, 91 acres in Sutter County,
17 18 acres in Sacramento County, and 73 acres in Placer County). The proposed
18 Project would prohibit the planting of deep-rooted plants, such as trees or vines
19 within 10 feet on either side of the pipeline centerline (20 feet total within the
20 permanent easement). This would result in the limitation of crops grown on
21 approximately 102 acres of farmland within the four counties to row crops, field
22 crops, or any other crops that do not involve deep-rooted plants. The proposed
23 Project would result in the loss of 2.0 acres of orchards located within Yolo County.
24 The proposed Project would permanently impact 2.55 acres of farmland across all
25 four counties. Temporary and permanent agricultural impacts are discussed on
26 pages 4.2-23 through 4.2-25 of the Draft EIR.

27 Both temporary and permanent economic losses of normal farm operations are
28 required to be compensated as stated in the California Code of Civil Procedure.
29 PG&E is required to provide financial compensation for temporary and permanent
30 loss of agricultural uses through the California Code of Civil Procedure, as follows:

- 31 • Section 1245.030(b) requires compensation for property damage, including
32 crop damage, resulting from pre-construction project studies, testing,
33 surveying, etc.

- 1 • Section 1263.210(a) requires all property improvements, including agricultural
2 crops and associated facilities and infrastructure, in project land rights
3 acquisition compensation.
- 4 • Section 1263.250(a) requires compensation for crop damage/losses resulting
5 from project construction. It also requires scheduling project construction to
6 avoid impacts to agricultural crops when possible.

7 According to CEQA Guidelines Section 15358(b), effects analyzed under the CEQA
8 must be related to a physical change in the environment. The introduction of the
9 Draft EIR, Section 1.0, provides a definition of the affected environment as it
10 currently exists (baseline conditions), and each major resource section of the Draft
11 EIR provides an environmental setting, including agricultural resources. Attempting
12 to determine that future uses of farmland currently planted in field or row crops
13 would be converted to orchard or vineyard is too speculative for evaluation.

14 CEQA Guidelines Section 15125 (a) provides that an EIR must include a description
15 of the physical environmental conditions in the vicinity of the project as they exist at
16 the time of the Notice of Preparation of the EIR, or at the time environmental
17 analysis is commenced. We analyzed the agricultural resources based on current
18 uses being able to continue once the pipeline was installed and the topsoil restored.
19 Most of the agricultural land along the proposed Project alignment is currently used
20 for row or field crops. Refer to pages 4.2-23 through 4.2-25 of the Draft EIR for a
21 discussion of temporary and permanent impacts to agricultural land. The temporary
22 impacts to the 511 acres of farmland would not result in a physical change to the
23 environment for more than three weeks in any one area, or in the case of HDD, for
24 more than four weeks. In addition, the amount of farmland permanently impacted
25 (2.55 acres) across all four counties, and the amount of farmland converted from
26 deep-rooted plants to other types of crops (2.0 acres of orchard loss) located within
27 Yolo County does not represent a significant regional loss.

28

29

1 PUBLIC HEARING DRAFT EIR COMMENTS - JUNE 3 AND 4, 2009

2 The complete transcripts of the Public Hearing Comments are in Appendix J of this
3 Revised Final EIR B.

4 **PT-1** ~~Please refer to response to comment C-5.~~ While portions of Option A and
5 Option B follow CR-16, it is the portion of the Line 406 Central Alternative that would
6 cross hillsides between Highway 505 and I-5 for which sloughing was a primary
7 concern. The Line 406 Central Alternative was considered but eliminated from full
8 evaluation in the Draft EIR (refer to pages 3-10 and 3-11 of the Draft EIR) because
9 this proposed pipeline alignment alternative would be longer than the preferred
10 alternative (resulting in greater impacts) and would require crossing a greater
11 amount of potential foraging habitat for Swainson's hawk, nesting habitat for
12 burrowing owls, and other habitats utilized by special-status species. This
13 alternative would also require construction along sidehills, which would present
14 additional engineering, construction, and maintenance considerations.

15 **PT-2** ~~Please refer to responses to comments B-6 and C-4.~~ In addition to all
16 other applicable federal and State codes, regulations, and industry standards for
17 pipeline design, the CSLC requires that the pipeline design also meet the
18 requirements of current seismological engineering standards such as the
19 "Guidelines for the Design of Buried Steel Pipe" by American Lifeline Alliance and
20 "The Guidelines for the Seismic Design and Assessment of Natural Gas and Liquid
21 Hydrocarbon Pipelines" by the Pipeline Research Council International, Inc. The
22 CSLC also requires that all engineered structures, including pipeline alignment
23 drawings, profile drawings, buildings, structures, and other appurtenances and
24 associated facilities, be designed, signed, and stamped by California Registered
25 professionals certified to perform such activities in their jurisdiction.

26 The faults within the Project area are discussed in the Draft EIR, Section 4.6,
27 Geology and Soils (reference pages 4.6-19 through 4.6-31).

28 In Volume 1, page 12 of the Geotechnical Investigation Report prepared for the
29 proposed Project notes that "evidence suggests that, although the Dunnigan Hills
30 fault shows compelling evidence of surface rupture a few miles north of the
31 proposed alignment, the fault becomes buried in the area where the proposed
32 alignment crosses it." The Draft EIR provides an impact and mitigation measure
33 regarding earthquake faults and seismic risks to the pipeline. A portion of Impact
34 GEO-1 on page 4.6-39 of the Draft EIR has been revised. Mitigation Measure (MM)

1 GEO-1 on page 4.6-39 and 4.6-40 of the Draft EIR has also been revised. Refer to
2 Section 4.0 of this Revised Final EIR for revisions to the Draft EIR.

3 **PT-3** Please refer to response to comment PT-2 G-4.

4 **PT-4** The Draft EIR accurately describes the methods required by the DOT for
5 determining a High Consequence Area (HCA) (see Draft EIR Section 4.7, pages 4.7-
6 14 and 4.7-15). The DOT 49 CFR 192.905 specifies two methods for determining
7 HCAs. Method (2) was utilized for the Draft EIR, and is described as follows:

8 (2) The area within a potential impact circle containing 20 or more
9 buildings intended for human occupancy, unless the exception in
10 paragraph (4) applies; or

11 An identified site.

12 In order to determine if a HCA exists under Method 2, the operator must calculate
13 the impact radius and associated impact circle, which are defined in DOT section
14 192.903. For Line 406/407 the impact radius was calculated to be 646 feet.

15 The second qualifier is the number of people that congregate within the impact
16 radius and the frequency that they are in the area. The qualifying amount of people
17 is 20 or more persons and the qualifying frequency is at least 50 days in a 12 month
18 period (the days need not be consecutive). An “identified site” is defined in DOT
19 section 192.903.

20 Durst Family Farms currently has 40 full-time employees and up to 300 people that
21 work at the facility for periods of 12 to 16 weeks during the harvest. Durst has a
22 processing and packaging facility, which its employees occupy for processing and
23 packaging the produce. Durst also has a building that is open to the public for
24 purchasing their products. The 646-foot impact radius around Alternative Options A
25 and B along CR-16 would encompass all the buildings located at Durst Organic
26 Farms. PG&E therefore determined that Durst Organic Farms constitutes an
27 “identified site” and would trigger an HCA along Alternative Options A and B in the
28 vicinity of CR-16. Klein Family Farms has a similar number of workers as Durst;
29 however, they do not have a designated occupied area within the Line 406/407
30 impact radius.

