

3.2 Special Impact Areas

3.2.1 Cumulative Impacts

The CEQA requires an examination of the potential for a Project to have cumulative impacts when considered in conjunction with other Projects proposed and/or approved within a region. The Cumulative Projects Study Area for this Project is presently defined as proposed and approved projects in Yolo County, Sacramento County, Sutter County, Placer County and the city of Roseville. The EIR will contain a discussion of cumulative impacts of the proposed project.

3.2.2 Growth-Inducing Impacts

The CEQA requires a discussion of the ways in which a proposed Project could be an inducement to growth. The State CEQA Guidelines (section 15126.2(d)) identify a project to be growth-inducing if it fosters or removes obstacles to economic or population growth, provides new employment, extends access or services, taxes existing services, or causes development elsewhere. The EIR will contain a discussion of potential growth-inducing impacts of the proposed Project.

3.2.3 Environmental Justice

An environmental justice impact will be considered significant if implementation of the proposed Project or alternatives would:

- Have a potential to disproportionately impact minority and/or low-income populations at levels exceeding the corresponding medians for the County in which the project is located; or
- Result in a substantial disproportionate decrease in the employment and economic base of minority and/or low-income populations residing in the County and/or immediately surrounding cities.

The CSLC developed and adopted an Environmental Justice Policy to ensure equity and fairness in its own processes and procedures. This policy stresses equitable treatment of all members of the public and commits to consider environmental justice in its processes, decision-making, and regulatory affairs which is implemented, in part, through identification of, and communication with, relevant populations that could be adversely and disproportionately impacted by CSLC projects or programs, and by ensuring that a range of reasonable alternatives is identified that would minimize or eliminate environmental impacts affecting such populations.

The EIR will analyze the distributional patterns of high-minority and low-income populations on a regional basis. The analysis will focus on whether the proposed Project's impacts would have the potential to affect an area(s) with high-minority population(s) and on low-income communities disproportionately, thereby creating an environmental justice impact.

Appendix B: Notice of Preparation (NOP), Comment Letters, Meeting Transcripts, and Location of Responses

Appendix B includes a copy of the Notice of Preparation (NOP) for the proposed Project, copies of all comment letters received on the NOP during the public comment period, transcripts of public scoping meetings conducted during the public comment period, and an indication (Section, sub-Section and page number) where each individual comment is addressed in the Draft EIR. Table B-1 lists all comments and shows the comment set identification number for each letter or commenter. Table B-2 lists all public meeting transcripts and shows the comment set identification number for each commenter. Each comment set is immediately followed by the location where each individual comment is addressed in the Draft EIR. Both comment letters and meeting transcripts are presented chronologically.

Table B-1: NOP Commenters and Comment Set Numbers

Agency/Affiliation	Name of Commenter	Date of Comment	NOP Comment Set
Landowner	Michael R. and Treva Valentine	No Date	1
Department of Water Resources	Floodway Protection Section	6/29/07	2
Placer County Office of Education	Matt Shawver, Facilities Support Analyst	7/2/07	3
Landowner	Howard and Bonnie Lopez	7/4/07	4
Landowner	Doug Wirth, Co-Trustee, Robert B. and Vesta E. Wirth Family Revocable Trust	7/13/07	5
Department of Conservation	Dennis J. O'Bryant, Program Manager	7/16/07	6
County of Placer Department of Public Works	Andrew Gaber, DPW, Transportation	7/17/07	7
Department of Energy	Heidi R. Miller, Realty Officer	7/17/07	8
Measure M Owner's Group	George M. Carpenter, Jr., Attorney at Law	7/17/07	9
Natural Resources Conservation Service	Phil Hogan, District Conservationist	7/17/07	10
Placer County Flood Control and Water Conservation District	Andrew Darrow, P.E., Development Coordinator	7/17/07	11
Wildlands, INC.	Jeff Mathews, Director of Sales and Marketing	7/17/07	12
City of Roseville	Mark Morse, Environmental Coordinator	7/18/07	13