31

1 Durst Family Farms currently has 40 full-time employees and up to 300 people that
2 work at the facility for periods of 12 to 16 weeks during the harvest. Durst has a
3 processing and packaging facility, which its employees occupy for processing and
4 packaging the produce. Durst also has a building that is open to the public for
5 purchasing their products. The 646-foot impact radius around Alternative Options A
6 and B along CR-16 would encompass all the buildings located at Durst Organic
7 Farms. PG&E therefore determined that Durst Organic Farms constitutes an
8 “identified site” and would trigger an HCA along Alternative Options A and B in the
9 vicinity of CR-16.

10 Chung's Organic Farms and Capay Fruits & Vegetables are smaller farms along CR-
11 17 that may have seasonal workers (we were not provided any information as to
12 their number of workers by the commenter), but do not have processing and
13 packaging facilities that would be considered structures for employee and/or public
14 congregation that are located within the impact radius of the proposed pipeline.
15 Therefore, Chung's Organic Farms and Capay Fruits & Vegetables would not trigger
16 an HCA for the proposed project.

17 **PT-5** Please refer to response to comment B-1.

18 **PT-6** In the unlikely event that damage should occur to vegetation or agricultural
19 crops within the PG&E easement area during PG&E's operation of the pipeline, and
20 that damage is determined to have been caused by that pipeline, PG&E has
21 indicated they will work with the landowner and/or tenant farmer to make the
22 necessary pipeline repairs and to provide fair and reasonable compensation to the
23 landowner and/or tenant farmer for the resulting vegetation or agricultural crop and
24 irrigation system damage, as well as crop field/property restoration costs. Many of
25 these terms and conditions are a part of PG&E's pipeline easement with the
26 landowner.

27 **PT-7** Please refer to response to comment B-1.

28 **PT-8** Habitat avoidance and minimization of impacts to sensitive plants and
29 wildlife species are key components of any project in the State. This is because
30 CEQA, as well as the various regulatory agencies, have specific requirements to
31 avoid or minimize impacts to sensitive species.

32 **PT-9** The Draft EIR on page 2-37 of Section 2.0, Project Description, states,
33 “The [permanent] easements would be purchased from the existing landowners, who

1 would also be compensated for PG&E’s use of temporary use areas during
 2 construction.”

3 The Draft EIR on page 2-38 of Section 2.0, Project Description, states, “Routine
 4 maintenance along the majority of the line would consist of quarterly to annual
 5 patrolling (e.g., foot or aerial patrol), cathodic protection, and surveys. PG&E would
 6 maintain a 50-foot-wide permanent easement along the length of the Project, with
 7 the exception of the Powerline Road DFM, which would have a 35-foot-wide
 8 permanent easement. Vegetation maintenance would be as needed to maintain a
 9 30-foot-wide corridor centered on the pipe that is free of deep-rooted plants.
 10 Because the majority of the route is grassland, row crops, or rice fields, very few
 11 areas are expected to require vegetation maintenance by PG&E.” (Please note that
 12 in response to comment S-15, the 30-foot-wide corridor has been decreased to a 20-
 13 foot-wide corridor. Please refer to Section 4.0 of this Revised Final EIR for changes
 14 to the Draft EIR.)

15 The Draft EIR on page 2-83 of Section 2.0, Project Description, states, “The pipeline
 16 would be operated and maintained in accordance with all applicable requirements
 17 included in the DOT regulations in 49 CFR 192, ‘Transportation of Natural and Other
 18 Gas by Pipeline: Minimum Federal Safety Standards.”

19 Typical testing and inspection procedures that would be conducted by PG&E in
 20 compliance with Federal regulations include:

Inspection/Testing	Frequency
Cathodic protection (Pipe to Soil Potential)	Annually
Cathodic protection (Rectifier Readings)	Six times per year
Valve testing	Annually
Pipeline patrols	Annually
Class 1 & 2	Annually
Class 3	Twice per year
Leak Surveys	Annually
High Consequence Area (HCA) Risk assessment	Every seven years
Source: PG&E 2008.	

21

22 In the unlikely event that it should become necessary for PG&E to repair the
 23 proposed pipeline during its operation, PG&E will perform its repair work to avoid
 24 impacts to agricultural crops within the PG&E pipeline easement. However, if it is

1 not possible to avoid impacts to agricultural crops, PG&E will work with the
2 landowner and/or tenant farmer to minimize disruption to agricultural crops and
3 irrigation systems. Upon completion of the pipeline repair work, PG&E will provide
4 fair and reasonable compensation to the landowner and/or tenant farmer for
5 agricultural crop and irrigation system damage, as well as crop field restoration
6 costs. Many of these terms and conditions are a part of the PG&E pipeline
7 easement with the landowner. Other routine maintenance as indicated under
8 Testing/Inspection Frequency should be non-invasive and could be coordinated with
9 the landowner and/or tenant farmer as to not impact their operations.

10 Please refer to response to comment B-6 for additional discussion regarding pipeline
11 access.

12 Also, as indicated in PG&E's comments on the Draft EIR (please refer to Comment
13 Set S), deep-rooted trees and vines will be restricted within 10 feet of pipeline
14 centerline, rather than within 15 feet as stated in the Draft EIR. As discussed in
15 response to comment S-15, the text in the Draft EIR has been revised to reflect a
16 20-foot wide corridor would be required that is free of deep-rooted plants, not 30
17 feet. Please refer to Section 4.0 of this Revised Final EIR for changes to the Draft
18 EIR.

19 **PT-10** PG&E has indicated that they work to establish good working relationships
20 with property owners along the route of its Project. PG&E strives to ensure that
21 project objectives are met while property owners have their needs addressed and
22 their losses are fully and properly compensated. PG&E has a policy of only utilizing
23 the power of eminent domain when it is necessary to do so. A great deal of effort is
24 made to work with property owners to resolve matters without the need for
25 condemnation. Occasionally, even after extensive negotiations, issues remain that
26 cannot be resolved through mutual agreement and PG&E notifies the property
27 owner of the need to initiate eminent domain proceedings in Superior Court.
28 However, the initiation of eminent domain proceedings in no way terminates PG&E's
29 ongoing efforts to secure a negotiated settlement with the property owner. Public
30 utilities have the right to acquire Prejudgment Orders of Possession, which enables
31 PG&E to gain entry to construct facilities under circumstances when there is
32 insufficient time to proceed with the condemnation process.

33 **PT-11** One of the Project objectives is to install Project facilities in a safe,
34 efficient, environmentally sensitive, and cost-effective manner. An attempt has been
35 made to locate the pipeline along edges of agricultural fields. In some areas, the

1 pipeline has been located through agricultural fields in order to avoid placing the
2 pipeline close to houses along the roadways. As a part of the proposed Project,
3 PG&E has increased the soil cover beyond minimum requirements from 3 feet to 5
4 feet because its past experience has demonstrated that this depth is sufficient to
5 eliminate most threats from agricultural operations, such as discing or deep-ripping.
6 The EPA defines deep-ripping as the mechanical manipulation of the soil to break up
7 or pierce highly compacted, impermeable or slowly permeable subsurface soil layers
8 occurring at depths greater than 16 inches (please refer to the Draft EIR, page 4.2-
9 24).

10 The temporary impacts to the farmland would not result in a physical change to the
11 environment for more than three weeks in any one area. The property referred to in
12 this letter is currently planted in a row or field crop that will be able to continue to be
13 cultivated within the permanent easement once the pipeline is installed. This
14 agricultural land would not be converted to non-agricultural uses. While 20 feet of
15 the farmland within the permanent easement would be restricted to growing only
16 crops that do not include deep-rooted plants, attempting to determine that future
17 uses of the farmland currently planted in field or row crops would be converted to
18 orchard or vineyard is too speculative.

19 Also, see responses to comments B-1, B-4, and PT-9.

20 **PT-12** As noted in several locations within the Draft EIR, restrictions on the
21 planting of deep-rooted plants, such as orchards or vineyards, would only affect a
22 twenty-foot strip within agricultural fields (10 feet on either side of the pipeline
23 centerline). Orchards or vineyards could be planted on either side of pipeline
24 outside of this area. Relocating the pipeline based on landowners contemplating
25 planting deep-rooted plants in the future is speculative, as is indicating that that the
26 planting restrictions would make orchards or vines economically non-viable. Also,
27 see response to comment B-1.

28 **PT-13** As discussed in Impact HWQ-2, the Project has the potential to interrupt
29 or degrade groundwater used for private or municipal purposes. Accordingly, MM
30 HWQ-2 (as amended in this Revised Final EIR) would required testing of wells
31 identified as potentially at risk and consultation with landowners, should wells be
32 affected (please refer to page 4.8-21 through 4.8-22 of the Draft EIR).
33 Implementation of MM HWQ-2 would ensure that Project construction activities
34 would avoid potential conflicts with private water wells, irrigation wells, and water

1 pipelines. Refer to Section 4.0 of this Revised Final EIR for revisions to the Draft
2 EIR.

3 In addition, PG&E has committed to working with landowners and their tenant
4 farmers to avoid or minimize impacts to agricultural crops and disruption to crop
5 irrigation systems during the proposed pipeline construction, including temporary or
6 permanent re-configuration of crop irrigation systems to maintain irrigation to crops
7 adjacent to the pipeline construction right-of-way. PG&E and their pipeline
8 construction contractors will take reasonable measures to avoid damage to crop
9 irrigation systems and will immediately repair all damage that does occur to crop
10 irrigation systems during the proposed pipeline construction. MM HWQ-2 has been
11 revised to also reflect these commitments. Refer to Section 4.0 of this Revised Final
12 EIR for revisions to the Draft EIR.

13 **PT-14** Please refer to response to comment F-4.

14 **PT-15** Impacts to vegetation and birds are considered in Section 4.4, Biological
15 Resources of the Draft EIR. Impacts to vegetation would be reduced through
16 implementation of MM BIO-2a (page 4.4-89), and MM BIO-2b (page 4.4-92).
17 Impacts to special-status wildlife, including Swainson's hawk, and protected special-
18 status bird species, including the tri-colored blackbird and nesting raptors would be
19 reduced through the implementation of MM BIO-4c (page 4.4-101) and MM BIO-4d
20 (page 4.4-104), respectively. For further discussion, please refer to responses to
21 comments F-6, H-3, X-3, and X-5).

22 **PT-16** Please refer to response to comment E-3.

23 **PT-17** PG&E considered aligning the pipeline along county and farm roads
24 exclusively, but determined that impacts to agriculture would likely increase. In
25 addition, aligning the pipeline with roads increases the overall length of the pipeline
26 and places it in closer proximity to occupied dwellings. If the proposed pipeline were
27 to follow a path along existing roadways rather than cross through agricultural fields,
28 the pipeline would still be located within the agricultural fields along those roadways.
29 There are jurisdictional requirements regarding the distance from roadways that the
30 pipeline must be located. Paralleling roadways could result in an increase in the
31 amount of land needed for the pipeline, and in some cases bring the pipeline closer
32 to residences. As an example, Options D and E would increase the pipeline length
33 by 860 and 3,480 feet, respectively, within those agricultural fields paralleling the
34 roadways.

1 Even at the side of a road, the pipeline is located in the center of the required 50 foot
2 right-of-way, resulting in a pipeline alignment in the crops rather than in the road.
3 The temporary construction easement (TCE) is entirely in cropland in both
4 scenarios. As described in responses to comments PT-7 and B-5 most farming
5 practices would be allowed to resume within the permanent easement following
6 pipeline completion. Furthermore, response to comment B-4 explains that
7 segmenting property with a utility easement does not preclude the use of the
8 easement for farming.

9 Please refer to response to comment F-9 for a discussion of the alternative options
10 that avoid bisecting the agricultural land in the Hungry Hollow area.

11 **PT-18** The commenter has indicated a preference for Option A. Option A would
12 increase the overall pipeline length by approximately 2,200 feet through the edges of
13 mostly agricultural fields, increasing the impacts to agricultural lands including
14 existing vineyards and orchards. Also, by placing the pipeline in close proximity to
15 Durst Organic Farmers, a new “high consequence area” or “HCA” would potentially
16 be created along the pipeline as defined by DOT 192.903, based upon the number
17 of employees and the number of days they would congregate near the pipeline.

18 The CSLC will make two decisions regarding the PG&E Line 406-407 Natural Gas
19 Pipeline Project at one of the CSLC’s public meetings. The first decision will be
20 whether to certify the EIR that was prepared for the proposed PG&E Line 406-407
21 Natural Gas Pipeline project. The second decision to be made by the CSLC will be
22 whether to approve the environmentally superior alternative proposed project, which
23 is construction of the PG&E Line 406-407 Natural Gas Pipeline, inclusive of all
24 project components and Options I and L. The CSLC could also choose at that time
25 to approve any of the other options and any alternatives that were analyzed in the
26 EIR. A notice of the date, time, and location of the public meeting where the Project
27 will be considered by the Commissioners will be mailed to everyone on the CLSC
28 mailing list and to everyone who has commented on the Draft EIR, at a minimum of
29 10 to 15 days prior to the date of the meeting.

30 **PT-19** Please refer to response to comment PT-4 regarding Durst Organic
31 Farms.

32 Section 3.0 of the Draft EIR evaluated a number of alternatives or options along the
33 proposed pipeline alignment to reduce or avoid one or more impacts of the proposed
34 Project. This comment expresses a preference for Option F (1st choice), Option B

1 (2nd choice), Option E (3rd choice), and Option D (4th choice). These four options
2 follow county roads for more of the length of the alignment and disturb less cropland.

3 Figure 3-2E in the Draft EIR shows Option F. From Lines 400 and 401 Option F
4 would follow the proposed alignment for Line 406 to the eastern end of the Dunnigan
5 Hills, where it would turn north off CR-17 approximately 5,000 feet west of CR-95A.
6 This alternative would not alter the length of the segment, but would turn north to
7 align with the I-5 crossing further east than the proposed alignment. This option
8 would meet all of the basic Project objectives and would avoid more difficult
9 trenching through hilly terrain.

10 Figure 3-2B in the Draft EIR shows Option B. From Lines 400 and 401, Option B
11 would extend 1.5 miles east along farm roads, crossing CR-86 and aligning with CR-
12 16. The route would continue along the south side of CR-16 for approximately 3
13 miles to CR-86, and then turn south along farm roads to a point intercepting the
14 proposed I-505 crossing. This option would increase the overall pipeline length by
15 approximately 2,640 feet but would meet all of the basic Project objectives, would
16 reduce segmenting local agricultural fields in Yolo County and shift potential
17 construction noise, air emissions, and traffic impacts to a more sparsely populated
18 area further to the north.

19 Figure 3-2D in the Draft EIR shows Option E. Option E would involve a minor
20 realignment of the proposed Line 406 route to position the route to follow CR-19,
21 east of CR-87. At CR-19A, it would extend back to the north via an existing dirt road
22 and underneath a large electrical transmission corridor. This route alternative would
23 then cross an irrigation lateral and continue north where it would converge back with
24 the proposed Line 406 route, just west of I-505. This alternative would then follow
25 the same route as the proposed Project east of I-505. This option would increase
26 slightly the total length of the pipeline. This option would meet all of the basic
27 Project objectives and would reduce segmenting agricultural fields in the Hungry
28 Hollow area. However, this alternative would require locating the Project closer to
29 several residences situated along CR-19.