Agency/Affiliation	Name of Commenter	Date of Comment	NOP Comment Set
RSC Engineering	Richard S. Chavez P.E.	7/18/07	14
Wirth Real Estate/Valuation Services/Landowner	Robert B. Wirth, Jr., Real Estate Appraiser/Consultant Occupant	7/18/07	15
Yolo County Board of Supervisors	Duane Chamberlain, Fifth District Supervisor	7/18/07	16
Yolo County Farm Bureau	Joe F. Martinez, President	7/18/07	17
Yolo-Solano Air Quality Management District	Mathew R. Jones, Senior Air Quality Planner	7/19/07	18
Wildlands, Inc.	Brian Monaghan, Project Director	7/20/07	19
Landowner	William L. Dibble	7/26/07	20
United States Department of the Interior Fish and Wildlife Service	Kenneth Sanchez, Assistant Field Supervisor	10/29/07	21
Atkinson, Andelson, Loya, Ruud & Romo / Attorneys for Center Unified School District	Elizabeth B. Hearey	12/11/08	22
Hefner, Stark & Marois	Martin B. Steiner	01/07/09	23

Table B-2: Public Scoping Meeting Transcripts and Comment Set Numbers

Meeting Date (Time), Location	Name of Commenter / Affiliation	NOP Comment Sets
July 9, 2007 (3:30 pm), Woodland	Howard Lopez	1
	John Stone	1
	Charles Jensen	1
	Fulton Stephens	1
July 9, 2007 (5:35), Woodland	Lynnel Pollock	2
	Herb Pollock	2
	Michael Valentine	2
	Dick Leonard	2
	Tom Horgan	2
	Paul Smith	2
	Carol Gorman	2
July 10, 2007 (3:00), Roseville	Laura Leonard	2
	Andrew Carpenter	3
	George Carpenter / Placer County Department of Public Works	3

*Appendix B - Notice of Preparation (NOP), Comment Letters,
Meeting Transcripts, and Location of Responses*

Meeting Date (Time), Location	Name of Commenter / Affiliation	NOP Comment Sets
July 10, 2007 (5:45), Roseville	No comments were made	4

COMMENT SET 1

Michael R. Valentine
Treva Valentine
38871 County Road 16A
Woodland, CA 95695

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

Project: PG&E Lines 406 and 407 Natural Gas Pipeline
CSLC Ref: W30169-4, W26210, R19806
SCH#: 2007062091

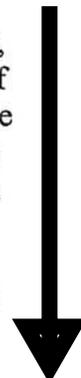
Dear Ms. Spurr;

Thank you for the opportunity to provide comments, both in this written form and at the public scoping meeting held on July 9 in Woodland, on the appropriate scope and content of the environmental analysis that should be included in the environmental impact report (EIR) for the above pipeline project. We have comments that are meant to supplement those concerns expressed at the July 9 meeting. As a threshold matter, though, I should note that I was previously an employee of the California State Lands Commission. My employment with the Commission ended September 4, 2006 and for a period of one year following that date the state's "revolving door" statute prohibits me from appearing in Commission proceedings as a compensated representative of third parties. Please be assured that these comments regarding the pipeline project are made solely on behalf of my wife and me and no compensation has been received from any third party in connection with this proceeding.

For the most part, the significance criteria as outlined in Attachment 1 to the notice of public scoping meeting are very helpful in setting out the proposed analytical approach for determining the importance of impacts along the pipeline route. I have comments, however, on those sections relating to natural resources, aesthetics and conversion of agricultural land to non-agricultural use.

Along the project proponent's preferred alternative route, there are several large, mature trees that contribute greatly to the aesthetic aspect of the area and that are also of considerable biological significance. The loss of such trees, or in some cases of even one of them, would constitute a significant impact both on the aesthetics and wildlife values of the area. Several of these trees are along Road 16A just east of Yolo. For example, in the considerably less than 50 feet between our house and the right-of-way for County Road 16A there stands a very large heritage oak tree that has in past years been the nesting site for Swainson's hawks. The loss of even this one tree, given the diminishing

1-1



numbers of these heritage trees in the area of the project and the threatened status of Swainson's hawks, would in our view constitute a significant wildlife/biological impact and would also have a major impact on the aesthetics of the area. It is not clear from a review of the significance criteria for the project that the loss of a heritage oak, whether by direct removal or by damage to root systems or drainage caused by excavation, would be considered a significant project impact. In our view, impacts on such heritage trees and other trees used by sensitive species for important life activities such as nesting and foraging should be carefully analyzed and should be considered significant project impacts. Where possible, these impacts should be avoided by selection of an alternative route or by deviations in the route chosen so as to avoid impacts on heritage or biologically significant trees. And where avoidance is considered infeasible, mitigation measures should, of course, be imposed. The principal purpose of this comment at this juncture is to urge the Commission to require analysis of both direct removal and disturbance impacts on heritage trees or trees otherwise having biological importance so that avoidance measures can be developed and recommended as the project is considered for approval.