30 Figure 3-2D in the Draft EIR shows Option D. Option D would involve a minor
31 variation to the proposed Line 406 in the vicinity of the Hungry Hollow area in north-
32 central Yolo County, but it would maintain Line 406 within CR-17 east of CR-87, and
33 then extend south after crossing an unnamed irrigation lateral where it would realign
34 with the proposed Line 406 route, just west of the I-505 HDD crossing. East of I-
35 505, this alternative would follow the same alignment as the proposed Project. This

1 option would increase slightly the total length of the pipeline but would meet all of the
2 basic Project objectives and would reduce segmenting agricultural fields in the
3 Hungry Hollow area. However, this alternative would require locating the Project
4 closer to several residences situated along CR-17.

5 As shown in Draft EIR Table ES-2 in the Executive Summary, Options B, D, and E
6 would have greater impacts to biological resources and cultural resources due to
7 greater proximity to these resources. Options D and E would have greater impacts
8 with regard to risk of upset or accident, and noise and traffic congestion during
9 construction due to proximity to a larger number of residences. Option F would have
10 impacts similar to the proposed Project.

11 **PT-20** One of the Project objectives is to install Project facilities in a safe,
12 efficient, environmentally sensitive, and cost-effective manner. An attempt has been
13 made to locate the pipeline along edges of agricultural fields. In some areas, the
14 pipeline has been located through agricultural fields in order to avoid placing the
15 pipeline close to houses along the roadways. As a part of the proposed Project,
16 PG&E has increased the soil cover beyond minimum requirements from 3 feet to 5
17 feet because its past experience has demonstrated that this depth is sufficient to
18 eliminate most threats from agricultural operations, such as discing or deep-ripping.
19 The EPA defines deep-ripping as the mechanical manipulation of the soil to break up
20 or pierce highly compacted, impermeable or slowly permeable subsurface soil layers
21 occurring at depths greater than 16 inches (please refer to the Draft EIR, page 4.2-
22 24).

23 The temporary impacts to the farmland would not result in a physical change to the
24 environment for more than three weeks in any one area. According to CEQA
25 Guidelines Section 15358(b), effects analyzed under the CEQA must be related to a
26 physical change in the environment. The introduction of the Draft EIR, Section 1.0,
27 provides a definition of the affected environment as it currently exists (baseline
28 conditions), and each major resource section of the Draft EIR provides an
29 environmental setting, including agricultural resources. The property referred to in
30 this letter is currently planted in a row or field crop that will be able to continue to be
31 cultivated within the permanent easement once the pipeline is installed. This
32 agricultural land would not be converted to non-agricultural uses. While 20 feet of
33 the farmland within the permanent easement would be restricted to growing only
34 crops that do not include deep-rooted plants, attempting to determine if future uses
35 of the farmland currently planted in field or row crops would be converted to orchard
36 or vineyard is too speculative.

1 **PT-21** See responses to comments PT-9, PT-11, and PT-12. Impacts to
2 aesthetics resulting from the proposed Project are discussed in Section 4.1,
3 Aesthetic/Visual Resources, of the Draft EIR.

4 **PT-22** Please refer to responses to comments K-2 and R-1 through R-7.

5 **PT-23** Please refer to responses to Comment Sets K (City of Roseville), R
6 (Sierra Vista Owner Group), and T (Placer County Community Development).

7 **PT-24** Please refer to responses to Comment Sets K (City of Roseville), R
8 (Sierra Vista Owner Group), and T (Placer County Community Development).
9 ~~Responses to comments K-3 and K-4 specifically addresses proposed station~~
10 ~~locations and existing underground valves. PG&E has indicated that these~~
11 ~~underground valves are existing equipment installed during a previous project and~~
12 ~~have discussed with the City of Roseville allowable and compatible uses over and~~
13 ~~near existing valves. PG&E representatives are available to work with the City,~~
14 ~~County, and developers on this issue.~~

15 **PT-25** Please refer to responses to Comment Sets K (City of Roseville), R
16 (Sierra Vista Owner Group), and T (Placer County Community Development).

17 **PT-26** The commenter refers to a CRP and states that under a CRP he is not
18 allowed to do anything with his land: farming or building. The USDA Natural
19 Resource Conservation Service (NRCS) Conservation Reserve Program (CRP) is
20 administered by the Farm Service Agency. CRP is a voluntary program for
21 agricultural landowners, and encourages farmers to convert highly erodible cropland
22 or other environmentally sensitive acreage to vegetative cover, such as tame or
23 native grasses, wildlife plantings, trees, filterstrips, or riparian buffers. Farmers
24 receive an annual rental payment for the term of the contract.

25 Reference: (<http://www.nrcs.usda.gov/programs/crp>).

26 According to a representative of the Farm Service Agency (pers. com. Marianne
27 Morton, 7/16/09), in order for PG&E to place a pipeline and permanent easement
28 within land that is under the CRP, the landowner would need to request permission
29 from the County Committee (COC) and NRCS. According to 2-CRP (Rev. 4)
30 paragraph 274A, the CRP contract may be continued without reduction in payment
31 if:

- 1 1. The participant gives COC the details of proposed use, including length of
2 use.
- 3 2. COC authorizes the use.
- 4 3. NRCS certifies usage will have minimal effect, such as:
 - 5 • erosion is kept to a minimum
 - 6 • minimum effect on wildlife and wildlife habitat
 - 7 • minimum effect on water and air quality
- 8 4. The participant restores cover, at the participant's expense, to disturbed land
9 in timeframe set by COC.

10 NRCS will determine whether the disturbance will have an adverse effect on the
11 land. If NRCS determines that public use will have an adverse effect on CRP
12 acreage, affected acreage shall be terminated and refunds assessed.

13 **PT-27** Please refer to response to comment B-4.

14 **PT-28** Incorporating Options I and L into the proposed pipeline route has been
15 identified as the environmentally superior alternative (please refer to page ES-32 of
16 the Draft EIR). However, no decision has been made regarding which of the
17 pipeline alternative options would be implemented. The CSLC will make two
18 decisions regarding the PG&E Line 406-407 Natural Gas Pipeline Project at one of
19 the CSLC's public meetings. The first decision will be whether to certify the EIR that
20 was prepared for the proposed PG&E Line 406-407 Natural Gas Pipeline project.
21 The second decision to be made by the CSLC will be whether to approve the
22 environmentally superior alternative proposed project, which is construction of the
23 PG&E Line 406-407 Natural Gas Pipeline, inclusive of all project components and
24 Options I and L. The CSLC could also choose at that time to approve any of the
25 other options and ~~any alternatives~~ that were analyzed in the EIR. A notice of the
26 date, time, and location of the public meeting where the Project will be considered by
27 the Commissioners will be mailed to everyone on the CLSC mailing list and to
28 everyone who has commented on the Draft EIR, at a minimum of 10 to 15 days prior
29 to the date of the meeting.

30 **PT-29** The commenter indicates that using County Road 17 for the pipeline
31 alignment may not be feasible because it is not maintained by Yolo County. Placing

1 the pipeline along County Road 17 in the Hungry Hollow area is considered in
2 Alternative Option D. The proposed alignment would place the pipeline along
3 County Road 17 between Highway 113 and the Knights Landing Ridge Cut. In
4 either case, the proposed pipeline would not be directly below the road surface but
5 instead adjacent to the right-of-way. As such, the lack of road maintenance would
6 not affect the proposed pipeline alignment since PG&E would be responsible for
7 maintaining its easement.

8 **PT-30** Please refer to response to comment PT-10.

9 **PT-31** Following implementation of the proposed Project, if a property owner
10 wishes to make changes within the proposed 50-foot permanent easement, PG&E
11 asks that they contact PG&E's land office in Auburn and discuss the proposed
12 changes within the easement with a PG&E Land Agent. This will ensure that the
13 proposed use will not jeopardize the safety of the property owner, the public, or the
14 pipeline.

15 Also, see response to comment B-1. Both temporary and permanent economic
16 loses of normal farm operations are required to be compensated as stated in the
17 California Code of Civil Procedure.

18 **PT-32** Please refer to responses to comments B-3, B-4, and F-7. An attempt has
19 been made to locate the pipeline along edges of agricultural fields. In some areas,
20 the pipeline has been located through agricultural fields in order to avoid placing the
21 pipeline closer to roadways, residences, and in some cases businesses, thereby
22 increasing the number of people that would be at risk if rupture of the pipeline were
23 to occur with a subsequent explosion and/or fire.

24 **PT-33** Please refer to response to comment B-1.

25 **PT-34** PG&E indicated that in November 2008 they offered to acquire an option
26 to purchase an underground gas transmission line easement from Mr. Lopez. PG&E
27 offered to purchase an option, rather than an easement because the environmental
28 impact process was not yet complete. CEQA Section 21089 states that a lead
29 agency may charge and collect a reasonable fee from any person proposing a
30 project in order to recover the estimated costs incurred by the land agency in
31 preparing an EIR for a project. CSLC prepared the EIR with assistance from an
32 independent consultant, Michael Brandman Associates (MBA). PG&E did not
33 prepare the EIR nor was it part of the Project team preparing the EIR.

1 **PT-35** During engineering, environmental, and pre-construction studies, PG&E
2 and its contractors typically have occasion to field check proposed routes to
3 determine their feasibility for construction, operation, and maintenance. During that
4 study period, personnel visited many properties along the proposed gas pipeline
5 route. In February 2009, Mr. Lopez informed PG&E that PG&E and its contractors
6 were not allowed access to his or his father's property for any reason. PG&E
7 indicated that they notified its contractors and representatives not to access Mr.
8 Lopez or his father's property.

9 **PT-36** The CSLC will make two decisions regarding the PG&E Line 406-407
10 Natural Gas Pipeline Project at one of the CSLC's public meetings. The first
11 decision will be whether to certify the EIR that was prepared for the proposed PG&E
12 Line 406-407 Natural Gas Pipeline project. The second decision to be made by the
13 CSLC will be whether to approve the environmentally superior alternative proposed
14 project, which is construction of the PG&E Line 406-407 Natural Gas Pipeline,
15 inclusive of all project components and Options I and L. The CSLC could also
16 choose at that time to approve any of the other options and any alternatives that
17 were analyzed in the EIR. A notice of the date, time, and location of the public
18 meeting where the Project will be considered by the Commissioners will be mailed to
19 everyone on the CLSC mailing list and to everyone who has commented on the
20 Draft EIR, at a minimum of 10 to 15 days prior to the date of the meeting.

21 **PT-37** Please refer to response to comment B-1.

22 **PT-38** Please refer to responses to comments B-3, B-4, F-7, and PT-11.

23 **PT-39** The CSLC acknowledges that the commenter has a preference for the
24 following options, in their respective order: No Project Alternative, Option A, and
25 Option E.

26 **PT-40** PG&E has indicated that during code-mandated pipeline patrolling, PG&E
27 discovered right-of-way erosion at its Line 400/401 MP 243.8 in the spring of 2006.
28 PG&E's Pipeline Engineering department determined that the exposure did not pose
29 immediate risk from erosion mechanisms such as being struck by flowing debris or
30 further erosion that might cause an unsupported span. The erosion was not caused
31 by a creek or river, but a dry-wash drainage in flat pasture/grazing land. Further, the
32 coating on the pipeline was not damaged so external corrosion was not an
33 immediate threat. Plans for repair were drawn, and repairs were completed in 2006
34 and 2007. See the following before and after pictures.

1 Before:



2

3 After:



4

5

- 1 In 2008, pipeline patrols once again reported further erosion at the same site. (Note:
2 PG&E has indicated that the date stamp on the photo is incorrect. The picture was
3 taken on 7/18/08.)



4

5 **Proposed Repair:**

6 According to PG&E, the site was revisited by Pipeline Engineering, accompanied by
7 a PG&E Geosciences Engineer and local PG&E Willows District Pipeline Mechanic.
8 The protection of the pipe remained intact, however the head-cut migrated further
9 north and westward, eroding more soil from the site. At this meeting, Mr. Howard
10 Lopez was present and PG&E discussed the situation with him, letting him know
11 what the process was for repair and project justification. They discussed why he
12 thought the repair design did not halt the erosion. One of the reasons stated was
13 that a larger size riprap rock could have been used. PG&E has repaired many of
14 these types of erosion issues throughout its system. This type of problem is not an
15 easy one to fix, because directing and controlling water can be a difficult process
16 and many repairs are based on empirical models. PG&E developed an engineering
17 plan for another repair, which is planned for repair later in 2009.

18 **PT-41** One of the Project objectives is to install Project facilities in a safe,
19 efficient, environmentally sensitive, and cost-effective manner. The preferred
20 alignment has been compared to several alternate options, discussed in Section 3.0
21 of the Draft EIR. For each Option, all impacts to the environment, as defined by
22 CEQA, are considered, including, but not limited to, agricultural resources, biologic

1 resources, land use, hazards, noise, and geologic conditions. By considering all of
2 the proposed alternative options in conjunction with the proposed route, the
3 environmentally superior route has been identified as the proposed route plus
4 Options I and L (please refer to page ES-32 of the Draft EIR).

5 The proposed Project was designed to provide the optimum alignment that would
6 avoid biological and cultural resources, residences, and other sensitive
7 receptors/resources. Within individual options, PG&E has provided specific
8 solutions to individual areas where sensitive receptors/resources would be avoided.
9 The CSLC will consider PG&E's application for a permit and all supporting
10 documentation at a public hearing. Prior to taking action on the Project, the CSLC
11 will also consider the environmental evaluation of the proposed Project, the range of
12 alternatives in the EIR, comments received on the Draft EIR, and make a decision to
13 approve the Project, approve the Project with one or more options (alternatives) or
14 deny the Project.

15 **PT-42** Please refer to response to comment PT-10.

16 **PT-43** There would be limitations and restrictions contained in the easement
17 document that PG&E would develop with landowners. These limitations and
18 restrictions state that the property owner cannot erect or construct any building or
19 other structure, or drill or operate any well, or construct any reservoir or other
20 obstruction, or diminish or substantially add to the ground cover over PG&E's
21 facilities, or construct any fences that will interfere with the maintenance and
22 operation of PG&E's facilities. In addition, no trees or vines (including associated
23 supporting structures), can be planted within 10 feet of the centerline of the pipeline.

24 When a property owner wants to "do something" on their land within a long-term 50-
25 foot easement area PG&E asks that they contact PG&E's land office in Auburn and
26 discuss their plans with a PG&E Land Agent. The purpose of that contact is to
27 ensure the proposed use won't jeopardize the safety of the property owner, the
28 public, or PG&E's facilities.

29 **PT-44** Please refer to response to comment PT-13

30 **PT-45** PG&E is responsible for pipeline construction and operation.

31 **PT-46** PG&E's easement acquisition and property damage process would
32 address the commenter's issues regarding the concrete pad and pipe crossing the
33 road. Also, please refer to responses to comments Q-3, PT-9, and PT-13.