1-1

On aesthetics, several of the homes along the pipeline route in the vicinity of Yolo have trees, shrubs, and buildings in the 50 area proposed by PG&E for the permanent right-of-way for the project. The PG&E representative at the July 9 meeting said that perennial plants would not be allowed in the right-of-way. Given the length of the project and its route through areas where there are substantial numbers of residences, this has the potential to substantially degrade the existing visual character or quality of the project site and its surroundings. In other words, removal of vegetation in the vicinity of the homes and along the road frontage will not only have detrimental visual (and economic) effects on the homeowners but will tend to degrade the aesthetics along the entire pipeline route. Given that this project is proposed for an area already substantially developed with permanent plants and homes, removal of trees along the route, especially along roadways, should be analyzed as potentially significant impacts and avoidance measures proposed wherever possible.

1-2

Finally, the significance criteria indicate that permanent loss of farmland would be considered a significant impact of the project. As noted above, the project proponent has stated that a right-of-way 50 feet wide will be acquired for the pipeline. The pipeline is proposed to be buried only five feet deep and, as a result, PG&E wants to prohibit permanent plants in the right-of-way. This will not result in complete conversion of land to non-agricultural use, of course, but will restrict use to row crops or grazing. Orchards, a very prevalent form of agricultural use in the project area, and vineyards will be precluded and this, as a form of restriction on agricultural use of prime soils, should be considered a significant impact for which avoidance or mitigation measures are imposed. I don't believe that it would be legally permissible to conclude that the preclusion of some but not all agricultural uses along the project route would be less than a significant impact. Such limitations on agricultural use would make agriculture less economically feasible along the project route and would therefore have the tendency to result in long-term losses of agricultural land. Limitations on agricultural use resulting from the project should be considered a significant impact of the project under the significance criteria.

1-3

Again, thank you for this opportunity to comment on the scope of the EIR. I will send these comments in both electronic and hard copy forms for your convenience. Please place us on your mailing list for all notices and documents relating to this project. Electronic mail may be sent to us at mraytre@yahoo.net.

Sincerely,

A handwritten signature in black ink that reads "Michael R. Valentine". The signature is written in a cursive style with a large, sweeping initial "M".

Michael R. Valentine

1 **RESPONSE TO COMMENT SET 1**

Comment Number	Section of Draft EIR	Page Number(s)
1-1	4.1 -Aesthetic Resources 4.4 - Biological Resources	4.1-14 4.4-18, 4.4-33, and 4.4-61 to 4.4-107
1-2	4.1 - Aesthetic Resources 4.4 - Biological Resources	4.1-8, 4.1-13 and 4.1-14 4.4-88 to 4.4-92
1-3	4.2 - Agricultural Resources	4.2-22 to 4.2-25

2

3

COMMENT SET 2

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791



June 29, 2007

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

PG&E Line 406/047 Project
State Clearinghouse (SCH) Number: 2007062091

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

2-1

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Huitt".

Christopher Huitt
Staff Environmental Scientist
Floodway Protection Section

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

Encroachment Permits Fact Sheet

Basis for Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

Area of Reclamation Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

Regulatory Process

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

Application Review Process

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a “responsible agency” within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the “lead agency” [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

RESPONSE TO COMMENT SET 2

Comment Number	Section of Draft EIR	Page Number(s)
2-1	1.4 - Introduction 4.8 - Hydrology and Water Quality	1-8 and 1-9 4.8-15, and 4.8-20 to 4.8-22

COMMENT SET 3

From: "Shawver, Matt" <mshawver@placercoe.k12.ca.us>
To: <spurrc@slc.ca.gov>
Date: 07/02/2007 9:22:07 AM
Subject: Placer County Office of Education / Natural Gas Pipeline Lines
406 & 407

Hi Crystal,

Do natural gas pipeline lines 406 & 407 encroach within ¼ mile of any schools in Placer County?

3-1

Thanks,

Matt

Matt Shawver

Facilities Support Analyst

Placer County Office of Education

Phone: (916) 415-4443

Fax: (916) 415-4423

mshawver@placercoe.k12.ca.us <mailto:mshawver@placercoe.k12.ca.us>

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