1 **PT-47** Please refer to response to comment B-1.

2 **PT-48** The comment states a preference for Option E, locating the proposed
3 Pipeline along County Road 19 in the Hungry Hollow area. This option would
4 require locating the Project closer to several residences situated along CR-19. Also,
5 please refer to responses to comments B-1, F-5, Q-3, PT-9, PT-11, and PT-13.

6 **PT-49** Names of commenters at the public hearings held in Roseville and
7 Woodland are included in Table 3-2 of this Revised Final EIR. Comment letters are
8 included throughout Section 3.0 of this Revised Final EIR. A notice of the date, time,
9 and location of the public meeting where the Project will be considered by the
10 Commissioners will be mailed to everyone on the mailing list and to everyone who
11 has commented on the Draft EIR, at a minimum of 10 to 15 days prior to the date of
12 the meeting.

13 **PT-50** ~~Please refer to response to comment Q-1~~ Letter Q from Klein Family
14 Farms provides background information on the status of the Klein Farms including
15 the number of acres farmed, number of seasonal and full-time employees, and
16 number of truck trips associated with the operation.

17 The Draft EIR accurately describes the methods required by the DOT for
18 determining a High Consequence Area (HCA) (see Draft EIR Section 4.7, pages 4.7-
19 14 and 4.7-15). The DOT 49 CFR 192.905 specifies two methods for determining
20 HCAs. Method (2) was utilized for the Draft EIR, and is described as follows:

21 (2) The area within a potential impact circle containing 20 or more
22 buildings intended for human occupancy, unless the exception in
23 paragraph (4) applies; or

24 An identified site.

25 In order to determine if an HCA exists under Method 2, the operator must calculate
26 the impact radius and associated impact circle, which are defined in DOT section
27 192.903. For Line 406/407 the impact radius was calculated to be 646 feet.

28 The second qualifier is the number of people that congregate within the impact
29 radius and the frequency that they are in the area. The qualifying amount of people
30 is 20 or more persons and the qualifying frequency is at least 50 days in a 12month
31 period (the days need not be consecutive). An "identified site" is defined in DOT
32 section 192.903.

1 Durst Family Farms currently has 40 full-time employees and up to 300 people that
2 work at the facility for periods of 12 to 16 weeks during the harvest. Durst has a
3 processing and packaging facility, which its employees occupy for processing and
4 packaging the produce. Durst also has a building that is open to the public for
5 purchasing their products. The 646-foot impact radius around Alternative Options A
6 and B along CR-16 would encompass all the buildings located at Durst Organic
7 Farms. PG&E therefore determined that Durst Organic Farms constitutes an
8 “identified site” and would trigger an HCA along Alternative Options A and B in the
9 vicinity of CR-16. Klein Family Farms has a similar number of workers as Durst;
10 however, they do not have a designated occupied area within the Line 406/407
11 impact radius and therefore, an HCA is not triggered.

12 **PT-51** During engineering, environmental, and pre-construction studies, PG&E
13 and its contractors typically have occasion to field-check proposed routes to
14 determine feasibility for construction, operation, and maintenance of the proposed
15 gas pipeline. During this study period, PG&E personnel and contractors had
16 occasion to visit many properties, including Mr. Ochoa's.

17 According to PG&E, in April 2007, Mr. Ochoa called PG&E and was concerned
18 about people coming onto his property. Upon receiving that call, PG&E and its
19 contractors refrained from entering Klein Farms property. PG&E and Mr. Ochoa
20 subsequently reached agreement regarding access to his property, and PG&E has
21 agreed to notify Mr. Ochoa 48 hours in advance of entry onto his property. We have
22 asked Mr. Ochoa to notify PG&E if any deviation from this 48-hour notice
23 requirement takes place so corrective action may be taken.

24 PG&E has indicated they have settled past equipment damage claims with Mr.
25 Ochoa and are currently negotiating a settlement for another equipment damage
26 claim.

27 **PT-52** Please refer to response to comment Q-4.

28 **PT-53** As amended by response to comment S-21, page 2-80 of the Draft EIR,
29 indicates that construction of Line 406 would begin as soon as agency approvals
30 have been obtained with a targeted in-service date of November 2010. Accordingly,
31 Line 406 may be constructed during the summer. Furthermore, Line 407 East and
32 Line 407 West and the DFM segments may be constructed in two different phases
33 as dictated by the added load on the transmission system. Construction of Line 407
34 is projected to begin in 2012. Should construction take place during the summer

1 months, property owners would be economically compensated for the loss crops
2 (please refer to page 4.2-25 of the Draft EIR).

3 As noted on Draft EIR page ES-53, topsoil would be replaced and restored to its
4 original condition. Furthermore, soil that is not suitable for back fill or spread as
5 topsoils, would be removed from the ROW. As noted on page 2-81 of the Draft EIR,
6 once the proposed Project is in operation, the temporary use areas would be
7 restored in accordance with pre-arranged landowner requirements. PG&E's
8 contractor would obtain landowner verification that all restoration was completed to
9 the satisfaction of the landowner prior to demobilizing from the ROW. Soil would be
10 decompacted and reseeded in accordance with the landowners' requests.

11 Both temporary and permanent economic losses of normal farm operations are
12 required to be compensated as stated in the California Code of Civil Procedure.
13 PG&E is required to provide financial compensation for temporary and permanent
14 loss of agricultural uses through the California Code of Civil Procedure, as follows:

- 15 • Section 1245.030(b) requires compensation for property damage, including
16 crop damage, resulting from pre-construction project studies, testing,
17 surveying, etc.
- 18 • Section 1263.210(a) requires all property improvements, including agricultural
19 crops and associated facilities and infrastructure, in project land rights
20 acquisition compensation.
- 21 • Section 1263.250(a) requires compensation for crop damage/losses resulting
22 from project construction. It also requires scheduling project construction to
23 avoid impacts to agricultural crops when possible.

24 **PT-54** Please refer to response to comment B-1.

25 **PT-55** An attempt has been made to locate the pipeline along edges of
26 agricultural fields in order to reduce impacts to agricultural resources. In some
27 areas, the pipeline has been located through agricultural fields in order to avoid
28 placing the pipeline close to houses along the roadways.

29 Should irrigation in locations other than rice fields be preempted by Project
30 construction, financial compensation for temporary and permanent loss of
31 agricultural uses would be provided pursuant to the California Code of Civil
32 Procedures, as follows (please refer to page 4.25 of the Draft EIR):

- 1 • Section 1245.030(b) requires compensation for property damage, including
2 crop damage, resulting from pre-construction project studies, testing,
3 surveying, etc.
- 4 • Section 1263.210(a) requires all property improvements, including agricultural
5 crops and associated facilities and infrastructure, in project land rights
6 acquisition compensation.
- 7 • Section 1263.250(a) requires compensation for crop damage/losses resulting
8 from project construction. It also requires scheduling project construction to
9 avoid impacts to agricultural crops when possible.

10 Also, please refer to response to comment Q-3.

11 **PT-56** Please refer to responses to comments B-1 and PT-11. An attempt has
12 been made to locate the pipeline along edges of agricultural fields in order to reduce
13 impacts to agricultural resources. In some areas, the pipeline has been located
14 through agricultural fields in order to avoid placing the pipeline close to houses along
15 the roadways.

16 **PT-57** Please refer to response comment B-1.

17 **PT-58** Comment acknowledged. The CSLC will make two decisions regarding
18 the PG&E Line 406-407 Natural Gas Pipeline Project at one of the CSLC's public
19 meetings. The first decision will be whether to certify the EIR that was prepared for
20 the proposed PG&E Line 406-407 Natural Gas Pipeline project. The second
21 decision to be made by the CSLC will be whether to approve the environmentally
22 superior alternative proposed project, which is construction of the PG&E Line 406-
23 407 Natural Gas Pipeline, inclusive of all project components and Options I and L.
24 The CSLC could also choose at that time to approve any of the other options and
25 ~~any alternatives~~ that were analyzed in the EIR. A notice of the date, time, and
26 location of the public meeting where the Project will be considered by the
27 Commissioners will be mailed to everyone on the CLSC mailing list and to everyone
28 who has commented on the Draft EIR, at a minimum of 10 to 15 days prior to the
29 date of the meeting.

30 **PT-59** The commenter is referring to Option C which is described in the Draft EIR
31 in Section 3.0, pages 3-12 through 3-13. This option has been included in the Draft
32 EIR since the early stages of the CEQA process.

1 **PT-60** Please refer to response to comment B-1.

2 **PT-61** According to PG&E, PG&E's Lines 400 and 401 were installed in a
3 common 100-foot right-of-way across Cache Creek. Line 400 was installed in 1963
4 and Line 401 in 1993. Both pipelines were installed by open trench excavation.
5 When Line 400 was installed in 1963, Cache Creek was likely a natural meandering
6 floodplain. Subsequently, in-stream mining of gravel, exacerbated by entrapment of
7 recruitment gravel in upstream dams, has affected the stream system. As a result,
8 the channel has become incised and experienced severe erosion due to high water
9 velocities, particularly during the "El Nino" season of 1995. PG&E lowered Line 400
10 in the creek bed, and installed a flexible grout mat to protect both pipelines from
11 bottom degradation, and installed a permeable spur jetty system, Ercon palisades™
12 to halt the lateral migration of the left (north) descending bank. Additional erosion
13 has occurred since that time, and PG&E has made additional repairs. PG&E is
14 continuing to monitor the crossings for changes, and will continue to develop
15 comprehensive strategies for mitigation, including both short and long term
16 solutions.

17 To address the statement regarding compensation, PG&E holds an easement for
18 the pipeline right of way across Mr. Smith's property granted from the original
19 property owner. It is PG&E's opinion that the palisade system constructed in 1996,
20 not only protected the pipeline, but halted the streambed migration preventing further
21 erosion and loss of land to Mr. Smith.

22 **PT-62** The risk assessment included risk measurement terminology that was not
23 defined in the document, which has resulted in some confusion. The Revised Final
24 EIR provides an analysis that has been clarified to account for individual risks to the
25 public due to the potential for fires and explosions, which may result from pipeline
26 releases. A Revised System Safety and Risk of Upset report was completed by
27 EDM Services, Inc. for the proposed Project, and is included as Appendix H-3 of this
28 Revised Final EIR. The EDM report findings are summarized in the Introduction to
29 this section (Section 3.0) of the Revised Final EIR. Revisions to the Draft EIR,
30 Section 4.7, Hazards and Hazardous Materials, and Section 4.9, Land Use and
31 Planning, regarding the risk analysis are provided in Section 4.0 of this Revised
32 Final EIR.

33 The risk analysis was revised because the aggregate risk was calculated and
34 reported as individual risk. In addition, the risk analysis incorrectly compared the
35 aggregate risk to the individual risk threshold of an annual likelihood of fatality of

1 1:1,000,000. The individual risk is defined as the frequency that an individual may be
2 expected to sustain a given level of harm from the realization of specific hazards, at
3 a specific location, within a specified time interval (measured as the probability of a
4 fatality per year). Aggregate risk is the total anticipated frequency of fatalities that
5 one might anticipate over a given time period for all of the project components (the
6 entire pipeline system). There is no known established threshold for aggregate risk.

7 The individual risk significance threshold used in the EIR is an annual likelihood of
8 one in one-million (1:1,000,000) for fatality (used by the California Department of
9 Education for school sites). The risk level is typically determined for the maximally
10 exposed individual (assumes that a person is present continuously—24 hours per
11 day, 365 days per year).

12 The highest risk along a segment of pipeline is to persons located immediately
13 above the pipeline, and the risk decreases as a person is farther away from the
14 pipeline. The maximum risk posed by Line 406 before mitigation is 1:2,137,000, and
15 after mitigation is 1:4,274,000 chance of fatality per year. The maximum risk posed
16 by Line 407 before mitigation is 1:2,062,000, and after mitigation is 1:4,115,000
17 chance of fatality per year. The maximum risk posed by Line DFM before mitigation
18 is 1:4,255,000, and after mitigation is 1:8,475,000. Because the calculated
19 individual risk is less than the threshold of 1:1,000,000, the risk is considered to be
20 less than significant.

21 ~~The Draft EIR provides an analysis of the risks associated with the proposed~~
22 ~~pipeline. A System Safety and Risk of Upset report was completed by EDM~~
23 ~~Services, Inc. for the proposed Project, and is included as a part of Appendix H. The~~
24 ~~findings are summarized in Section 4.7, Hazards and Hazardous Materials. Natural~~
25 ~~gas could be released from a pipeline leak or rupture. If the natural gas reached a~~
26 ~~combustible mixture and an ignition source was present, a fire and/or explosion~~
27 ~~could occur.~~

28 Please also refer to response to comment F-4.

29 **PT-63** Please refer to responses to comments PT-43 and PT-62.

30 **PT-64** Please refer to response to comment PT-4.

31 **PT-65** Please refer to response to comment PT-34.

1 **PT-66** The CSLC has prepared an EIR in accordance with the CEQA. According
2 to the CEQA Guidelines Section 15358(b), effects analyzed under the CEQA must
3 be related to a physical change in the environment. According to the CEQA
4 Guidelines Section 15358(b), effects analyzed under the CEQA must be related to a
5 physical change in the environment. The introduction of the Draft EIR, Section 1.0,
6 provides a definition of the affected environment as it currently exists (baseline
7 conditions), and each major resource section of the Draft EIR provides an
8 environmental setting, including agricultural resources. Attempting to determine that
9 future uses of farmland currently planted in field or row crops would be converted to
10 orchard or vineyard is too speculative for evaluation.

11 One of the Project objectives is to install Project facilities in a safe, efficient,
12 environmentally sensitive, and cost-effective manner. An attempt has been made to
13 locate the pipeline along edges of agricultural fields. In some areas, the pipeline has
14 been located through agricultural fields in order to avoid placing the pipeline close to
15 houses along the roadways. As a part of the proposed Project, PG&E has increased
16 the soil cover beyond minimum requirements from 3 feet to 5 feet because its past
17 experience has demonstrated that this depth is sufficient to eliminate most threats
18 from agricultural operations, such as discing or deep-ripping. The EPA defines
19 deep-ripping as the mechanical manipulation of the soil to break up or pierce highly
20 compacted, impermeable or slowly permeable subsurface soil layers occurring at
21 depths greater than 16 inches (please refer to the Draft EIR, page 4.2-24).

22 The temporary impacts to the farmland would not result in a physical change to the
23 environment for more than three weeks in any one area. Most of the agricultural
24 land along the proposed Project alignment is currently used for row or field crops.
25 Please refer to pages 4.2-23 through 4.2-25 of the Draft EIR for a discussion of
26 temporary and permanent impacts to agricultural land. The temporary impacts to
27 the 511 acres of farmland would not result in a physical change to the environment
28 for more than three weeks in any one area, or in the case of HDD, for more than four
29 weeks. In addition, the amount of farmland permanently impacted (2.55 acres)
30 across all four counties, and the amount of farmland converted from deep-rooted
31 plants to other types of crops (2.0 acres of orchard loss) located within Yolo and
32 Sutter counties does not represent a significant regional loss.

33 **PT-67** There are three commissioners: Lieutenant Governor, John Garamendi;
34 State Controller, John Chiang; and Director of Finance, Mike Genest who is
35 appointed by the Governor. The CSLC website is <http://www.slc.ca.gov/>, where
36 more information on the CSLC can be found.

1 **PT-68** Comments on the Draft EIR from Yolo County Board of Supervisors are
2 included in Comment Set H. Comments on the Draft EIR from the Yolo County
3 Farm Bureau are included in Comment Set Y.

4 Section 3.0 of the Draft EIR provides a discussion of alternatives that were
5 considered but eliminated from further evaluation (refer to Figure 3-1 of the Draft
6 EIR). One of the main reasons for not locating the pipeline in the foothills is that it
7 increases the risk of pipeline rupture due to placing the pipeline within the side-hills
8 in that geographic area that has faults. One alternative included a northern route.
9 While this alternative would locate the pipeline in a less populated area, it was
10 eliminated from further evaluation because: 1) it would expose the proposed pipeline
11 to the greatest risk from fault rupture due to much of the proposed right-of-way for
12 the pipeline being located on side-hills adjacent to the county roads; 2) it would
13 result in greater impacts to biological resources; more than 40 waterway crossings;
14 and 3) impacts to local agricultural production would be more extensive than the
15 proposed project. A second alternative included a southern route. This alternative
16 was eliminated from further evaluation because: 1) it would require crossing Cache
17 Creek and additional tributaries of Steelhead Creek; 2) would require longer
18 crossings over agricultural lands; and 3) would affect more people due to
19 construction through the suburban communities of North Natomas and Elverta. A
20 third alternative included a central route. This alternative was eliminated from further
21 evaluation because it would cause significant impacts to local water features and to
22 habitat utilized by special-status species.

23 **PT-69** PG&E has a public utility obligation to construct natural gas pipeline
24 infrastructure to serve its existing customers, as well as anticipated load growth. In
25 developing projects, PG&E identifies routes based on engineering and
26 environmental considerations. In performing the field work prior to submitting an
27 application for a proposed project to CSLC, PG&E often engages in discussions with
28 landowners and may be able to address their concerns. PG&E prefers to work out
29 property rights with landowners in a mutually agreeable manner. However, PG&E
30 needs to have agency approval of a specific route before negotiation and
31 agreements can be finalized. Therefore, it is not feasible to work out routing with all
32 potential landowners along all alternative routes before submitting an application to
33 the CSLC.

34 PG&E provided an application to the CSLC for a lease of State lands, thereby
35 triggering the need for environmental review of their proposed pipeline Project. The
36 CSLC is the lead agency for the preparation of the EIR in accordance with the

1 CEQA. The CEQA process is a public disclosure and participation process
2 regarding the environmental effects of a proposed project.

3 The EIR process for the proposed PG&E Line 406/407 Natural Gas Pipeline Project
4 began with the distribution of a Notice of Preparation (NOP) of an EIR by the CSLC,
5 mailed on June 19, 2007, to landowners, agencies, and other interested parties.
6 The 30-day comment period on the NOP solicited written comments, as well as
7 verbal comments at the four public scoping meets held on July 9 and July 10, 2007
8 in Woodland and Roseville, respectively.

9 The EIR process also included the publication of a Notice of Availability (NOA) by
10 the CSLC, mailed on April 29, 2009, to landowners, agencies, and other interested
11 parties. The Draft EIR was released for public review on April 29, 2009, which
12 included a detailed analysis of impacts in 14 environmental resource areas. The
13 CSLC provided a public review period of 45 days for the Draft EIR. The public
14 review period extended from April 29, 2009, to June 12, 2009. During that time, four
15 public meetings were held on June 3 and June 4, 2009 in Roseville and Woodland,
16 respectively. The lead agency allowed written comments on the Draft EIR to be
17 submitted by mail, orally at the public meetings, via fax and e-mail, and in person to
18 the CSLC office in Sacramento. The comments received by the CSLC during the
19 public review period of the Draft EIR and at the public meetings are reproduced in
20 this Revised Final EIR along with responses to comments provided in this Response
21 to Comments section.

22 **PT-70** According to PG&E, they do not have any public utility easements (PUEs)
23 in the area. PUEs may exist in which PG&E and other utilities have installed
24 facilities in the area but PUEs generally do not provide sufficient rights and
25 protection for large transmission facilities. Therefore, PG&E acquires easements to
26 install transmission facilities rather than PUEs.

27 **PT-71** Please refer to responses to comments F-4 and K-1.

28 **PT-72** Please refer to responses to comments E-2, F-5, K-1, and PT-13.

29 **PT-73** Please refer to responses to comments F-4 and K-1. PG&E's existing
30 transmission system within the Sacramento Valley region no longer provides
31 sufficient capacity to deliver reliable natural gas service to existing customers or to
32 extend service to planned development in the region. PG&E has indicated that
33 without the addition of this Project, customer service reliability will be at risk and

1 unplanned core customer outages could occur as early as 2009. PG&E's local gas
2 transmission system serving Yolo, Sacramento, El Dorado, Placer, Sutter, Yuba,
3 and Nevada counties has operated at maximum capacity over the last several years
4 and has required an escalating amount of annual investments in pipeline capacity to
5 maintain customer service reliability and serve new customers.

6 The Project would serve several major residential and commercial development
7 projects that are planned within Sutter, Placer and Sacramento Counties. These
8 projects include: the Metro Air Park, Sutter Pointe Specific Plan, Placer Vineyards
9 Specific Plan, Sierra Vista Specific Plan, and Curry Creek Community Plan.

10 **PT-74** Please refer to responses to comments F-6, X-3, and PT-15.

11 ~~PT-75~~ ~~Please refer to responses to comments C-5 and F-9.~~ The commenter is
12 referring to the use of CR-16 as a pipeline alignment. While portions of Option A
13 and Option B follow CR-16 (refer to pages 3-12 and 3-13 of the Draft EIR), it is the
14 portion of the Line 406 Central Alternative that would cross hillsides between Hwy
15 505 and I-5 for which sloughing was a primary concern. The Line 406 Central
16 Alternative was considered but eliminated from full evaluation in the Draft EIR (refer
17 to pages 3-10 and 3-11 of the Draft EIR) because this proposed pipeline alignment
18 alternative would be longer than the preferred alternative (resulting in greater
19 impacts) and would require crossing a greater amount of potential foraging habitat
20 for Swainson's hawk, nesting habitat for burrowing owls, and other habitats utilized
21 by special-status species. This alternative would also require construction along
22 sidehills, which would present additional engineering, construction, and maintenance
23 considerations.

24 Option A would increase the overall pipeline length by approximately 2,200 feet
25 through the edges of mostly agricultural fields, increasing the impacts to agricultural
26 lands including existing vineyards and orchards. Option B would increase the
27 overall pipeline length by approximately 2,640 feet through the edges of mostly
28 agricultural fields, increasing the impacts to agricultural lands including existing
29 orchards. Also, for both Options A and B, by placing the pipeline in close proximity
30 to Durst Organic Farms, a new "high consequence area" or "HCA" would potentially
31 be created along the pipeline as defined by DOT 192.903, based upon the number
32 of employees and the number of days they would congregate within a certain
33 distance (646-foot impact radius) from the proposed pipeline.

34

- 1 **PT-76** Please refer to response to comment PT-11 and PT-17.
- 2 **PT-77** Please refer to response to comment B-1 and B-5.
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